A Collection in English, of the *Statutes nowe in force, continued from the beginning of Magna* Charta, made in the 9. yeere of the reigne of King H. 3. vntill the ende of the Seſſion of Parliament holden in the 23. yeere of the Reigne of our gratious Queene Elizabeth, vnder Titles placed by order of Alphabet: wherein is performed (touching the Statutes wherewith Iuſtices of the peace haue to deale) *ſo much as was promiſed in the booke of their office lately publiſhed. For which purpoſe* alſo the Statutes concerning thoſe Iuſtices haue this marke ☞ at the beginning, and this marke * at the ende of them, noted in the margent ouer againſt the ſame.

Hereunto is added two Tables: the one at the beginning of the booke, declaring vnder titles by order of Alphabet the ſubſtance of ſuch referments as ſtoode at the end of eche Title in the firſt Collection of Statutes, ſet forth by Maſter Iuſtice Raſtall. And in this Table, the Title of Iuſtices of the peace is ſpecially peruſed and amended, for their more eaſie finding of matters in this booke, concerning their authoritie.

In the other Table (being at the ende of this booke) are ſet downe by order of the Kings reignes, the ſeuerall times of their Parliaments, together with the ſundry chapters and intitulings of the particular Statutes *in euery of the ſame: whereby the Reader may eaſily finde vnder what Title, and* in what leafe of this booke, any of theſe Statutes be placed: and may alſo (by helpe of certaine hands prefixed to diuers of them) readily ſee, what, and how many Statutes in eche Kings reigne, doe concerne the Iuſtices of peace, and in what leafe of this booke to finde them.

Imprinted at London by *Chriſtopher Barker, Printer to the* Queenes moſt excellent Maieſtie.

1583. page 560

William Raſtall Ser-

geaunt at Lawe, to the gentle Reader.

HEre haue yee (gentle Readers) a Collection of the Statutes of Englande (from the beginning of Magna Charta, vnto this preſent time) which were before this yeere imprinted, and which be nowe in force and effect.

The printed Statutes, expired or repealed, or concerning priuate perſons, or ſome priuate places, I haue (for the moſt parte) left out of this woorke, ſauing that of them I haue made in their apt titles (as I thinke) a brieſe remembrance.

The reſidue of the Statutes imprinted, haue I put in this woorke (as I ſuppoſe) in their apt titles, worde for worde, as they be in the great Statutes: onely leauing out, as well certaine ſuperfluous woordes, as alſo the moſt part of the preambles, for that I feared, that if I ſhoulde haue put in all the preambles, this booke woulde haue growen ſo bigge and ſo thicke, that it woulde not haue bene conteined in this volume. Neuertheleſſe I haue (I truſt) put in thoſe preambles, without which the body of the Statutes cannot be well perceiued.

But yet truſt not, that all the Statutes that I haue put at large in this booke, do ſtand in force: for percaſe ſome of them be repealed by other Statutes made after, by ſpeciall or generall wordes, which for lacke of leaſure I coulde not throughly conſider. I haue noted in the Margent of euery Statute certaine woordes, and that for three cauſes.

The firſt, for that, that many of the Statutes be long, and contayne many ſeuerall matters, of which percaſe you woulde many times gladly, ſhortly finde out ſome one (without tedioufnes, or ſpending of the time in reading ouer the whole ſtatute) therefore by peruſing the wordes in the Margent, ye may quickely conceyue, what matters be in that ſtatute, whereby ye may readily finde out the matter that ye would reade of in that ſtatute.

The ſecond cauſe is, that the wordes in the Margent well conſidered, ſhall ſtand you in as good ſteede, as ſhould a ſpeciall Calender.

The third cauſe is, becauſe that many Statutes conteine diuers matters, that neceſſarily were to be put in diuers ſeuerall Titles apt for thoſe ſeuerall matters, and ſo ſhould diuers matters aptly be put in this booke twiſe or thriſe, or percaſe in moe places in their diuers apt Titles, were it not that then this booke woulde haue bene too bigge, therefore the wordes in the Margent, doe ſhortly ſhewe you thoſe ſeuerall matters apt for other Titles.

Note that the wordes in the different letter within the Parentheſes ( ) be not the wordes of the Statute, but my wordes planted in there, for the better vnderſtanding of the ſtatute.

And although I haue put the ſtatutes here at large, yet will I aduiſe euery ſuch of you, as ſhall haue any matter of importance, concerning any ſtatute in this booke, not

to truſt altogether to this booke: But reade you ouer diligently the Acte with the Preamble thereof, in the great bookes of Statutes, out of which I tooke this. This aduiſe I giue you for two cauſes: The one, for that, that reading the Preamble with the Statute, it ſhall many times giue you much light for the true vnderſtanding of the Statute: where if ye reade the Statute in this booke without the Preamble, the vnderſtanding of the Statute may be to you oft time confuſed. The other cauſe is, for that, that perhaps diuers faults be eſcaped in this worke, ſome for lacke of diligence of the Printer, and ſome by my default, for lacke of leyſure to conſider, and aduiſedly to peruſe and ouerſee this worke after I had finiſhed it.

Note alſo that in the ende of euery referment of the two Tables, you ſhall finde the one of theſe foure letters, A. B. C. D: which do ſignifie, the firſt, ſecond, third, and fourth Columne of euery leafe. Vale.

A Table (in order of Alphabet) for the ready finding *of the ſeuerall Titles conteined in this volume: whereunto* are added the ſubſtance of ſuch referments as ſtande at the ende of eche Title in the Collections of the Statutes before this time publiſhed.

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Whē for exception of wayntenancie a writ ſhal abate. 25.b

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¶ Abbeis, Priories, Monaſteries, Colledges, free Chappels, Hoſpitals, Chauntries, and their Abbots, Priours, and their Gouernours, & the lands, poſſeſſions, and goods of the premiſſes and religious perſons.

Religious perſons made able to purchaſe, ſue, and to be ſued. 1.b

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¶ Abilitie and Nonabilitie.

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¶ Abiuration.

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Treſpaſſours in Parkes and ponds, for lacke of ſuerties, ſhal abiure the Realme. 175.b

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Armour. 6. That the names of labourers and seruants to husbandrie and to artificers, and victuallers, and their vnlawfull weapons seased by Constables and others, are to be presented vnto the, and when, and where.
Armour. 8. That they may make search howe men obserue the lawe, in hauing horses, armour, and weapons, and the maner howe.
Armour. ibidem. That they may punish such as kepe not horses and armour according to the Statute, and howe.
Armour, ibidem. That they be to be put in Commission for the viewe of Armour, and for the appointing, what common armour and weapons, Townes shall maintayne, and their dewtie therein.
Arrowheads. 1. That they may punish the euill making of Arrowheads, and howe.
Artificers. 3. That they may punish certaine kindes of victuallers there mentioned, for conspiring not to sell their victuall vnder a price agreed vpon among themselues.
Attornies. 13. That they in Norffolke, Suffolke, and Norwich may punish such Attornies as practise that trade there without sufficient warrant. But learne if this stand still in force.
Bouchers. 1. A maner of punishment to be layed vpon Bouchers for selling of naughtie flesh. Which they may put in execution by their commission.
Bowes. 1. 3. and 8. Penalties which bee to be layed vpon marchants for not bringing in the nomber of Bowstaues appointed by the Statutes. Which they may put in execution by warrant of the Statute of 33. H. 8. cap. 10.
Bridges 1. That they may punish the defaultes of such as ought to maintaine Bridges, and the maner howe.
Bridges. 1. & 3. That they may tare men towardes the reparation of bridges, in case it bee not knowen who ought to repaire them, and how they are to deale therein.
Bridges, 4. That they of the citie of Oxforde are to ioyne with the Vicechauncelour and Maior in the appointing of surueyours for the amending of the Bridges and wayes neere there about.
Bridges. 5. That ꝑ reparation of Cardiffe Bridge

Bridge in Wales is to be looked vnto by those and of them there about.

Butter. 3. A penaltie to bee layde vpon such as be prohibited to buy Butter and Cheese to sell againe otherwhere, then by retayle in open shoppe, Market, or Faire, which they may put in execution as against regrators by their Commission.

Calues. 1. That they may punish such as kill sucking calues falling within a certaine season of the yeere, prohibited by the Statute, and how.

Calues. 2. That they may punish such as kill weaning calues vnder a certain age there mentioned, to the intent to sel the same, and the maner and fourme howe.

Calues. 4. That they may punish the defaults of such as keepe not milche kine, nor reare vp Calues according to the rate of their sheepe and great beastes, and the maner howe.

Captaines. 4. and 6. That they may enquire of, heare, and determine the felonies of Souldiers in not going ouer Sea with their Captaines, or in returning or departing without sufficient licence.

Captaines. 6. That they may commit to prison Souldiers that haue wilfully made away their masters hoyse or harnesse, and the maner how.

Certificate. 1. Power giuen vnto them to write to the Clarke of the Crowne for the names and causes of persons outlawed, and of Clarkes conuict or attainted, whereof he hath any transcript.

Champertie. 1. 2. 3. 4. and 5. The punishments which are to be layde vpon Champertours, and who be Champertours: but learne if they haue to deale with them otherwise then as against maintainers by force of the statute of 33. Hen 8. cap. 10.

Chester. 3. That there shall be some appointed in the Countie Palatine of Chester, and in Northwales & Southwales, as in England.

Clergie. 28. The carnall knowing of a woman childe vnder the age of tenne yeeres is made felonie, and Clergie taken away, which they may punish accordingly by their commission.

Clarke of the Market. 1. The punishment which is to bee layde vpon the Clarke of the market for extortion concerning his office, which they may put in execution by warrant of their Commission.

Coniuration. 1. Coniuration and inuocation of euill spirites, witchcraft, inchantment, Charming and Sorcerie, stretching to the killing of any person is made felonie, which they may punish accordingly by their commission.

Conspiracie. 1. A definition of certaine Conspirators, which offenders in respect that it is maintenance, they haue authoritie to punish by the Statute of 33. Hen. 8. cap. 10.

Cordiners. 17. The penaltie which is to bee imposed vpon vnlawfull regrators of Leather, which they may put in execution by the generall worde of regratories in their Commission.

Cordiners. 21. Power giuen vnto them to vewesse and to punish sundry abuses about Leather, and the selling of Oke at vnseasonable times, and of butchers killing Calues vnder fiue weekes olde, and the maner howe.

Corne. 7. Authoritie giuen vnto them to licence Dioners, and Badgers, and Buyers of Corne, Butter and Cheese, and the maner, fourme and place thereof.

Corne. ibidem. That they may punish Dioners, Badgers, and others that take other licences, or doe contrary to the Statute, and howe they are to proceede therein.

Corne. 8. Power giuen vnto them in some sorte to alter the order set downe by the Justices of Assise for the libertie or restraint of transporting of Graine, and the maner and fourme thereof.

Coroners. 1. and 7. and Murder. 2. That they may punish the negligence and extortion of Coroners about the enquirie of a person dead by misaduenture or otherwise, and the manner howe.

Counterfaitours of letters. 1. That they may punish Counterfaiters of letters, and priuie tokens to get other mens goods vnto their handes, and the maner howe they are to proceede and to deale therein.

Cowpers. 1. and 2. Power giuen vnto them to set the price and rate howe vessels of Beere and Ale and Soape shall bee solde, and where they shall doe it.

Cowpers. ibidem. The penalties which are to bee layde vpon Cowpers and Soape makers for offending in the quantitie of their vessels of Beere, Ale, and Soape, which they may deale with by reason that it concerneth measures.

Crosbowes. 2. and 3. That they may punish such as offende in shooting or in keeping or carrying of Crosbowes or handgunnes &c. and the maner and fourme howe and where.

Crosbowes. 3. That they ought to recorde the names of such as doe present their names vnto them from shooters in handgunnes, and where and why.

Crowne. 6. and 10. Such as maintaine the Ecclesiasticall authoritie of any forreine Potentate within this Realme, and their abettors &c. may bee indited before them within the peere and day.

Crowne. 8. and 10. Such as extolle the Bishoppe of Rome his authoritie within this Realme, and their abettors &c. may be indited before them within the peere and day, and howe they ought to certifie such Indictments.

Crowne. 9. and 10. Such as offende concerning Bulles of absolution, reconciliation, Agnus dei, or such superstitious thinges, and their abettors &c. may be indited before them within the peere and day.

Crowne. 9. Their duety when an Agnus dei, or other such superstitious thing is brought vnto them.

Crowne. 10. Such as put in practise to absolue or withdrawe a Subiect from his obedience, and they that shall be so absolued, withdrawen or reconciled, and their abettors &c. may be indicted before them within the peere and day.

Crowne. 10. They may punish such as slay or heare Masse, and such as repaire not to the Church as they ought to doe, and all prohibited schoolemasters, and the keepers of them, and the maner and fourme howe.

Crowne. ibidem. and Seruices. Such as preach or speake against any part of the Booke of Common prayer, or doe maintaine any other open prayer or administration of Sacraments, or vnlawfully interrupt any Minister to say the common prayer, may be indited before them within the peere and day.

Custos Rotulorum. 1. That the Custos Rotulorum shall haue the appointment of the Clerke of the peace.

Custos Rotulorum. 2. That the Loyde Chamberlour shall haue the appointment of the Custos Rotulorum.

Discontinuance of proces. 1. That pleas depending before them shall not be discontinued by new Commissions of the peace made vnto others.

Discontinuance of proces. 2. They being made Dukes &c. shall remaine Justices of peace still, their olde Commission continuing.

Draperie. 52. That they may punish such as offende in stretching, dying, making, stuffing, rowing, selling, pressing, ouerseeing or searching of woollen cloth, and the manner and fourme howe.

Draperie. ibidem. Power is giuen vnto them to appoint ouerseers of woollen cloth, and howe they are to deale and proceede therein.

Draperie. 53. Power is giuen vnto them to cut in peeces faultie cloth in the length, breadth, or weight set downe in the Statute, and howe they are to deale therein.

Draperie. 67. That they may burne a certaine stuffe deceitefully vsed for dying, called Logge woade or Blocke woade.

Egyptians. 1. Authoritie is giuen vnto them to seise the goods of outlandish counterfeite Egyptians, and what they are to doe therewith.

Egyptians. 2. and 3. Counterfeite Egyptians continuing together by the space of one moneth be made felons, which they may punish accordingly by their commission.

Escape. 3. Escapes of persons arrested for felonie bee made inquirable before them.

Eschequer. 1. and Estreates. 2. That all Commissioners ought to certifie their Estreates yearely at Michaelmas, whereby they seeme to bee comprehended.

Eschetours. 10. That they may punish such as take vpon them the office of eschetour or the deputation thereof, or doe sell or set it, or deale with it otherwise then they ought, and howe to proceede therein.

Eschetours. 14. The fees of Eschetours set downe, which if they exceede they may be punished by them for extortion by their Commission.

Estreates. 1. That they may punish shiriffes that leaue the Greenewaxe, and doe not charge them selues therewith,

and the maner and fourme thereof.

Execution of Statutes. 3. and 4. That they may punish all offences against the statutes made before and in the Parliament of An. 33. Hen. 8. per in force, which any wayes touch Retainings, giuing of Liueries of Badges Maintenance, imbracerie, Bowstaues and Archerie, vnlawfull games, forestallers, and regrators, vitaile, vitailers or inholders, and the offences of seruingmen, husbandmen, Labourers and artificers concerning apparell, and the manner and fourme thereof.

Extortion all. and Fees all. They may punish all Extortion by wordes in their Commission, and therefore see in this Table the Title of Extortion and of Fees.

Fayres. 6. That they may punish the keepers of markets and faires, for not appointing of an open place for the sale of horses, and of a booke keeper, and certaine faultes also of the booke keeper, and the maner howe.

Felonies. 2. The breaking of prison by him that is committed for felonie is made felonie, which they may punish accordingly by their commission.

Felonies. 3. Multiplying of Golde and Siluer is made Felonie, which they may punish accordingly by their Commission.

Felonyes. 4. Cutting out of tongues and putting out of eyes of malice prepenced is made Felonie, which they may punish accordingly by their Commission.

Felonies. 7. Power is giuen vnto euery of them vpon Information to make warrants for the arresting and bringing of such before him as be suspected to haue hunted vnlawfully by night or with paynted faces in Forestes, Parkes, or Warrens, and to examine them thereof.

Felonies. ibidem. The denyall of such forestalde hunting vpon their examination and also rescous made against such forestalde warrants is made Felonie, which they may punish accordingly by their Commission.

Felonies. 8. The taking away of mayden, widowe, or wife hauing landes or goods or being heire apparent vnto any against her will vnlawfully, and the procuring &c. is made Felonie, which they may punish accordingly.

Felonies. 10. For a seruant to go away vi or to conuert to his owne vse his masters goods of the value of fourtie shillings deliuered vnto him to keepe, is made Felonie, which they may punish accordingly by their commission.

Felonie. 11. The vnlawfull breaking vp of the newe podicke in Marshlande or of Oldefielde Dicke in the Isle of Ely is made Felonie, and power is giuen vnto them to punish the same accordingly.

Felonie. 13. and Horses. 9. The vnlawfull conueying of Horse, Gelding, or Mare into Scotlande to the vse of any Scot is made Felonie, and power giuen vnto them to punish the same accordingly.

Felonie. 14. Buggerie is made felonie and power giuen vnto them to punish the same accordingly.

Felonie. 21. Wilfull poysoning of any person is declared to be wilfull murder, which they may punish accordingly by their Commission.

Felonie. 30. Vnlawfull conspiring and deuising to set at libertie any prisoner indited of Treason concerning the Queenes person, if he vtter the same, is made felonie, which they may punish accordingly by their commission.

Fesants. 1. and 2. That they may punish such as vnlawfully take fesantes and partriges, & howe they are to proceede and deale therein.

Fesants. 1. That they may punish such as take certaine kindes of Hawkes egges, or Swannes egges out of the neast, and those that take such Hawkes, or driue them from their couerts, and the maner howe.

Fesants. 2. That they may punish such as hauke vnlawfully in other mens coyne and the maner howe.

Fighting. 1. That they may punish such as drawe weapon to strike in Church or Churche yarde and the manner howe.

Fishers. 1. and Havens. 1. A fourme of penaltie appointed against such as take Salmons at times there prohibited, or doe destroy pong Salmons at mille pooles, which they may put in execution accordingly being Conseruators of Riuers.

Fishers. 16. That they may punish the vnlawfull and prohibited taking of Fish, and the destroying of the frye of Fish, and the time, maner, and fourme thereof.

Fishers. 17. That they may punish such as cut out the heades of other mens seuerall stewes, or doe fish there vnlawfully, and how they are to proceede and deale therein.

Fishers. ibidem. That they may punish such as hunt or kill Deere in other mens seuerall inclosed grounides, or doe take Hawkes, or their egges in other mens grounides, and howe they are to proceede and deale therein.

Fishers. ibidem. Power giuen vnto them in a speciall case there mentioned, to discharge a recognisance of good abearing taken of such as be conuicted of the offences last aforesaide.

Flaxe. 1. and Shippes. 13. That they may punish such as sow not flaxe or hempe according as it is appointed, and howe they are to proceede and deale therein.

Forcible entrie. 1. A penaltie which is to be layde vpon such as make vnlawfull or forcible entries into landes, which they may put in execution being a speciall trespasse.

Forcible entrie. 2. and 3. Power giuen vnto them to remoue a force made in Landes or Tenements, and to punish the offendours in cases there set downe to make restitution to the partie grieued, and howe they are to deale and to proceede therein.

Forcible entrie. 3. Power giuen vnto them to punish Sheriffes and Bayliffes that make default in serving their precepts concerning forcible entries, and the maner howe.

Forstallers. 1. 2. and 3. Certaine formes of penalties to bee layde vpon Forstallers of Vitailes, Wines and marchandizes, which they may put in execution by their commission.

Forstallers. 4. Power giuen vnto them to punish in an other maner the Forstallers, Regrators and Ingrossers of victuals, and a description of such persons.

Forstallers. ibidem. That their Certificate is needefull to the lawfull transporting and imbarking of Coyne, graine, or cattell.

Franchises. 20. That in all Liberties they are to be appointed by the Kings Commission and to bee his Justices there, and where in those Liberties they are to keepe their Sessions, and certaine speciall men in some Liberties appointed to be Justices of peace there.

Fuell. 2. That they may bee appointed to set vpon the pillorie such as shall be conuicted of breaking the Assise of fuell therein limited.

Golde. 6. That they may punish such as doe gilde or siluer metall prohibited to bee so vsed, and the penaltie thereof.

Golde. 8. That they may punish Goldesmithes that shall worke any siluer not of the finest of the sterling, or shall not set their marke to their worke, and the penaltie thereof.

Hattes. 7. That they may punish such as offende in not wearing of Cappes vpon the Sundayes and holy dayes, and the penaltie thereof.

Havens. 2. and 1. They bee appointed Conseruators of Fish in Riuers, and that they may appoynt vnderconseruators, and that they may punish such as destroy pong Salmon, or the frye of Fish, and the olde penaltie thereof.

Haukes. 1. and 2. The fynding of a lost Faucon or Lanner, and the stealing and carrying of the same away, and not bringing it to the Shiriffe to bee proclaimed, is made Felonie, which they may punish accordingly by their Commission.

Highwayes. 1. The assent and ouersight of two of them is requisite towardes the laying out of any newe Highwaye in the weralde of Kent and in Sussex, and that they must certifie their doings therein into the Chauncery within a certaine time for the same limited.

Highwayes. 4. Authoritie is giuen vnto them to heare the accompt of the Collectours of the fynes and amercements for not amending of Highwayes, and howe they are to proceede and deale therein.

Highwayes. 5. That their olune presentment vpon their knowledge concerning the defaultes in Highwayes shall bee of the force of an Indictement.

Highwayes. 5. and 6. That they may punish the defaultes and negligences concerning the amendment of Highwayes, and howe they are to proceede and deale therein.

Horsebread. 1. That they may punish Inne holders that make vnlawfull Horsebread.

horsebread, and the maner howe.
Horses. 6. and 11. That they may punish such as keepe prohibited stoned Horses in forestes or commons, and howe they are to proceede and deale therein.
Horses. 8. and 10. That such as carrie, sends or conuey beyonde Sea out of the Queenes Dominions, Horses, Geldings or Mares without licence, may be indited before them.
Hunters. 1. That they may punish such Artificers and other as doe vnlawfully keepe dogges to hunt, or doe vnlawfully vse engines to destroy gentlemens game, and the penaltie thereof.
Hunters. 2. That they may punish such as vnlawfully keepe Deere hapes or Bucketalles, or doe stalke at deere or take Herons, and howe they are to proceede and deale therein.
Hunters. 3. That they may punish the tracing of hares in the snowe, and the penaltie thereof.
Husbandrie. 7. and Monasteries. 9. That they may punish the defaultes of such as ought to keepe continuall houses on the Scites of religious houses, and the lande thereof in tillage, and the penaltie thereof.
Indictments. 2. That Indictments ought to be taken by Indenture, but learne if they be bound thereunto.
Indictments. 5. That they may cause a newe Inquest to be impanelled, which shall inquire of the concealment of all other enquests, taken before them, and howe they are to deale therein.
Indictments. 6. That these wordes, Vi & armis, videlicet, cum baculis, &c. be not of necessitie to be put into any indictment, which is also to be obserued in Indictments taken before them.
Informers. 1. That they may punish Informers, which sue out proces, and after make vnlawfull composition, and howe they are to deale and proceede therein.
Inrolments. 2. That indentures of Bargaines and sales of lande may be inrolled before certaine of them, and how they are to deale therein.
Iurours. 5. That the Iustices before whome the Iureur is sworne, that doeth take of either partie, may punish the same offence, and howe, wherein Iustices of peace seeme to be comprehended, beside that it is imbracerie wherewith they may deale.
Iustices of Gaole deliuerie. 2. and Iustices of peace. 1. That good and lawfull men shoulde be appointed for the keeping of the peace.
Iustices of Gaole deliuerie. 3. and Iustices of peace. 2. That men of lawe ought to be put into the Commissions of the peace for the more speedie deliuerie of the Gaoles, as needs requireth for the determination of Felonies and trespasses.
Iustices of peace. 3. Power giuen vnto them to require and take suretie of good abearing of such as be not of good fame.
Iustices of peace. 5. That they ought to keepe their Sessions quarterly, and wages to be allowed vnto them for the same.
Iustices of peace. 7. That they must cause their Estreates to bee indented, and must deliuer one part thereof to the Shirriffe to leuie the amercements and fines thereby.
Iustices of peace. 8. Foure speciall times of the yere bee appointed for the keeping of them quarter Sessions, which they ought to obserue.
Iustices of peace. 9. That they ought to be of the most sufficient men dwelling in the same shire.
Iustices of peace. 10. Middlesere is exempted of two of the quarter Sessions that other Shires be bounde vnto.
Iustices of peace. 11. That they must be able to dispende twentie Poundes by the yere, otherwise they must refuse the place, and what they are to doe in such case.
Iustices of peace. 12. That they ought to certifie their recognisaunces taken for the peace, at the next Sessions of the peace.
Iustices of peace. 13. That their Commission in particular Townes, shall not cease by the renuing of the Commission throughout the whole shire.
Labourers. 38. That their allowance in a certaine fourme there set downe and prescribed of the wealth of a man, shall excuse him from serving in certaine sciences there expressed.
Labourers. ibidem. Power giuen vnto them to order controuersies betweene master and seruant, for putting or going awap within their terme.
Labourers. ibidem. That they may punish such as contrary to the lawe refuse to serue in husbandrie and diuers other artes there expressed, and the maner and fourme howe.
Labourers. ibidem. That they must yerely appoint the wages of all Labourers and Artificers, and howe they ought to proceede and deale therein.
Labourers. ibidem. That they may punish such as retaine or be retained for greater wages then they ought to be, & the maner and fourme thereof.
Labourers. ibidem. That they may punish such seruauntes as doe make assault vpon their masters, and the maner howe.
Labourers. ibidem. Power giuen vnto them to inforce in time of Hey or corne harnest, any meete person to worke by the day.
Labourers. ibidem. Their testimoniall is made needefull vnto such as be licenced in harnest time to worke from their dwelling places, and the maner of it.
Labourers. ibidem. They haue authoritie giuen vnto them to appoint women to serue, and their wages, and to punish them if they refuse, and the maner thereof.
Labourers. ibidem. Their certificate is made requisite vnto such as desire to be bounde apprentice to a merchant traficker, Mercer and certaine other Sciences there named, and the maner of the same.
Labourers. ibidem. Power giuen vnto them to inforce by imprisonment such as are compellable by lawe to be apprentices, to be bounde thereunto.
Labourers. ibidem. Power giuen vnto them to appease and to take order in the controuersies betweene Masters and apprentices, and the maner howe.
Labourers. ibidem. That they may punish all the defaultes against this Statute of Labourers yerely at certaine speciall Sessions to be appointed for that purpose, and howe they are to proceede and deale therein, and their wages for the same.
Labourers. ibidem. That they may at their Sessions for the peace punish all the offences against this Statute of Labourers, and the maner and fourme thereof.
Labourers. ibidem. That they may punish Apprentices and seruauntes that runne awap into other Shires, and howe they are to deale, and proceede therein.
Linnen cloth. 2. That they may punish such as imbrue Linnen cloth, to make it deceitfull, and howe they are to proceede and deale therein.
Liueries of Companie. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. That they may punish such as doe vnlawfully weare any Liuerie of Companie, of any Lorde, or any liuerie of signe of Companie, or doe vnlawfully giue or take Liuerees of cloth or hoodes, and the lyuerie penalties of them, and howe they are to deale and proceede therein.
Maineprise. 2. A declaration what persons be mainpernable by the lawe, and what not, which they are specially to consider of as followeth here next.
Maineprise. 7. They be prohibited to let to baile such as bee not bailable by the lawe, and also authorities giuen vnto them to let to baile persons arrested for manslaughter, or felonie, or the suspicion thereof which bee baylable by the lawe, and that they ought to take the examination and bondes of such persons, and howe, and what they are further to doe concerning the same.
Maintenance. 1. 2. 3. 4. 5. 6. 7. The penalties which be to bee layde vpon such as offende in maintenance and imbracerie, which they may put in execution by warrant of the Statute, 33. Hen. 8. Cap. 10.
Marches. 1. That they may punish such as shall vnlawfully against the prouision of the Statute attache men dwelling farre off, to appeare in the warden courtes of the Marches neere Scotlande.
Money. 29. That traiterous counterfaitours of the Money of Englande may be indicted before them, and that thereupon they may make out proces to attache them.
Mortuaries. 1. A rate set downe what persons and vicars shall take for mortuaries, which if they exceede, some thinke, that they may punish them for extortion.
Murder. 2. The escape of murderers and manslayers by day, not taken by the Townshippe where the faste was done, is made inquirable before them, and what they are to doe thereupon.
Musters. 1. That they may punish the default of those that ought by the lawe, and yet doe not appeare at Musters, and the maner howe.

Musters, ibidem. That they may (in certaine cases there set downe) punish the Commissioners for Musters, and Captaines also that abuse the trust put in them, and the maner of proceeding & dealing therein.

Newes. 6. Power giuen vnto them to cause such to be indicted before them as do vtter or procure to be vttered slaunderous matter of the Queene, or to stirre sedition, or do cast figures, or coniure to know the length of her life, or who shall succeede her, or doe publish such prophecies, or do wish her death.

Newes, ibidem. That they may inforce such as be vehemently suspected of any the last aforesaid offences, to finde sureties for their apparance at the next Sessions, or els may commit them.

That they must take the accusation and the names of the witnesses, in the cases last aforesayde, and certifie the same at the next Sessions.

Norwich. 3. The licence of some of them of the Citie of Norwich is needefull for such as shall take vpon them to make felts, or Thrummed Hattes or Coverlets or Worsteckes within the Citie of Norwich or Countie of Norffolke, except they haue bene seuen yeeres apprentice to that occupation, and that they may not take any reward for such licence.

Panelles. 4. Power giuen vnto them to cause the Sheriffe to reforme the panels of enquiries for the king, and how they may deale therein.

Perlament. 15. That they may punish Sheriffes that doe charge Townes wrongfully to the lessing of the wages of the Knights of the Perlament, and howe they are to proceede therein.

Perlament. 19. Two of them in euery Shire in Wales, and in the Countie of Monmouth haue authoritie giuen them to tare the Cities, Burrowes, and Townes there, what porcion euery of them shall pay towardes the charges of their Burgesses for the perlament.

Passage. 10. They of the Counties of Glouceſter and Somerset, haue power giuen them to binde by recognisance such as vse to ferry men ouer the riuer of Seuerne, that they shall not doe otherwise then is appointed by that Statute.

Passage. 11. They of the Shires next adioyning to the Riuer of Thames betweene Windlore and Graueſende haue authoritie giuen them to determine the complaintes and offences of watermen and of their ouerseers contrary to the tenour of that Act.

Pauing. 6. That they of London and Middlesexe may punish the defaultes of Pauing and cleansing about the Streetes without Algate and Whitechappel, and haue authority to appoint a Scauenger there.

Periurie. 2. That they may punish the prohibited periuries in certaine courts there mentioned, and the subornation of Periuries, and the manner howe.

Pewterers. 1. and 2. Power is giuen vnto them to appoint Searchers of vnlawfull Pewter and Braſſe, and what they are to doe therein.

Phisitions. That they ought to assist the President of the Colledge of Phisitions for the due execution of their lawes and statutes.

Playes. 2. That they may punish the defectes of not hauing long bowes and Arrowes, & of not shooting or vnlawful shooting in them, and of not repairing of Buttes, and of Bowyers for not making Elmin Bowes as is prescribed, and for selling Bowes aboue the due price, and for not departing from London vpon due commaundement, and of Straungers for conueying Bowes beyonde Sea, and for shooting in long Bowes without licence, and how they are to proceede and deale therein.

Playes, ibidem. Authoritie is giuen vnto them to searche suspected places of vnlawfull games there spoken of, and to commit the offenders, and howe they are to deale therein.

Prison. 3. If a Gayoler doe inforce his prisoner to become an Appealour it is made Felonie, when they may punish accordingly by their Commission.

Prison. 5. That they may not imprison any but in the Common Gaole.

Prison. 6. That they may proceede a newe against prisoners remaunded vnto them from the Kings Bench, as if they had not bene remoued at all.

Prison. 8. 10. and 11. Power is giuen vnto them for the making of Newe Gaoles, and howe they may deale and proceede therein.

Prison. 9. That they ought to take the examination and bondes of the witnesses concerning such as shall bee brought before them for manslaughter, or Felonie, or the suspition thereof, and be to be sent to the Gaole, and their duetie further therein.

Probate of Testaments. 3. The fees bee set downe which are to be taken concerning the Probate of Testaments, wherein if any extorcion be committed, they may punish it by warrant of their commission.

Proces. 3. Justices assigned to heare and determine felonies may make out proces against felones indicted before them into forreine Counties for their apprehension, within which wordes Iuſtices of peace seeme to be comprehended.

Proces. 7. They bee commaunded to make out Proces into such forreine Shires, as the persons indited before them be dwelling, that they may haue notice giuen them, and the fourme thereof.

Prophesies. 2. That they may punish such as publish prophesies to the intent to stirre sedition, and the maner howe.

Purueyours. 5. 6. and 23. 36. If the kings Purueyours for his housholde or their Deputies or seruants make any takings without their warrant or commission, and take them away against the will of the owner, it is made felonie, which they may punish accordingly by their commission.

Purueyours. 8. 9. 15. 21. 36. If they make their takings against the will of the owner, without the praisement of the Constable and other men of the towne, vpon their free othes, it is made felonie, which they may punish accordingly by their Commission.

Purueyours 17. 36. If they take any more vnthorne sheepe betweene Easter and Saint Iohn Baptist, then will reasonably suffice till the time of shearing, it is made felonie, which they may punish accordingly by their Commission.

Purueyours. 22. If they take any thing of any man to spare him or surcharge any other of malice, it is made punishable, and it seemeth to be extorcion, which they may punish by their Commission.

Purueyours. 31. Power giuen vnto them to punish as well at the suite of the king, as of the party grieued, such Constables and Headboroughes as refuse to giue their lawfull assistance against Purueyours that will not pay readie money for such thinges as they take aboue the value of fourtie shillings. And such also as shall bere any in the Marshalsey for making any such lawfull resistance and the maner howe.

Purueyours. 36. That they ought to certifie vnto the Kings Officers the Doggetts of purueyours which shall be deliuered vnto them by the Constables, and the maner and fourme thereof.

Rape. 2. Rauishment of women is made felonie, which they may punish accordingly by their commission.

Riotes. 3. 4. 7. 9. and 10. That they may and ought vpon a paine to punish and suppresse Riots, and howe they are to deale and proceede therein.

Riots. 3. and 7. That in case they can not learne the trueth of any Riot, they ought to make certificate thereof, and the maintayners and imbracers thereof, and the maner and fourme thereof.

Riots. 5. and 6. That their Certificate is needefull to a complaint to be exhibited to the Lorde Chauncelour, of any great Riotte, and the maner of the same.

Riots. 9. and 10. Certaine vnlawfull assemblies and offences after proclamation made to the contrary, be made Felonie, which they may punish accordingly by their commission.

Riots, ibidem. Authoritie giuen vnto them to make proclamation against vnlawfull assemblies, and to vse the power of the countie to suppresse the, & vpon resistance to apprehende or to slay such offendours, and the fourme and maner of the same.

Riots ibidem. Power giuen vnto them to discharge in some cases the concealer of vnlawfull assemblies from his imprisonment, and the maner and fourme thereof.

Riotes, ibidem. That they ought to giue attendance vpon the Queenes Lieutenaunt for the suppressing of vnlawfull assemblies vpon a payne.

Riots, ibidem. That they ought to publish the effect of the act against vnlawfull assemblies at euery quarter Sessions.

Robbery. 1. & 2. & Peace 1. Penalities appointed to be layd vpon such as pursue not

not felons vpon hup and crye made. Which they may put in execution by their Commissions.

Robery 2. Certaine penalities appoynted, for not making of searches, for not keeping of watches, for not inlarging nor cleansing of hygh wayes from bushes, hedges, and dytches, and for not taking the viewe of armour, which they may put in execution by their Commission.

Robbery 4. Nyghtwalkers, Roberres men, wasters and drawlatches, bee to be committed to prison. And they may proceede to the inquiring vpon them & to their deliuerance by warrant of their Commission.

Seruice 1. That they may punish such as reuile or contemne the Sacrament of the Lordes Supper, and the maner howe they are to proceede and deale therein.

Seruice 1. That they may punish such as disturbe Preachers, and the maner howe. But learne if this be not repealed.

Seruice 5. & Crowne 10. Such as preache or speake against any part of the booke of common prayer, or doe maintayne any other open prayer or administration of Sacraments, or doe vnlawfully interrupt any Minister to say the common prayer, may be indited before the within the yere and day.

Sewers 12. Power given vnto them in a speciall rale and forme there set downe, to execute the lawes of the Commissioners of Sewers.

Sheepe 2. That they may punish such as keepe more sheepe then they may lawfully do, and the lordes of sheepe courses that take Quillets to ferme, and such as take two houses of husbandry in one towne to ferme, and the maner how to proceede therein.

Shippes 13. & 15. That they may punish diuers offences there expressed, concerning the selling, taking, buying, & bringing in of herring and sea fishe, and the eating of flesh vpon dayes prohibited, & the giuing of licence thereunto, and of strangers transporting any thing from one part of the Realme to another, and of such as ought to sow hempseede and lineseede, and do not, and how they are to proceede therein.

Shippes ibidem. They ought to haue the sight of the Commissions to take vp Shariners for the Queene, and are authorized to chose out men.

Shippes 14. That they may punishe the transporting of sheepe beyonde the sea, and the maner how.

Sheriffes 9. That Sheriffes and Gaolers ought not to take any money of Constables nor townshippes for the receyuing or keeping of Felons, which they may punish as extortion by warrant of their Commission.

Sheriffes 18. It is commanded that Sheriffes shal do no extortion to the people, vpon payne to be punished therefore, which they may execute by their commission.

Sheriffes 25. That they may punishe Sheriffes for letting their Countie, or any of their Bayliwickes to ferme, and for returning of their Baylifes by seruants vpon panels, and for committing extortion about arrestes or returning of panels, & for not letting to bayle, such as be bayliable by the law.

Sheriffes 27. That they may proceede to hearing and determining vpon inditementes taken in Sheriffes turnes and Lawdayes, and howe they are to deale therein.

Sheriffs 31. That they may examine sheriffs and their clerkes, for entring of plaints in their Countie courtes without warrant, and Baylifes also for not serving the processe there issuing out of those courtes, or for leuying more then they haue warrant to do, and how farre they are to proceede, and howe they are to deale therein.

Sheriffes ibidem. Power is given vnto them to suruey and controlle the Sheriffes county brookes, & what they may do therein.

Sheriffes 39. That if any of them be made Sheriffe of the shire, he shall not exercise the office of Iustice of peace there.

Tiles 1. That they may punish the defaultes in making of Tile, and what they may do therein.

Tyndale 3. They in the County of Northumberlande haue power given vnto them to take recognisances of such as will take leases within the Lordshippes of North and South Tyndale, for their appearances when they shalbe called, & to make out execution vpo the same recognisances forfeyted, and to punish such as doe let their landes there, and doe not cause their fermours to bee so bounde, and the maner howe they are to deale therin.

Tithes 5. & 8. They are commaunded to assist the execution of the Ecclesiasticall lawes for Tythes, and what they are to do therein.

Treason 28. The practising to take or destroy any of ye kings fortresses or holds and the bearing of the same, and the abbetting, &c. is made felony, which they may punish accordingly, by their commission.

Tryall 15. That Inditements of murder or manslaughter taken before them, although the death were in an other countrie, shal stande good. And so also of Inditementes taken of Accessaries, although the felony it selfe was committed in another shire.

Tryall ibidem. The Custos Rotulorū in the county where the felony was committed being written vnto by such as are to try an Accessary in another County, for the record of the attainder of the principall remaining with him, is commanded to certifie the same vnto them.

Vagabondes 9. & 10. Much authority is set downe and giuen vnto them, about the punishing of Roges & bagabondes, and dealing with them, and the giuing of licences to begge, and of other licences and testimonials, & about prouiding for the relefe of prisoners and of the poore, and about the punishment of such as beget bastardes. And their duetie in all these matters.

Victaile 2. 3. 7. 8. That all sellers of any kinde of victaile shall sell at a reasonable price, and that they shall punish their defaults therein.

Victaile 8. That they may set the prices of victayles.

Victaile 12. That they ought perely to proclayme all the Statutes concerning Innekeepers and victaylers being not repealed.

Victaile 16. That they may punish the vnlawfull transporting of graine, malte, Beare, Butter, Cheese, herring, & wood, and how they are to deale therein.

Vniuersities 1. & 2. They of the Counties of Cambridge & Oxforde, with the Vicechaunceler or his Commissary of those Vniuersities haue power to punish the offences of purueyours & badgers that shal tolle or bargayne for any victaile or graine within 10. miles of those vniuersities without speciall licence therein mentioned, and what they may do concerning this matter.

Vsury 6. & 8. That they may punish the taking of vsury above tenne pounds in the hundred, and the maner how.

Wales 22. That they of Herefordshire may punish the inhabitantes there, for concealing Welshfelons and traytours being there, and howe they are to deale therein.

Wales 25. That they of the shires adioyning may heare and determine the felonies committed in Wales or in the marches thereof, and howe they are to proceede therein.

Wales 27. That they of the shires adioyning, may heare and determine certaine offences there mentioned of forresters in Wales, about vnreasonable customes, and howe they are to proceede therein.

Wales 32. It is set downe by whom they be to be appointed in Wales, and how many there ought to bee in the Shires there, & what maner of men they ought to be, and howe they ought to deale in their office, concerning their Sessions, Certificats, fees, amercements, and fines, and diuers other matters there mentioned.

Watches 1. They haue power giuē them to punish the defaults of watches vpon the sea coastes, according to the statute of Winchester.

Waxe 1. That they may punish the selling of wrought waxe at too high a rate, and may make searche for the same, and cause it to be weyghed.

Weightes and measures. 1. 12. 14. 15. 19. 20. 21. 26. 29. 32. 33. 34. Diuers Statutes commaunding that there should be but one weyght and one measure vsed through Englande for al thinges. Which they haue power to reforme by warrant of their commission, and of diuers of these statutes.

Weights & measures. 2. 3. 4. The assise of Bread & Ale set downe, & the penalties for the breach thereof. Which they are to execute by their Commission, and sundry statutes to that purpose.

Weights and measures. 3. 17. 25. 26. 29. That no weight nor measure bee vsed, except it bee signed, and agree with the Kinges Standerd. Which they are also to looke vnto.

Weights & measures. 5. The length of an inche, foote, and yard set downe. Which is necessary for them to know.

Weights and measures. 7. The length of a penny sterling, of an ounce, of a pounde, of a gallon of wine, of a bushell of London, and of a quarter. Which is needefull for

for them to knowe.
Weights & measures. 13. 15. 19. The vse of the Auncell weyght is prohibited, & the balaunce authorized to be altogether vsed, and commanded that no deceyte be therein vsed. which they are to punish.
Weightes and measures. 22. 29. That they may punish al such as take aboue eight bulhels strieked for a quarter of corne.
Weights and measures. 24. That they may punish al such as bying in, or make prohibited vessels of wine, herings, Eeles, or Salmon, and howe they may proceede therein.
Weightes & measures. 25. That they may punish such as do falsifie true weyghts, or counterfeite false weyghtes, and the maner how.
Weights and measures. 26. That they may punish all such as buy and sell with other weyghts or measures, then be allowed according to the kings standerd, or doe vse any deceyte concerning the same.
Weights and measures. ibidem. That they may punishe prohibited parne choppers, and the maner how.
Weightes & measures 31. The measure of vessels of Malueley, wines, and Oyle, which they be to looke vnto.
Weights and measures. 32. That they may punish such as take for the sealing of weyghts and measures more then they ought.
Weights & measures. 32. 33. That they may punish such as buy & sell with weights or measures not lawfully marked and sealed, and howe they are to proceede therein.
Weightes and measures. 33. 34. That they may punish the negligence of Maiors and officers not doing their duelies about weyghtes and measures, and the maner howe to proceede therein.
Wilde fowle. 1. That they may punish such as destroy the egges of wildefowle, and the maner how.
Wines. 20. That they may punish such as sell wine in grosse, contrary to the statute.
Wines. 23. That they may enquire of such as sell wine by retayle, in other sorte or in other place then is appointed by the statute, and of such as kepe wine in their houses otherwise then they be licenced, and the force of such indentements.
Wines. ibidem. Authoritie is giuen vnto them to licence the retayling of wine, and the maner and forme thereof.
Wool. 3. Power is giuen vnto them in a forme therein set downe, to set out betweene the Lorde of a wood and his comoners, that part which the lord shal lawfully fell.
Woolles 44. They haue authoritie giuen them to punish such of the inhabitants within the parish of Halifare, as hauing bought woolle, doe sell the same againe otherwhere then in that towne, to the poore folke thereabout, to worke it into parne, and how they are to deale therein.

¶Iustice of the forest.

Such as dwell out of the forest shall not come before Iustices of the forest by common summons. 174.b
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The King shall haue fines of officers for not doing their duety. 185.a
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The King shall enioy landes exchaunged notwithstanding misrecitall or nonrecitall. 271.a. 309.c
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¶ Wiues.

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¶ Yarmouth.

Yarmouth Faire shall be proclaimed. 169.b.c
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¶ Yarne.

See this Title in all. 559.a
Buying of worsted yarne in Norwich. 295.b
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¶ Yorke.

See this Title in all. 559.b
Yorke shall haue touches for Goldsmyths. 194.a
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FINIS.

HONI SOIT QVI MAL Y PENSE
DIEV ET MON DROIT

Abilitie Triall

Examination

IF the abilitie of a perſon preſẽted vnto an eccleſiaſtical benefice the examination belongeth to ỹ eccleſiaſtical Judg, and ſo it hath bene vſed heretofore and ſo be it done hereafter. Articuli cleri.ca.13. Anno.9.E.2.

Borne ouer ſea.

2 ¶Becauſe that ſome people bee in doubt whether the children borne in the parts beyond the ſea out of the lyegeance of England, ſhould be able to demaunde any inheritaunce within the ſame liegeance or not, whereof a petition was put into the parliamẽt late holden at Weſtminſter, the xvij. yeare of the reygne of our ſoueraigne lord the king that nowe is, and was not at the ſame time wholy aſſented vnto: Our ſoueraigne Lorde the king, willing that all doubtes & ambiguities ſhould be taken away, and to declare, and put the lawe in certaine in this caſe, hath charged the Prelates, Earles, Barons, & other wiſe men of his counſell aſſembled in this parliament, to deliberate vpon this point: who of one aſſent haue ſaid, that the law of the crowne of England is, and alwaies hath bene ſuch, that the children of the kings of England (in whatſoeuer parties they ſhalbe borne, in England or els where) be able & ought to cary thinheritance after the death of their auncеſtors: which law our ſaid ſoueraign lord the king, the ſaid Prelates, Earles, Barons, and other great men, and all the commons aſſembled in this parliament, do approue and affirme for euer. And as concerning other childrẽ borne out of the liegeance of England, in the time of our ſoueraigne lorde the king, they be alſo of one minde accorded, that Henry ſonne of John de Beaumonde, Elizabeth daughter of Guy de Brian, and Giles ſonne of Raufe Dawbeney, and other which the king wil name, which were borne beyõd the ſea, out of the liegeance of Englande, ſhalbe from henceforth able to haue and enioy their inheritance after the death of their auncеſtours, in all parties within the ſame liegeance of England, as well as thoſe that be borne within ỹ ſame liegeance of England. And that al children inheritable, which from henceforth ſhalbe borne out of the liegeãce of ỹ king, whoſe fathers and mothers at the time of their birth be and ſhalbe at the faith and of the liegeance of the king of Englande, ſhall haue and enioy the ſame benefites and auauntages, to haue and beare inheritance within the ſame liegeance, as the other inheritours aforeſaid, in time to come, ſo alwaies that the mothers of ſuch children do paſſe the ſea by the licence and willes of their huſbands. And if it be alleaged againſt any ſuch borne beyond the ſea, that he is a baſtard, in caſe where the Biſhop ought to haue conſiãce of baſtardy, it ſhall be ſent to the Biſhop of the place where the land demaũded is, to certifie ỹ kings court where the plea thereof hangeth, as of olde times hath bene vſed in the caſe of Baſtardie, alleaged againſt them which were borne in England. 25.E.3. Statut' 2. De natis vltra Mare.

Inherite Heires

Baſtardy

3 ¶Upon the petition put in ỹ parliament by the comens, deſiringe that the children borne beyond the ſea within the ſeigniories of Caleys & els where, within the lands and ſeigniories that pertcine to our ſoueraigne lord ỹ king beyõd the ſea, might be as wel able & inheritable of their heritages in England, as other children borne within the realme of England, It is accorded, that the commen lawe & the ſtatut vpon the ſame point another time made (before 2.) be holden. 42.E.3.ca.10.

Borne in Calice

Heires

Crowne

Kings children

4 ¶An.3.H.7. cap.15. it was enacted (to endure to the next parliament): that actions ſued by feoffes or by any to the vſe of other ſhould not abate for nonabilitie of the plaintifes or demaundants.

Vſes

5 ¶All & ſinguler ſuch religious perſons, aſwell men as weomen profeſſed, of what order, rule, or habit ſoeuer they were, which be, or hereafter ſhalbe put at their liberties from the daunger ſeruitude and cõdition of their religion and profeſſion whereunto they were profeſſed, by reaſon of ſuppreſſion, diſſolunge, forfayture by attainder, rendring, or otherwiſe geuing vp to the hands of the kinges maieſtie or any other, the ſame monaſteries abbeys, priories, or other religious houſes or places wherein the ſame religious perſons were profeſſed, ſhall by auctoritie of this preſent parliament, from and after the firſt day of the ſame parliament, and from and after the tyme that they were or ſhalbe put at ſuch libertie, haue frée ly-

Religions

Liberties

Purchase. bertie to purchase to them and their heirs in fee simple, fee taile for terme of lyfe for peres, or at will, manours, landes, tenementes, rents, annuities and other hereditamentes and thinges whatsoeuer they be in like manner & forme, as though they or any of them had neuer bene professed nor entred into any such religion. And furthermore, that they the same religyous persones and euery of them shalbe made able by auctoritie of this present act to sue & to be sued in al maner of actions, plaints & suits whatsoeuer they be, of and for any matter or cause growen sithens & after ẏ time of their seueral deraimēts or departinge out of their religion, in all courts and places within this realme, as other the kings subiectes be. And furthermore that they & euery of them, shall and may from henceforth, vse & exercise, receiue, take, haue & enioy, al & euery lawful thing & things, to be growen, fallē or happened to them or any of them, after the said deraignemēt or departing out of their religion in as large and ample manner, forme and condition, as if they had neuer bene professed nor entred into religion, ẏ same, profession, or religion or any lawe, custome or vse, within this realme to the contrary therof in any wise notwithstāning. Prouided &c. ẏ none of the same religious persons, shal or may at any tyme hereafter, be takē deemed or iudged for or as heire or heires or inheritable to any person or persons, to any purpose, respect, construction, or intent in the lawe: nor that they nor any of them by vertue of this act, be receiued, admitted, or deemed, able in the law to demaund, challenge, receiue or take any manours, landes, tenementes, or hereditamentes, or any other thing or things by reason of or for any former title, right, interest, matter or cause, had, made, done, or growē, to any respect or purpose, before their said seueral diraiments or departinges out of their relygion. Nor that any of ẏ said religious persons being priests, or such as haue avowed religion at xxi. yeres or aboue, and therto then consented, continuing in the same any while after, not duly proving by witte nesse or other lawfull meanes, some vnlawfull coheretion or compulsion done to them or any of them for makinge of any such vowe, or constrainting them to remaine in their religiō, be enabled by vertue of any wordes, clause or sentence before in this act expressed, to mary or take any wife or wiues, but that they and euery of them be clerely excluded & put from the same to al entents and purposes: any thinge before in this act contained to the contrary herof in any wise notwithstanding. Anno. 31. H. 8. ca. 6. See here 7. and 8. more.

Enioy. Growen after &c.

Former title.

Priestes religious.

Vowe.

Mary.

6 ¶ See S. Johns 1. that they of that religion were enabled as other religious persons were. 32. H. 8. cap. 24.

7 ¶ Forasmuch as diuers doubts haue risen whether the act made 31. H. 8. ca. 6. (before 5.) doth extend vnto such late religious persons as were in such religious houses which were by the king immediatly translated into a new corporation, & neuer came and remained in his handes neyther by suppression, dissoluing, forfeiture by attainder, nor such like. Be it &c. that the said act of parliament aboue remembred, made in the saied 31. yeare, shall extende as well to all such persons which be liuing that were religious persons in any of the said houses which were so translated & transposed from one corporation into an other, which at any time was professed or were religious persons in any of the said houses within this realme of England. And that they & euerie of thē from ẏ time of their said seueral deraignemēts & discharge of their saied professions and religions, shalbe in like qualitie, estate, condition, and degree, & also shall take, haue and enioy, lyke benefite, commoditie, profite and auauntage, and with like prouiso only and not other wise to euery entent and in euery thing, as any other religious perso or persons may and shal haue, take and enioy by vertue of the said former act aboue remembred, the same profession or religiō, or any custome or vse to the contrarye thereof in any wyse notwithstandinge. Anno. 33. H. 8. cap. 29.

Religious translated.

Discharge

8 ¶ Forasmuch as since the time of the making of the statute. 31. H. 8. ca. 6. (before 5. 9.) it hath bene doubted whether the late religious persōs there mēcioned, should or might be adiudged able to inherite, & to be inheritable, as heire or heires, to any of his or their auncestours, and to haue & enioy euery thing descended, growen,

wen, fallen, or happened to them or anie of them, after their deraignement or departing out of religion, yea or noe. Be it declared &c. That all and euery of ỳ same late religious and profeſſed perſon & perſons, ſhal and may, by auctoritie of this act, be enabled to all entents, conſtructyons and purpoſes, at all time and tymes hereafter, to bee taken, deemed & iudged, as heire or heires, and inheritable to all and euery their auncеſter or auncеſters, & to haue, challenge, or enioy, receiue and take al manors, lands, tenements & hereditamẽts, & euery other thing & things, to thẽ or any of thẽ fallen, come, growen or deſcended from any their auncеſters, by any maner of wayes, ſince the time of their ſeuerall dereinements, or departing out of their religion, in as ample & large maner, forme and condition, as they had neuer bene profeſſed nor entred into relygion, the ſame profeſſion or religion or anie lawe, cuſtome or vſe within this realme, to the contrary thereof in any wiſe notwithſtanding. Prouided &c. that none of ỳ ſaid ſaid religious perſons ſhall or may by vertue of this act at any time hereafter, be taken, deemed or iudged for heire or heires or inheritable to any perſon or perſons, to any conſtruction or intent in the lawe, by reaſon of any former right, title, intereſt, matter, or cauſe had, made, done, deſcended, or growen to any reſpect or purpoſe before their ſated ſeuerall deraynmentes or departyng out of their religion, anie thing before in this acte, or in the ſaid former act contained to ỳ cõtrary hereof in any wiſe notwithſtanding. An. 5. E. 6. ca. 13.

Religious

Heire

Cuſtome

¶ Abiuration.

Cozoner

Croſſe

WHen a robber, murderer or other euil doer ſhal flye vnto any church vpõ his confeſſion of felony, the Cozoner ſhal cauſe the abiuration to be made thus. let the felon be brought to the church doze and there bee aſſigned vnto him a pozt neere or farre of, and a time appointed to him to go out of the Realme, ſo that in goyng towards that pozt he cary a croſſe in his hande, and that hee go not out of the kinges high way neither on the right hand nor on the left, but that hee keepe it alwayes vntil he ſhall bee gone out of the land. and that he ſhal not retorne without ſpectall fauor of our lorde the king. The treatiſe of the office of the Coroner, I cã not find this but only in the old Abridgmẽt of ſtatutes. And beſides, See here. 5. this forme changed.

2 ¶ This heare thou ſir Cozoner that I. P. of Y. am a robber of thefte, or of anye other beaſt, or a murderer of one or of mo, and a felon of our lorde the king of England, and becauſe I haue done many ſuch euils or robberies in his lande, I do abiure the land of our lord Edward king of England, & I ſhall haſte me towardes ỳ port of ſuch a place which thou haſt gæuen me, and that I ſhal not go out of the hygh way, and if I do, I wil that I bee taken as a robber and felon of our Lordes the king. and that at ſuch a place I will diligently ſeeke for paſſage, and I will tary there but one flud and ebbe if I can haue paſſage. and vnleſſe I can haue it in ſuch ſpace I will go euerie day into the ſea vp to my knees aſſaying to paſſe ouer, and vnleſſe I can do this within forty dayes, I wil put my ſelfe agayne into the Churche as a robber and a felon of our lord the king, ſo God mée helpe and hys holye iudgement &c. The treatiſe of the abiuration of robbers. And See here 5; this alſo chaunged.

Murder

Highway

xl. dayes

3 ¶ They that abiure the realme, ſo long as they be in ỳ cõmon way, ſhal bée in the kings peace, and ſhal not be diſturbed of any man, & whilſt they bee in the church, their keepers ſhall not abide in the church yarde except neceſſitie or perill of eſcape do require ſo. And ſo long as they be in ỳ church, they ſhal not be ſo ſtraightened, but that they may haue neceſſaries for their liuing, & may go forth to emptie their belly. Articuli cleri capitulo 10. An. 9. E. 2.

Way

Sanctuarie

4 ¶ Be it enacted &c. That if any perſon take ſanctuarie in any church, churchyarde, or other holy place, for felony or murder, where hee ought by the lawes & cuſtomes of this realme to haue his abiuration for the ſame, that then the ſame felon or murderer, ſhal take his abiuration & paſſage out of ỳ ſame church, churchyard, or other holy place, at ſuch day and time as ſhalbee limitted to him by ỳ Coroner of the ſhire or place, wherein he taketh ſuch ſãctuarie, and that the Cozoner

Sanctuarie Church Felony

Abiuration

Tyme

Cozoner

immediatly after hys confession, and be-
fore his abiuration, shall cause euery such
Marke felon or murderer to bee marked with an
hot yron vpon the brawne of the thumbe
of the ryght hande with the sygne of an
A. to thentent he may be the better kno-
wen among the kinges subiectes, that
hee was abiured, and then to geue hym
hys abiuration, and to bee led in all o-
ther thynges as hath bene accustomed.
Maiors Bailifes Attendant. And that al maires, baylifes and consta-
bles, shalbe attendant at the commaun-
dement of the Coroner for the due execu-
tion thereof, as they will aunswere at
their perils to the kynges highnes for the
same. And if any felon or murderer that
Refuse Passage ought to haue any such abiuration, refuse
to take his passage out of the sayed sanc-
tuarie at such time as shalbee limitted to
him by the said coroner: that then the said
Lose Sanctuarie felon or murderer so refusing, shall lose
the benefite of the same sanctuary, and be
taken out of the same, and committed to
prison, and further, to bee ordered for
his offence after hys merytes, without
any restitution to sanctuary for the same.
Anno 21. H. 8. cap. 2. This act is alte-
red in some part by Anno. 22. H. 8. capi-
tulo 14. as here next followving. 5. ap-
peareth.

5 ☞ ¶ Be it enacted &c. That if any
Church Churchyard person hereafter fly or resort to anie pa-
rish church, cemitarie or other lyke hallo-
wed place, for tuicion of his life, by occa-
Felony sion of anie murder, robbery, or other fe-
lonie by the same person committed, and
Coroner thereupon confesse anie murder, felonye,
or other offence before ỳ Coroner, wher-
fore the same person by the lawes of this
realme heretofore vsed, should abiure and
Abiuration passe out of ỳ same: the same person there
vpon shall abiure from all hys libertie of
this realme, and from hys liberall and
free habitations, resortes and passages to
and from the vnyuersall places of thys
realme, which appertaygne to the ly-
bertie of the kynges subiectes vndefa-
med, and shall forthwith bee dyrected
by the Coroner, takyng and recordinge
Sanctuarie such abiuratyon, to anie one sanctuarye
bee̅ynge within thys realme, which the
Election same person will elect and chose, there
to remayne as a sanctuarie person abiu-
red durying his naturall lyfe, and to bee
Swoorne sworne afore the Coroner vpō his abiu-
ration so to do, and to bee burned in the
hande accordynge to the statute in that Burned
case prouyded, (s. 21. H. 8. ca. 2. before
4.) And euerie person so abiured shalbee
directed and conueied to the same sanctu-
arie by hym chosen by the constables and Conueyed Constables other officers, and in euerie behalfe or- Ordered
dered after lyke manner and fourme, as
hee should haue bene in case hee shoulde
haue abiured thys realme for any mur-
der or felony after the lawes of the lande.
And if after such abiuration anie person
so abiured come out of the same sanctua- Goe out
rie to the whych hee was assygned, and Taken
bee taken without the same sanctuarie,
not hauyng the kynges specyall pardon Without pardō
or lycence so to do, then euerie such per- Licence
son abiured, and after abiuratyon taken
wythout sanctuarie whereunto hee was
assigned, shall suffer such lyke payne of Suffer death
death and after lyke manner bee ordred
as hee should haue done and bene, in case
hee had abiured thys realme for murder
or felonie, and after such abiuration had,
returned agayne into this realme con-
trarie to the lawes of this lande. And
furthermore be it enacted &c. That if any Sanctuaris person
such sanctuarie person so abiured, or anie
other person or persones which nowe bee
or is, or hereafter shall happen to bee in
anie sanctuarie of this realme, for doyng
any petie treason, murder or felonye, Petty treason Murder
or for beinge accessarie to anie suche of- Felony
fences: or if anie person or persons, which Accessory
at any time hereafter shal take any sanc-
tuarie of this realme for doing any petie
treason, murder or felonie, or for beinge
accessarie to anie such offences, or vppon
abiuration, and so beinge in sanctuarie
for or vppon anie such cause, matter or of-
fence, afterwarde commit or do, any pe- Commit
tie treason, murder or felony, within the Petty treason Murder Felony
same sanctuarie, or bee accessarie to anie Accessory
such offences, or go out of the same sanc-
tuarie and commyt anie petie treason,
murder or felonie, or be accessarie to any
such offences and after come agayne to
the same sanctuarie, or take anie other
sanctuarie for the same, euerie such per-
son and persons beinge endicted for anie Endicted
of the sayd causes, or offices, shal lose the
priuilege of the same sanctuarie by hym Foyl. Sanctuarie
taken, and of euerie other sanctuarie with
in this realme for anie such cause of pety
treason, murder, felonie or abiuration,

and

and for any accessarie to anie such offences. And that it shalbee lawfull to all and singuler Justices of peace and ỹ high shiryfe of the countie or other place where the sanctuarie is, and to all and synguler Mayors, Shirifes and Baylifes of Cyties and townes corporate, where suche Sanctuarie is, and to euerie of them, and to the seruaunts ministers and officers, of anie or euery of the same Justices of peace, Shirifes, Maiors and Baylifes, in their presence to take out of the same Sanctuarie or sayncturies, al and euery such sanctuarie personne or personnes so offendinge, as is aforesaide, and beinge endicted of the same, and to commyt or put hym or them into the kynges gaole within the shire or liberty where any such indictment is founde agaynst anie such person, safely to be kept til they shalbe of the same pety treason, murder, or felony, or of the accessarie to anie such offences, (whereof they shall happen to bee endicted) conuicted, attaynted, or discharged by the lawe. And if any person or persons which shalbee endicted of anie petie treason, murder, or felonie, or of anie accessarie to any such offence, happen hereafter to bee taken out of anye sanctuarie for the same by auctoritie of this Statute, and vppon his or their arrainement pleade sanctuarie according to the order of the lawe: then it is enacted by thauctoritie aforesaide, that aswell the kynges attourney as euerie other person for the kinge, shalbee admitted to obiect and alleage, that the person so arraygned afore the doynge of the offence or offences, whereof hee then is arraigned, dyd take priuilege of sanctuarie in the same sanctuarie, whereof hee alleageth hym to bee taken out, or in anie other place priuileged within this realme vpon anie abiuration, or for anie other petie treason, murder or felony, then wherof he is arraigned, and that he there had and enioyed priuilege of sanctuarie for the same, and that hee so hauyng once priuilege of sanctuarie in the same, dyd commit the offence of petie treason, murder or felonie, whereof hee then is arraygned, Or that hee went out of the said sanctuarye, and commytted the same offence, whereof hee is endicted, and arraygned, and praye that such person so arraigned may bee excluded of restitution to the sanctuarie by him demaunded, And in case the sayde plee and obiection so alleaged, bee denyed by the person so arraigned, then it is further enacted by the auctoritie aforesayde, that it shal bee forthwith tryed afore the same Justices, where suche person is so arraigned, and by the same iurrours of the same countie, that shall trye the petye treason, murder, or felonye whereof hee is arraygned, wythout further delaye, in whatsoeuer countie or counties place or places of thys realme, the same other takynge of sanctuarie shalbe alleaged or obiected to bee done or had. And if the plee so obiected agaynst the sayed person arraygned, bee tryed against him by verdict of twelue men, or by his owne confession, and also it bee founde by verdyct of twelue men, or by hys owne confession accordynge to the order of the lawe, that hee is guiltie of the pety treason, murder or felonie, or of anie accessarie to anie suche offence whereof hee is so arraigned, that then like iudgement and execution shalbee geuen and done vppon euerie such person as though hee had bene no sanctuarie person, nor had claymed or required the priuilege of the same. And if anie such person bee lawfully acquyted of the petye treason, murder or felonie, where of hee shall bee so endicted and arraigned, then hee shal bee restored to the same sanctuarie, out of the whych hee was taken, there to haue the priuilege of the same in lyke manner as hee had before. Prouided alway that if anie person beinge or abydynge in anie sanctuarie, as a sanctuarie person, hereafter shall happe to bee endicted for any manner of felonye supposed to bee commytted by him or her, going out of the same or anye other sanctuarie, and commyttynge the same felonye while that hee or shee so was a sanctuarie person, hee or shee beynge endicted of anye such felony supposed to be done without the sanctuarie, shall not bee taken out of the sanctuarie, wherein the same person shall then be resident, before that hee or shee bee examined therof by two of the kinges most honorable counsell, or by fower Justices of peace of the shire where the sanctuary is, wherein the person so endicted is resident

Any Iust. of ỹ Shirfe

Maiors Baillifes

Seruants Officers

Take out

Endicted

Kings goale Shire Indictment

Taken out Plede Sanctuarie

Arrainment

Kings attorney Plede

Praye

Exclusion

Triall

Verdict or confession

Guiltie

Iudgement Execution

Acquited

Restored

Prouiso

Felony

Going out

Examination Kings counsell 4. Iustices of peace

dent. And if the same person so endicted
Within 4. dates Proofe Examiners Discretion within fower dates after the first examination do make such proofe as the said examiners by their discretions shall thinke sufficient, that the same person was in the sanctuarie at the time of the saide felonie committed: then hée or shée making suche proofe, shalbée suffered to remayne and be in the same sanctuarie
No extraction without anie extraction from the same, the
Prouiso saide indictment or any thinge in this act above written notwithstanding. Prouided also that if anie person, which was
Sanctuarie person at anie time a Sanctuarie person for any
Pardoned Purged petye treason, murder, or felony, obtaine and haue the kinges pardon, and thereby or otherwise, be at large and out of Sanctuarie, discharged, or purged, of the offéce
Offēd again or cause wherefore the same person take Sanctuarie, and afterwarde do commit other petye treason, felonie or mãslaughter by chaunce medly, and not murder of
Felony Chance medley malyce prepensed, and thereupon againe take Sanctuarie for anie such petie treason, felonie or manslaughter by chaunce medly, the same person shal haue and en-
Enioy Sanctuarie againe ioy the priuilege of Sanctuarie for that his or her other offence of petie treason, felony, or mãslaughter by chance medly, as that same person mought haue had before the making of this acte, any thing in the same act contained notwithstanding.

And ouer this for more spedye trials of
Triall of forein plee murders and felonies: Be it &c. that all maner of foreine plées triable by the cõtrey hereafter to be pleded by any plõ or persons arraigned vpon anie endictment for anie petie treason, murder or felony, shalbee forthwith tryed before the same
Iustices Iurors Conatie Iustices, afore whom suche persons shall be arraygned, and by the same iurrours of the same countie that shall trye the petie treason, murder or felony, whereof he shall so be arraigned, without any further respect or delay in whatsoeuer countie or counties, place or places of this realme, the matter of the same plees be supposed or alleged. And that no person arraigned for any petye treason, murder or felonye, be from henceforth admitted to any
Peremptorie challenge Twenty Prouiso peremptorie challenge aboue the number of twenty. This acte to endure to the ende of the next parliament. Prouided allway that no person or persons be hereafter excluded or in any wise hurted to haue and
High offenders Sanctuarie enioy any priuilege of sanctuarie for anie offence or offences, beinge of anie higher nature in the lawe, then the offences and causes specifyed in this acte be, but that euerie person and persons for such offences of higher nature, may haue and enioy priuilege of sanctuarie, in as free and liberall maner and after such forme, as they mought haue done by the lawes and customes of this realme afore the makynge of this acte, any thinge in this acte to the contrarie notwithstanding. An. 22. H. 8. cap. 14. And after Anno. 28. H. 8. cap. 1. this act vvas continued to the last day of the next parliament, and after Anno 32. Henrici 8. cap. 3. it is made perpetuall.

But note that by diuers statutes made since, 22. H. 8. The priuilege of Sanctuarie is vtterlye taken avvaye in diuers of these and other cases. And also that sanctuarie persons by diuers vvayes may afterwarde forfeit the benefite of their Sanctuarie. See Sanctuarie in all.

¶ Action populer.

WHere now offendours against penall populer statutes cõmõly cause actiõs populer to be brought agaynst thẽ by couin, or if any action be by good faith commenced against them, they vse to delay that action, and cause an other man to bring a like action against them by couin, wherein he will be condempned, eyther by confession, feined trial, or releale, which being pleded shall barre the pleyntife in the action sued in good faith. And so such statutes be seldome executed vppon offenders duly. Be it &c. that if any person or personnes hereafter sue with good fayth anie action populer, and the defendaunt or defendauntes in the same action pleade any maner of recouerye of action
Recouery Barre populer in barre of the saide actyon, or els that the same defendaunt or defendants, plede that hée or they before that tyme barred anye suche plaintyfe or plaintifes in anie suche actyon populer, that then ỳ pleintife or pleintifes in ỳ action taken vñ good faith, may auerre ỳ the saide recouerie in the said action populer, was had by couin, or els to auerre that the saydo pleintife or pleyntifes was or were barred in the saydo action populer by couin, that then if after ward the saide collusion
Collusion or couin

of couin so auerred be lawfullye founden, the playntife or playntifes in that actyon sued with good sayth shall haue recouery accordyng to the nature of the action and execution vpon the same, in likewise and effecte as though no such afore had bene had. And ouer that it is enacted and ordeyned, by ỳ authoritie aforesayd, that in euery such action populer wherein the defendaunt or defendaunts shalbe lawfully cõdempned, or attainted, of couin or collusion as is aforesayde, that euerie of the same defendauntes haue emprisonment of two yeare by processe of Capias and vtlagarie to be sued within the yeare after such iudgement had, or at anie tyme after, till the saide defendaunt or defendants bee had and emprisoned as is aforesayde. And that aswell at the kynges suit as of euery other that will sue in that behalfe. And that no releasle of anye common person hereafter to bee made to any such partie, whether before or after anie action populer or endictment of the same had and commenced or made, (hangyng the same action) be in any wyse auayleable or effectuall to let or to surceasle the sayde action, endictement, proces or execution. Prouyded alway that no playntife or playntifes bee in any wise receiued to auerre anie couine, in anie action populer where the poynt of the same actyon, or els the couin or collusion haue bene once tryed or lawfullye founde with the playntife or playntifes, or against them by triall of twelue men, & not otherwise. An. 4. H. 7. cap. 20.

Impriſ. Proces Capias Vtlarie

Releaſe

Couin

Collusion Tryed

2 ¶ An. 1. H. 8. ca. 4. an Act was made to endure to the nert parliament that in penall statutes the kinge should take the suit within three yeares, and other persons within one yeare.

Penal ſtatutes

3 ¶ Where many of the kinges true subiects being ignorãt of the statuts haue bene in times past vered with the penalties of penall lawes after longe tracte of time, more for malice then for Justice, wherby great trouble hath ensued: wherfore for the lone the kinge beareth to hys subiects. Be it &c. That all and singuler such actions, suites, billes, endictmentes, or informations, as from the xx. daye of the moneth of November, the seuenth yere of our said soueraigne lordes raigne, shall bee commenced, taken, sued, had or made only for any debt, mouable goods, or cattels, forfayted and lost, or to be forfeyted or lost, whereto the kynge onelye his heires or successours, and none other commen person, shall or may be entitled by reason of the said penal statuts or any of them, shalbe commenced, sued, taken or had within fower yeres nert after the offence or offences, forfaiture or forfaytures, of or for ỳ same, had or made, against the ordinance and prouision of any suche act or actes, statute or statutes penal, and not after the said fower yeares. And that for any offence or forfeiture made or had, or to be made or had against the ordinãce and prouision of any acte or actes penall, made and ordeyned, or to bee made and ordeyned, whereby action, suit, bill, or informacion populer is or shalbee geuẽ to any person or persons, such as will sue for the king and for him or them selfe, or onlie for him or them selfe, that such action, bill, suit, or informacion be commenced, sued, had and made, by such person or persons, other then the kinge as will sue in that behalfe, within one yeare nert after the offence or forfeiture had, made, or cõmitted, against the ordinãce and prouision of anie such act or actes penall, and not after the saide yeare ended. And that the kynges suit by writ, bill, plaint, endyctment or informacion, on that behalfe, be commenced, sued, had or made, wythin two yeares next after the offence or forfaiture made or had agaynst the prouysion and ordinaunce of any acte or actes, statute or statutes penall, and not after ỳ said two yeares. And if any action, suit, bill, indictment or informacion, concerninge the foresayde statutes, or anye of them, had or made, otherwise then with in the time or times limitted, as is aforesaid: that then the same action, suit, byll, indictment, and informacion, and euerie of them commenced, sued, had, or made for the said offence or offences, forfaiture or forfaitures, shalbe void & of no force ne effect, anie act or acts, statute or statutes made to ỳ cõtrary notwithstãding. Prouided alway ỳ where any action, informacion, or endictmentes is limitted by anie statute to bee had, made, or taken, within shorter tyme or tymes, then (as is afore rehearsed) that it bee had, made, and taken accordyng to the tyme limitted in

Kings only

4 yeares

Fort.

Actiõ populer

Cõmon perſõ

One yeare

Kings ſuit

2. yeares

Indictment

Voyde

Suites

the ſtatute. Anno. 7. Henrici octaui capitulo 3.

4 ¶ Sée of action popular in euerie title where part of the forfeiture is geuen to any that will ſue.

¶ Accompt.

Bayliffe

IT is prouyded alſo, that if Bayliffes, which ought to make accompt to their Lordes, do withdrawe themſelues, and haue no landes nor tenementes, whereby they may be diſtrained, then they ſhalbée attached by their bodies, ſo that the Shirife in whoſe bayllywike they be founde, ſhall make thē to come to make their accompt. Marlebridge. cap. 23. Anno. 52. Henrici 3.

Attach. Shirife

Bailliffes Seruants Receiuors

2 ¶ Concerninge ſeruants, bayliffes, chamberlaynes, and all manner of receiuours, the which are accomptable. It is agreed and ordeyned, that when the maſters of ſuch ſeruants do aſſigne them auditours to take their accompt, & they be found in arrerages vppon their accōpt (all thinges allowed which ought to bée allowed) their bodies ſhalbe arreſted, and by the teſtimony of the auditours of the ſame accompt, they ſhalbée ſent vnto the next gaile of the kinge in thoſe parties, & ſhalbe receiued of the Shirife or gaylor, and impryſoned in pryon and vnder ſafe cuſtodie, and there ſhall remaine at their owne coſt, vntill they haue ſatiſfyed their maſter fully of the arrerages. Neuertheleſſe if anie perſon being ſo committed to priſon, do complaine, that the auditours of his accompt haue grēued him vniuſtly, chargyng him with receiptes that hée hath not receiued, or not allowinge hym expences and delyueries reaſonable, and do finde frendes that will take hym to mainepriſe to bring him before the Barons of the Eſchequer, hée ſhalbée bayled vnto them. And the Sheryfe (in whoſe priſon hée is kept) ſhall geéne knowlege vnto hys maſter, that hée bée before the Barons of the Eſchequer at a certayne day with the roules and tales, by whych he made his accompt, and in the preſence of the Barons, or ſuch auditours, as they ſhal aſſigne, the accompt ſhalbée rehearſed, and iuſtice ſhalbe done to the parties, ſo that if hée bée founde in arrerages, hée ſhall bée commyted to the Fléete as a bone is ſayde. And if hée flys and wyll not make accompte wyllyngly, as it is contayned in other ſtatutes (before 1,) hée ſhalbée diſtrayned to come before the Juſtyces to make hys accompte, if hée haue whereof to bée diſtrayned, and whenhée commeth to the Court, Auditours ſhalbée aſſygned to take hys accompt, before whom if hée bée founde in arrerages, and cannot paye the arrerages forthwith, hée ſhall bée committed to the gaole, to bée kept in forme aforeſayde. And if hee flée, and it bée teſtifyed by the Shirife that hée is not founde, the erigent ſhall go agaynſt him from countie to countie, vntill hée be outlawed: and ſuche a priſoner ſhall not bée replegyable. And let the ſherife or gaylour take héede, be it within a fraunchiſſe or without, that hée do not ſuffer him to go at large by the common writ called Replegiare, or otherwiſe without the aſſent of his maſter. And if he do, and thereof bée conuict, hee ſhall anſwere to the maſter the dammages done to him by ſuche hys ſeruaunt, after as it maye bée founde by the countrey, and the maſter ſhall haue his recouerie by a writ of debt. And if the gaylour haue not wherewith, he may bée iuſtyfied, or where withal to paye, his ſuperiour that commytted the cuſtodye of the gayle vnto hym, he ſhal bée anſwerable, by the ſame writte. Weſtminſter ſecundo Capitulo 11. 13. Edvvardi I.

Arrerages

Imprſonment Sherife

Barons of the eſchequer

Rolles and tales

Arrerages

Erigent Outlawed

Irreplyſiable

Replegiare

Writ of debt

Gaoler

3 ¶ Anno 2. Henrici quarti Capitulo 24. It was enacted that they that had receyued money to goe wyth the kynges lieutenaunt myght accompt in Theſchequer vppon their othes and bée allowed of their layinges out, and be diſcharged.

Lieutenant

4 ¶ Whereas dyuers of the ſhiryfes, eſchetours, aulnegeours, cuſtomers, comptrollers, and other the kynges officers, accomptable in manye partes of the Realme, do defraude and diſceyue our ſayde ſoueraigne lorde the kyng yerelye in their vnlawfull and vntrewe accomptes, concealinge and retaynynge to their owne vſe the greater part of that, that rightfully ought to appertaine to the kynge, to his great dammage and loſſe. Our ſaid ſoueraigne lord the king, by the aduice and aſſent aforeſaid, hath ordeined and

Sherifes Eſchetors Aulnegers Cuſtomers Cōptrollers

and established, that shortly after every final accompt geuē and made by the officers and customers aforesaid, before the barōs of the Eschequer, the tenour of the accompt of every of the sayd officers frō time to time shalbe sent into the counties where the same accomptants be officers, together wt commissions directed to the most lawful & discreate persons, for to enquire and certifie the profits which ỳ said accomptauntes have receiued within the said countyes in his name, to the vse of our soueraigne lord the kinge, by them in the manor aforesaid vppon their said accōpts disceiptfully concealed & retained to their proper vse & profit. And in case that the sayd accomptāts be attainted of their said fraudes & discepts, they shall incurre to our soueraigne lord the king, the paine of the treble of the same, wherof they shal be conuicted, & their bodies to prison, til they have made fine & raunsome to our said soueraigne Lord the king, after ỳ discretion of his Judges An. 6. H. 4. ca. 3.

Barons of the Eschеq.
Counties
Cōmission
Conceale
Attaint Fraudes
Treble
Fine and raunsome Impriſon

5 ¶ From henceforth if any disme or any part of a disme be graunted by the prouince of eyther of the said clergies to ỳ king our soueraigne lord, or to his heires, that after the said certificat in the Eschequer for the disme or parte of the disme, & of the names of the collectours for the gathering of the same disme, that if the said collectours come by proces before ỳ sayd Barons of the Eschequer, and enter into their accompt, that they shal not be boūd to aunswere to any bill or billes there put in against them, by reason of the sayed entrie into their accompt, for any maner cause, but only for the matter touching ỳ said accompt. Prouided alwayes, that yf the said accomptant be sued in any other court by writte bil or pleynt, that then he shal take no priuiledge of the said Eschequer by reason of ỳ said accōpt for any suit as before is reherſed. An. 1. R. 3. ca. 14.

Disme
Certificat
Collectours
Proces
Bill
Priuiledge

¶ Accusation.

NO free man shalbe taken or imprisoned or bee disseised of hys freeholde or liberties, or free customes, or be outlawed or exiled, or any wyse distroyed, nor we shal not passe vpō him, nor deale wt hī but by ỳ lawful iudgemēt of hys peers, or by ỳ lawe of the lande, wee shal sell to no man, we shall deny nor deferre no man, eyther Justice or right. Magna charta, cap. 29.

Imprisl. Disseised Freehold Customes Outlawed
Peers

2 ¶ No man from henceforth shalbee attached by any accusation, nor forjudged of life nor lymme, nor hys landes, tenementes, goodes nor cattels seised into the kinges hands, against the fourme of the great charter and the lawe of the lande. 5. E. 3. ca. 9.

Attached Seised
Magna Carta

3 ¶ From henceforth none shalbe taken by petition or suggestion made to our soueraigne Lord the kinge or to his counsaile, vnles it be by endictmēt, or presentmēt of good & lawful mē, where such deedz be done, in due maner, or by proces made by writ original at ỳ comon lawe. Nor ỳ none be put out of his frāchises, nor of his freeholdes, vnles he be duely brought into aunswer & forjudged of ỳ same by way of law. And if any thing be done against the same, it shalbe reuersed & holden for none Stat. 5. An. 25. E. 3. ca. 4.

Petition
Indictment Presentment
Freehold

4 ¶ No man of what estate or condition ỳ he be, shalbe put out of lande or tenement, or take or imprisoned, or disherited, or put to death, wout being brought in to aunswer by due proces of the law. An. 28. E. 3. ca. 3.

Imprisoned

5 ¶ Though that it be conteyned in ỳ great charter (of Mag. carta. ca. 29. before 1 (ỳ no mā be take, imprisoned, or put out of his freehold, without proces of ỳ lawe, nevertheles diuers people make false suggestion to ỳ king him selfe, aswel for malice as otherwise, whereby the king is often greued, and diuers of the realme put to great damage & losse against the forme of the same charter. Wherefore it is ordayned, that al they that make such suggestions, bee sent wyth the suggestions before the Chauncellor, Treasorer and his great councell, and that they there fynde suertie, to pursue their suggestions, and to incurre the same peyne, that the other should have had if hee were attainted, in case that this suggestion be found euill. And that then proces of the lawe bee made against them wythout beeinge taken or imprisoned against ỳ forme of ỳ said charter. An. 37. E. 3. cap. 18. See this some what altred here. 6.

Magna carta. Imprisl. Freehold
Chauncellour Treasorer
Maintayle Attaint
Proces

6 ¶ As to the article made at the last parliament (An. 37. E. 3. cap. 18. (before 5.) of those that make grieuous cōplaints to the

to the king him ſelfe. It is aſſented, that if he that maketh the complaint, cannot proue his intent againſt the defendant by the proceſſe ymitted in the ſame article, he ſhalbe commaunded to priſon, there to abide til he hath made gree to the partye of his damages and of the ſclaunder that he hath ſuffered by ſuch occaſion, and after ſhall make fyne and raunſome to the king. And ỳ poynt contayned in the ſame article, that the plaintife ſhall incurre the ſame peyne, which the other ſhould haue, if he were attainted (in caſe that his ſuggeſtiõ be found vntrue) ſhalbe take away An. 38. E. 3. cap. 9.

Complaint
Sclaunder
Fine
Attaint

7 ¶To eſchew the miſchiues and damage done to diuers of his commens by falſe accuſours, which oftentimes haue made their accuſations, more for bengeaunce and ſynguler profit then for the profite of the kinge, or of his people, of which accuſed perſones, ſome hath bene impriſoned and others cauſed to come before the kinges counſayle by writte and otherwiſe vppon greeuous peine againſt the lawe. It is aſſented and accorded for the good gouernaunce of the commens, that no man bee put to aunſwere without preſentment before Juſtices, or thing of record, or by due proces, or by writte originall according to the old lawe of the land. And if any thing from hence forthe be don to the contrary, it ſhalbe void in the lawe, and holden for errour. Anno 42. E. 3. ca. 3.

Accuſors
Preſentmẽt
Proces
Original Writ
Errour

8 ¶When people bee compelled to come before the kinges counſel, or in the Chauncerye by writtes grounded vppon vntrewe ſuggeſtions, the Chauncellour for the tyme beinge, by and by after that ſuch ſuggeſtions bee duely founde and proued vntrewe, ſhall haue power to ordayne and agarde dammages after hys diſcretion, to him which is ſo troubled vnduely as afore is ſayed. Anno 17. R. 2. Cap. 6.

Chauncery
Chãcelour
Suggeſtion
Damages

9 ¶For as much as diuers perſons haue before thys time bene greatly greeued by writtes of Sub pena purchaſed for matters determynable by the common lawe of this lande, to the great damage of ſuch perſons ſo vexed, in ſubuerſion and impediment of the comon law aforeſaid: Our ſouereigne Lord the kinge will that the ſtatutes thereof made ſhalbee kept after the fourme and effect of the ſame. And that no writte of Sub pena be graũted from henceforth tyll ſuertie be founde to ſatiſfie the partie ſo greeued and vexed for his dammages and expences if ſo be ỳ the matter cannot be made good, which is contained in the bill. Anno 15. H. 6. Cap. 4.

Sub pena
Suertie
Damages
Bill

10 ¶It ſhalbe lawfull for any of the kings ſubiects & leiges, if they thẽ ſelues perfectly know, or by vehement preſumptiõ may & do perceiue any vil. act, or condition of lightneſſe of body in her, which for the tyme being ſhalbe Quéene of this Realme, that they may lawfully diſcloſe the ſame vnto his maieſtie, or ſome of his councel, which they thinke will diſcloſe the ſame vnto his highnes, any act, ſtatut or law, made to the contrary notwythſtandinge. Prouided neuertheleſſe that they ſhal not openly blowe it abrode, nor priuatly whiſper it in other folkes eares, wherby a ſclaunder might riſe of her tyl it be diuulged by the aſſent of his highnes or his councel. And it is further enacted, that if any of the ſayed counſell, beinge within ỳ Realme, do conceale it and not diſcloſe vnto his maieſty or ſome of hys counſell reſiant or attendant in the time on his royall perſon, by wrode or wrytinge within 20. dayes after that any of them ſhall here of it, and if they be out of the Realme with as conuenient ſpeede and diligence as they may: that thẽ they, to haue lyke puniſhment and forfaiture, as the offendours ſhoulde. And in caſe the ſayd councell or any of them do heare or perceiue any ſuch thinge as afore is reherſed, that then it ſhalbee lawfull for thẽ al, or any of them after notice thereof gẽeuen to the kinges maieſtie, to imagine ſéeke and proue alwaies to their wits poſſible to bringe the matter and offẽce to true knowledge and light, and they ſo doinge to incurre no daunger of lawe or penaltie, any act or ſtatute made heretofore to the contrary notwithſtandinge. Anno 33. H. 8. in the end of the cap. 21. As many of theſe offences as vvere made treaſon ſince 25. E. 3. be repelled by 1. E. 6. ca. 12. & by 1. M. 1. Seſſione, And as many of them as vvere made miſpriſion of of treaſon be repelled by 1. M. 1. Seſſione, vt patet in Treaſon.

Queene
Sclaunder
Conceale
Writting
Fyne

¶Additi-

¶Addition.

Writtes Actions personals Appeales Indictmẽts

In every originall writ of actions personals, appeales, and indictmentes, in which the exigent shalbee awarded, to ỹ names of the defendauntes in such writs originall, appeales, and endictementes, additiõs shalbe made of their estate, or degrée, or misterie, and the townes, hamellettes, or places, and the counties where of they were or bée, or in which they bée or were conuersaunt. And if by proces vppon the sayd originall writs, appeales, or inditementes in the which the sayd additions be omitted, any vtlagaries be pronounced, that they bée clerely voyde & of no force and holdẽ for none. And that before these vtlagaries bee pronounced, the sayd writtes and indictmentes shalbe abated by the exception of the party where as in the same the said additions be omitted, Prouided alwaies that though ỹ said writtes of actions personales be not according to the recordes & déedes, by the surplusage of the additions aforesaid, that for that cause they bée not abated: And that the clerkes of the Chauncerie, (vnder whose names such writtes shall goe forth writen) shal not leue out or make omission of the sayd additions as is aforesayde vppon payne to bee punished, and to make a fine to ỹ king by the discretion of the Chaunceller. An. 1. H. 5. ca. 5.

Degree Misterie Townes Counties

Vtlaries Voide

Abate

Recordes

Clerkes of the chácery

Fine Chancellor

¶Adiornement.

Because that by remouinge of commõ place the plées there beganne, haue remained without day many times to the great damage of many. Be it &c. That from henceforth the Justices before that the common benche be remoued, be warned in time so that they may atourne the parties in such time that they shal not lose their proces. An. 2. E. 3. ca. 11.

Justices Cõmõ pleas Awnemẽt

¶Admeasurement of dovver.

A Writ of admeasuremẽt of dower shall bée from henceforth graunted to a Gardeyne, neyther shall the heire when he commeth to ful age bee barred by the suit of the Gardeine, if hee sueth agaynst the tenaunt in dower feignedly and by collusion, but that he may admesure the dower after, as it ought to bee admeasured by the lawe of the lande. And as well in this writte as in a writte of admesurement of pasture more spedy proces shalbe awarded then hath bene vsed hitherto, so that when it is come vnto the great distresse, dates shalbe geuen, within which two Counties may be holden, at ỹ which open proclamation shalbee made that the defendaunt shal come in at the day contained in the writte, to aunswere to the playntife, at which day if hee come in, the plea shal passe betwene them. And if hee doe not come and the proclamatyon bée testified by the sherife in manner aboue sayd, vppon his default, they shall procede to make Admeasurement. W. 2. ca. 7. an. 13. E. 1.

Gardein Heire

Collusion

Admeasurement of pasture.

Great distresse Dayes

Proclamation

Sherife Default

¶Admeasurement of pasture.

Where by suit moued by a writte of admeasurement of pasture, the pasture is sometime admeasured before the Justices, sometime before the Sherife in the Countye, and yt chaunceth many tymes, after such admeasurement made that the pasture is ouer charged agayne by him that first vpd it, with mo beastes then hee ought to kéepe, whereuppon no remedie hath bene yet prouyded. It is ordeyned that vppon the second ouercharge, the plaintife shall haue remedy in this manner: If the admeasurement were before the Justicers, ỹ plaintife shall haue a writte Judiciall, that the Sheriffe in presence of the parties being sommoned (if they will come) shal enquire of the seconde ouercharge, which if it bee founde, it shalbee retourned before the Justicers vnder the seales of the Sherife and of the iurrours: And the Justicers shall awarde the playntife damages, and shall put into their extreates the value of the beastes, which were put into the pasture after such admesurement aboue the due number, and shall deliuer ỹ extreates vnto the Barons of the Eschequer, whereof they shall aunswere vnto the king. If such admesurement be made in the Countie, then at the request of the plaintife, a writte shal go out of the chancery, that the sherife shall inquire of such manner of ouercharge and of the beastes put

Justices Sherife

Surcharge

Writ iudicial Sheryfe

Seales Iurrours Damages Extreats

Eschequer

Writs

put in aboue ẏ due number, or of the value of them he shall answere to the kinge at the Eschequer. And lest the sherife might defraude the king in this case, it is agreed that all such writtes De secunda superoneratione, that passe out of the Chauncery, shalbe inroled, and at the yeres end the transcriptes shalbee sent into the Eschequer vnder the Chauncellours seale, that the Treasourer and barons of the Eschequer may see, howe the sherife doth answere for the issues of such writtes. In the same wise the writtes of rediseysin shalbee inrolled and sent into the Eschequer at the yeres end, W.2.ca.8.anno 13.E.1.

Inroll

Chancellor Treasorer

Issues rates of rediseisin.

¶ Administers.

IN case where a man dieth intestate the ordynaryes shall depute the next and most loyal frendes of the dead personne intestate to administer hys goodes, which deputyes shall haue an actyon to demaunde and recouer as executours, the debtes due to ẏ said dead person intestate in the kinges court, for to admynister & dispende for the soule of the dead, & shal aũswere also in the kinges court to other, to whõ the said person was holden & bound in the same maner as executors shall aũswere. And shalbe accõptable to ẏ ordinaries as executors be in ẏ case of testamẽt, An.31.E.3,ca.11.

Ordinaries

Administer Deputies

Executors Action

¶ Admiralties.

BEcause that the admirales and their deputies hold their sessions within dyuers places of this Realme aswel within fraũchise as without, accroching to them greater power then belongeth to their office in prejudice of our soueraigne lord the king & the comon lawe of the Realme, & in great blemishing of diuers franchises, and in distruction and impouerishing of the common people. It is accorded and assented, that the admirales and their deputies, do not meddle from henceforth of any thinge done within ẏ realme, but only of things done vpõ the sea, as it hath bene duely vsed in the time of kinge Edwarde, graundefather of our lord the king that nowe is. Anno 13.R.2. cap. 5. & See here 2.

Sea

2 Because that the admirales & their deputies doe incroch vnto them selues diuers iurisdictions & fraunchises more thẽ they ought to haue. Be it &c. ẏ of al maner of contractes, pleas and complaintes, and of all other thinges rising within the bodies of the counties as wel by land as by water, and also of wrecke of the Sea, the admirals court shall in no wise haue conysaunce, power nor iurisdiction: but that all such manner of contractes, pleas and complaintes and all other thinges rising within the bodies of the counties, aswell by lande as by water, as afore, and also wrecke of the sea shall bee tried, determined, discussed, and remedyed, by the lawes of the lande, and not before nor by the admirall nor his lyfetenaunt in no wyse. Neuertheless of the death of a manne, and of a mayme done in great shippes beynge and houeringe in the meyne streame of the great ryuers, onely beneath the bridges of the same riuers nyghe to the Sea, and in none other places of the same riuers, the Admirall shal haue conysaunce, and to arrest shippes in the great flotes for the great vyage of the kinge and of hys Realme. Sauinge alwaies to the kinge al manner forfeitures, and profits there of comminge, and he shall haue also iurisdiction vppon the sayd flotes durynge the sayd vyages onely, sauinge alwayes to Lords, Cityes and Boroughes their lyberties and fraunchises. Anno. 15. R. 2. cap. 3.

Contracts Quarels

Wrecke

Wrecke

Murder Mayme

Arrest shippes Flotes

Fraũchises

3 ¶ That the sayd statut (S. Anno 13.R.2. Cap. 5. before 1.) bee fermely holden and kept and put in due execution. And more ouer the same our Soueraygne Lorde the kinge, by the aduise and assent of the Lordes spirituall and temporall and at the prayer of the sayd commons, hath ordeyned and stablyshed, that as touchinge a peyne to bee set vppon the Admiral or his lyuetenaunt, that the statute and ẏ comon lawe bee holden against thẽ, & that he ẏ seleth hym selfe greued against ẏ fourme of ẏ said statut, shal haue his action by writ grounded vpon the case against him ẏ doth so pursue in the admiralles court, & recouer hys double damages against the pursuãt, and ẏ same pursuant shal incurre the peine of r.li. to the kinge for ẏ pursuit so made, if he bee attainted. Anno 2.H.4.ca.11.

Common lawe

Action

Damages

Fyne

4 ¶ For

4 ¶ For the abridgement of appeales in suits of Ciuile & marine causes, suffered by order of the lawes Ciuile, Be it &c. That from ỳ last day of this parliamẽt, all & euery such iudgemẽt or sentence diffinitiue, as shalbe geuẽ or pronounced in any ciuile & marine cause, vppon appeale lawfully to be made therin, to ỳ Quẽns Maiestie in her highnes court of Chaũcery, by such commissioners or delegats, as shalbe nominated & appointed by her maiestie, her heirs or successors, by cõmissiõ vnder the halfe seale, as it hath bene here tofore vsed, in such cases, shalbe final, & no further appeale to be had or made from ỳ said iudgement or sentence diffinitiue, or from the sayd Commissioners or delegates, for or in the same. Any lawe, vsage or custome to the contrary notwithstanding. An. 8. El. ca. 5.

Chauncery
Delegates
Cõmission

¶ Age.

IT is prouided also, that if any frõ hence forth purchase a writte of nouell disseysin, & he against whom ỳ writ is brought as principal disseisour, dieth before the assise be passed, that then the plaintife shall haue his writte of entre founded vpon disseisin against the heire or heirs of the disseisour, of what age soeuer they be. In the same wise the heire or heires of the dissesse shal haue their writts of entre against the disseisours of their auncestors, of what age soeuer they bee, if paraduenture the dysseisie dye before that he hath purchased hys writte: so that for the Nonages of the heires, of the one parts or of the other the writte be not abated, nor the plee delayed, but as much as may bee without offending the lawe, let the busines be hasted to make fresh suit after the disseisin. And in like maner this point shalbee obserued towardes prelates, men of religion, and others to whom landes or tenemẽts can in no wise descend after others death, whether they be disseisies or disseisours. And if ỳ parties in pleading come to an enquest, and it passeth againſt the heire within age, and namely against the heire of ỳ disseisie, that in such case he shal haue an attaint of ỳ kinges speciall grace without geuing any thing. W. 1. ca. 46. An. 3. E. 1.

Nouel dis-
seisin.
Assise.
Fresh suit
Prelates
Attaint

2 ¶ If a thilde within age bee holden frõ his heritage after ỳ death of his Cosin, graundfather, or great graundfather, whereby he is driuen to his writte & hys aduersarie commeth into the court, & for his answere alledgeth a feoffement, or pleadeth some other thinge whereby the iusticers are to awarde an inquest, there where as the inquest was deferred vnto the ful age of the infant, now the inquest shal passe as if he were of ful age, Glouc ca. 2. An. 6. E. 1.

Infants
Feoffment

3 ¶ Touchinge enquestes to be made which touch such as be wõ in age, the statute (before 2.) shal runne without limitation of time. Exposition of the statute of Gloc. ca. 2. an. 6. E. 1.

Enquest
Limitation

4 ¶ Where one doth alien the right of his wife, it is agreed, that frõ hence forth the suit of the wife, or of her heire after ỳ death of her husband, shall not be delayed by the nonage of the heire that ought to warrant the lande, but let the purchaser (which ought not to haue bene ignorant, that he bought the right of an other) tary vntil the age of his warrantour, to haue his warrantie. W. 2. ca. 39. an. 13. E. 1.

Nonage

¶ Ayde to the kinge.

COncerning plees where the tenãt excepteth, that he cannot answer wõout the king. It is agreed by the iusticers, and other wise men of the kinges counsel which heretofore haue had the vse & practise of iudgements, that where a feffemẽt hath bene made by the kinge, and ỳ charter thereupon made hath so much in it, ỳ an other person by a like feffement & like deede should be bounden to warranty, the Iustices could not heretofore haue proceded any further without ỳ kings cõmaũdement had therefore, nor yet can it bee thought ỳ they may procede hereafter. Statut de bigamis ca. 1. an. 4. E. 1.

Feffement

2 ¶ But in certaine cases, as where ỳ king hath confirmed or ratified the act of an other man in an other mans thing, or hath graũted any thing to a mã as much as in him is, or where a deede is shewed forth where by the king hath rendred any tenement & no clause contained therein, wherby, he ought to warrãtie, & in like cases ỳ Iustices shal not surcesse by occasiõ of such confirmation, ratification, graunt, or render or other like, but after that it be shewed

Graunt
Warrantie

shewed to the kinge, they shall proceede wythout delay. Bigamis cap. 2. Anno 4. Ed. 1.

Dowes Wardes

3 ¶ Cõcerning the dower of weomẽ, where any gardeins of the inheritaunce of their husbandes haue the custodie by the gift or graunt of the kinge whether such Gardeins be tenauntes of the thinge in demaund, or the heires of such landes be vouched to warrantie, if they except that they cannot aunswere without the kinge, the Justices shall not surcesse, but shall proceede therein according to right. Bigamis ca. 3. An. 4. E. 1.

Warranty

Petition

4 ¶ Whereas before this time in case that a man hath demaunded by petition in the Parliament certayne landes and tenements, which be in the kings handes, and to the same petitions, haue ben aunswered in the same parliament, Chauncery, or in the kinges benche, that the king wil, that a writ be sued to the Treasourer & Chamberlains of the Eschequer to serche charters, muniméntes and other remembraunces which may him auaile, wherby hee may be aduised to make aunswere, to which writtes commonly the treasorer and chamberlaines haue aũswered, that they haue serched, but not thoroughlye serched and would not aunswere, that they haue fully serched, and nothing found, nor that they can no more finde, but that whych they haue sent, whereby, by the lawe afore this time vsed, a man hath not had cause to put thẽ which be for the kinge to aunswere, and in such maner the demaundauntes haue bene greatly delaied, to their great mischiefe: wherfore it is assented, that after the iiii. writes be retorned, whether that monument or remembraunce be founde for the kinge or not, that then in the parliament, Chauncery, or in the kings bẽch or in the common bench, they which shall sue for the kinge, shalbe put to aunswere and to defende the landes and tenements so demaunded agaynst the kinge, to the best that they can or may, according to ỹ lawe, so alwayes that euery of the iiii. writs be deliuered to the treasourer and to the chamberleines xl. dayes before the day of ỹ retourne. And that by the sendinge of the great Seale or priue Seale no point of this statute shalbee put in delay, nor that the Justices, of what so euer

Serch

4. writs of Serch

40. daies

Great seale Priue seale Justices

place it bee, shall let to do the common lawe for any commaundement which shall come to them, vnder the great seale or priue seale. An. 14. E. 3. cap. 14. Statute 1.

¶ Alehouses and Tipling houses.

ANno 11. H. 7. ca. 2. et An. 19. H. 7. ca. 12. Auctoritie was geuen vnto Justices of peace to put away ale sellinge by their discretion, & to take suerty of other of their good behauiour, but they be repealed by the generall wordes of Anno 3. E. 6. ca. 16.

Two Just. of ỹ whereof one of the Quorum.

2 ☞ ¶ For the redresse of the intolerable hurtes that increase thorough the disorders in comon Ale houses and other tipplinge houses: Be it &c. That the Justices of peace within euery shire, citie, borough, towne corporate, fraunchelle, or libertie wythin this Realme or two of them at the least (whereof one to bee of the Quorum (shall haue full power and auctoritie by vertue of this act, within euery shire, Citie, borough, towne corporate, fraunchelle and libertye, where they be Justices of peace to remoue, discharge, and put away common sellinge of Ale and beere, in the sayed common alehouses and tiplinge houses, in such Towne or townes, and places, where they shall thinke meete and conuenient. And that none after the fyrst day of May next comminge shalbee admytted or suffered to kéepe any common ale house or tipling house but such as shall be therunto admitted & allowed, in the open sessions of ỹ peace, or els by two Justices of peace, wherof one to be of ỹ Quorum. And ỹ the said Justices of the peace, or two of thẽ (wherof one to be of ỹ Quorum) shall take bande and suertie from time to time by recognisance of such as shalbee admitted & allowed hereafter to kepe any comon alehouse, or tipling house aswell for and against the vsinge of vnlawful games, as also for the vsing and maintenaunce of good order & rule, to bee had & vsed within ỹ same, as by their discretion shal be thought necessary and cõuenient. For making of every which recognisance, the partie or parties that shalbe so bound, shal pay but twelue pẽce. And ỹ said Justices shal certify ỹ same recognisaunce.

Put away

Alehouses

No alehouse admitted

Two Justices of peace one of the Quorum.

Recognisãs.

Vnlawful games

Discretion

xii. pence Certifie Recognisans

Quarter Sellions

niſſaunce, at the next quarter Sellyons of the peace to be holden within the ſame ſhire, citty, borough, towne corporate, frãchiſe or libertie, where ſuch alehouſe or tiplyng houſe ſhalbee. The ſame recognyſaunce there to remayne of recorde

Remaine of recorde.

before the Juſtices of peace of that ſhire, Cittie, borough, towne corporate, fraunches or libertie, vpon payne of forfaiture to the kyng for euerie ſuch recognyſaunce taken, and not certifyed iij.li. vi. s. viii.d.

Forf. by Juſtices of peace.

And it is &c. that the Juſtices of peace of euerie ſhiere, cittie, borough, towne corporate, fraunchelle and libertie, where ſuch recogniſaunce ſhalbe taken, ſhal haue power and auctoritie by thys acte, in their quarter ſeſſyons of the peace, by preſentment, infoꝛmation, or otherwiſe by their diſcretion, to enquire of al ſuch perſons as ſhalbee admitted and allowed to kéepe anie alehouſe or typlynge houſe, and that bee bounde by recognyſaunce as is aboueſaide, if they or any of them haue done anie acte or actes whereby they or any of them haue forfayted the ſame recognyſaunce. And the ſaid Juſtyces in euerie ſhire, and places, where they bee Juſtices, ſhall vpon euery ſuch preſentment or infoꝛmation, awarde proces agaynſt euerie ſuch perſon ſo preſented or complayned vpon before them, to ſhewe why he ſhould not forfayt hys recognyſaunce, and ſhall haue ful power and auctoritie by this acte, to heare and to determyne the ſame by all ſuch wayes and meanes, as by their diſcretion ſhalbee thought good. And it is &c. yᵗ if any perſon or pſõs, other thẽ ſuch as ſhalbe hereafter admitted and allowed by the ſayd Juſtyces, ſhall after the ſayd firſt day of May, obſtinately and vpon his owne auctoritie, take vpon him or them to kéepe a cõmon Alehouſe or typlynge houſe, or ſhall contrarie to the commaundement of the ſayd Juſtices, or two of them, vſe commonly ſellyng of Ale or Beere: that then the ſayd Juſtices of peace or two of them (whereof one to be of the Quorum) ſhall for euery ſuch offence, commit euery ſuch perſon or perſons ſo offendynge, to the common gaole wythin the ſame ſhire, Cytie, Borough, Towne corporate, fraunches or libertie, there to remayne without baile or mayneprile, by the ſpace of three dayes. And before his or their deliuerance, the ſayd Juſtices ſhall take recognyſaunce of hym, or them ſo committed, with two ſuerties, that he or they ſhall not kéepe any common Alehouſe, typlyng houſe, or vſe commonly ſellyng of Ale or Beere, as by the diſcretion of the ſaid Juſtices ſhalbe ſene conuenient. And the ſaid Juſtices ſhall make certificate of euerie ſuch recogniſance, and offence at the next quarter ſeſſions yᵗ ſhalbee holden within the ſame ſhire, cittie, borough, towne corporate, fraunches, or lybertie where the ſame ſhalbe committed or done, which certificat ſhalbe a ſufficient conuiction in the law, of the ſame offence. And the ſayd Juſtyces of peace vpon the ſaid certificat made, ſhal in open ſeſſions aſſeſſe yᵗ fine for euery ſuch offẽce at twenty ſhillinges. Prouyded alway, that in ſuch townes and places, where anie faire or faires, ſhalbee kept, that for the time onely of the ſame faire or faires, it ſhalbee lawfull for euery perſon & perſons, to vſe common ſellynge of Ale or Beere in bothes, or other places there for the reliefe of the Kynges ſubiectes that ſhall repaire to the ſame, in ſuch like maner and ſort as haue bene vſed, and done in tymes paſſed. This acte or anie thyng therein contayned to the contrarie notwithſtandynge. Anno. 5. E. 6. cap. 25. *

Recognyſance Sueꝛties

Diſcretion

Certificat

Quarter Sellions

Conuiction

Juſt. of peace in their ſeſſions.

Fine xx.s.

Proniſo.

Faires

Enquire Diſcretion

Awarde. Proces

Determine Diſcretion

Stubborne alehouſe keepers.

ii. Juſt. of p. one of the Quorum Commit to Baile

Bout baile For iii. dayes

¶ Alienation vvithout licence.

NOne that holdeth of yᵗ king in chiefe by knights ſeruice may alien yᵗ more part of his lands, ſo that the reſidue therof be not ſufficient to do his ſeruice, except he haue yᵗ kings licence, but this hath not bene vſed to be vnderſtanden of yᵗ members & little parcels of yᵗ ſame lands. Prerogatiua regis. cap. 6. An. 17. E. 2.

Chiefe Knights. ſeruice Licence Tenure

2 ¶ Of ſeriеaunties alienеd wout the kinges licence, the king hath vſed to rate ſuch ſeriaũties at a reaſonable ertẽt therof to be made. Prærogat' of the K. cap. 7. An. 17. E. 2.

Seriеantie

¶ Aliens.

THe kynge ordeyneth that if anie of hys ſubiectes attempt or offende vpon the ſea or in anye port within the ſayed Realme vnder the kynges obeyſaunce, agaynſt anie perſon or perſones ſtraungers

Sea Port Offendoꝛs

straungers being vppon the sea or in any port aforesaid by way of amity, leige or truce, or by force of the kings safeconduit or safegarde, in any matter, and specially in attaching of any such straunge person, robbing or spoyling him of his shippe, or any other maner of goodes, or against any other person of his leyge people, the Chauncellour of Englande for the tyme beinge (as for the deliueraunce of any such person so atttached to bee had, as to make restitution to euery such person so robbed or spoyled of shipp or goodes or of the value thereof) shall haue authoritye, callinge to him any of the Justices of the one benche or of the other, vppon a byll or billes of complaynt to him made in this behalfe, to make such proces out of the sayd Chauncery, as well against al such offendours, to bring them into the kings Chauncery, there to answere to the parties so greeued in this behalfe, as against any other person or persones, to whose handes any such person so attached, ship, or goodes shall come, as for the deliuerance and restitution by them to be made of the same person, shippe and goodes, as shal seeme to the same Chauncellor most expedient and necessarye, and vppon this proces so made out of the sayd Chauncerie, the sayd Chauncellor further to proceede in this matter yf the case do so require by aduyce of any such Justice to make the person and persones straungers so greeued, to haue full deliueraunce and restitution of any such person so attached and of all such ships and goodes, & also of al their costes, expences and losses made and suffered by him in this behalfe, and thereupon to make al maner of execution vpon the same out of the said chaūcery in such forme as shall seeme to the said Chaūcellour most expedient and necessary for such deliuerance and restituyon to be had, calling to him any such Justice as aforesaid. An. 31. H. 6. ca. 4.

Safeconduit.
Robbery.
Shippes.
Chaūcellor
Justices of both benches Bill
Proces.
Chauncery.
Chaūcellor
Shippes
Costes
Damages
Execution

2 ¶ No person not borne vnder the obedience of the king, nor made denizen of what nation or countrey that he bee, the which shal come to this realme after the feast of Easter next comming taking vpon him to be an artificer or handicraftesman, shall take or occuppe any house or chamber and therein dwel or soiorn with any other straunge person not borne vnder the obeysaunce of the kinge as aforesaid, neither exercise nor occupie any handy craft or ye occupation of any handy crafts man in this realme of England, but that all such persons, which after the said feast of Easter, commeth into this Realme, euery of them shal depart into their owne countrey againe, or els bee seruauntes to such of the kinges subiectes onely, as bee expert and cunninge in such feites, artes and craftes, which the sayd straungers can occupie, vppon payne of forfaiture of al their goodes, which shal come and dwel in this Realme contrary to this act, in whose handes so euer they shalbe found. Also that no person, not borne vnder the kinges obeysaunce, nor made denizen, beinge artificer or handycraftesman, after the sayd feast of Easter, nor yet none other for him or to his vse, shall make any cloth or put any wolle to worke to make cloth in this Realme, vpon paine to forfayt the same cloth or clothes made contrary to this act. Also that al persons not borne vnder the kinges obeysance, beeinge artificers or handicraftesmen dwellinge in this Realme, nor none other such artificers or handicraftman which hereafter shall inhabit and dwel in the same, which after the feast of the Annunciation of our Lady next comming, shall vse, exercise, or occupie the feat of marchaundise of any manner wares within this Realme, shall sell or barter the same wares or marchandyses in grosse and not by retaile, in the port towne or place where the same artificers be or shalbe dwellinge, & in none other place vpon paine of forfayture of the value of al ye wares and marchandises solde contrary to this act. Also that no person not borne vnder the kings obeisaunce inhabitinge dwellinge, or holdinge any great house or chamber in this Realme, and occuppinge any handycraft, or being artificer or handicraftman after ye said feast of the Annunciatiō of our Lady next cōminge, shall take any apprentice seruāt or other person to worke with him, or to his vse, vnlesse it bee his sonne or his daughter, other then at the sayed feast shalbee apprentices or seruauntes with him, except that the same apprentices or seruaunts so to bee taken, be the kings subiectes borne, vpon paine to forfeit and to lose for euery apprentice or seruant

Denizen
Artificer
Servants Crafts
Forf.
Denizen Artificer
Cloth Wooll Forf.
Artificers
Marchants Wares
Grose Retayle Port
Forf.
Handy craft
Apprentis
Forf.

xx.li. Fines

Action Bill Custome

Protection Essome

Artificer

Bookes

Scrimener Alluminer Bynder Printer

Denizen

Handy craft Apprentice

Foyl.

x.li.

Licence

seruaunt taken contrarie xx.li. The one halfe of al the said fines, forfeitures and penalties, and euerye of them, to bee to the king, and the other halfe to bee to him or them that will seyse the same, or pursue for the same by action of debt, by bill at the common lawe, by bill or plaint after the custome of the citie or towne where such fines, forfeytures or penalties hereafter shall fall and be, and that the defendant in any such action shal not be admitted to wage or do his lawe, nor no protection nor essoyne of the kynges service shalbe allowed for any such defendant in the same. Prouided alwayes that this act, or any parcel thereof, nor none other act made or to be made in the sayed parliament in no maner shal extend or be preiudice, disturbance, dammage or impedyment to any artificer or marchaunt straunger, of what nation or countrey he be, or shalbe, of or for bringing into thys realme, or selling by retaile or otherwise, any maner of bookes written or printed, or for the inhabiting within this saied realme for the same intent, or any scriuener Alluminour, binder or printer of such bookes which he hath or shall haue to sell by way of marchãdise, or for their dwelling within the sayd realme for the exercise of the said occupations, this act or any part therof notwithstanding. An.1.R.3. ca.9. This last prouiso is repealed by An. 25.H.8.cap.15. as appeareth in Books.1.

3 ¶ No maner of straũger, borne out of the kings obeysaunce be he denizen or not denizen vsing any manner of handye craft within this realme, shall take from henceforth any apprentice except ẏ same apprentice be borne vnder the kings obeisance, vpon paine to forfait for euery apprentice that he shal take, cõtrary to this act x.li. The one halfe therof to be to our soueraigne lorde the king, the other halfe to him or them that shal sue for it, be it by action of debt, bill, plaint, information, or otherwise: In which suit the defendaunt shall not bee admitted to wage hys lawe ne any assoine, licence, or protection to be allowed. Be it &c. and vnder lyke paine to bee forfayted & recouered (as is aforesaid) that no straunger being alien borne, and vsing any manner of handy craft wỉn this realme from the feast of all saints next ensuing, shal in any manner of wise vse, take, retayne, or kepe into hys or their seruices any maner of tourneyman or couenant seruant aboue the number of two at one time, except the same forneyman or couenant seruant be borne vnder the kings obeysance. And ouer this bee it &c. that al maner of persons being aliens borne, vsing any maner of handy craft, be they denizens or not denizens, and inhabiting within the Citie of London or suburbes of the same, within the towne of Westminster, the parish of Saint Martins in the field, the parish of our Lady of the Strond, saint Clement of Danes wỉout Temple Barre, Saint Gyles in the field, saint Andrewes in Holborne, the towne and Borough of Southwarke, Shoredich, White chappel parish, Saint John stræte, the parish of Clerken well, Saint Botolphes parish without Algat, Saint Katherins, Barmondsey stræte, or within two miles compasse of ẏ sayed Citie of London or ẏ parishes aforesaid, shalbe vnder the search & reformation of the wardens & the felowships of handycrafts within the said citie of London, wỉ one substancial straunger being an house holder of the same craft by ẏ same wardens to be chosẽ, that is to say, euery such straunger occupying any misterie or handycraft as is aforesaied, shalbe vnder the search and reformation of the wardens & one substancial stranger, being an householder of the craft, that they shall so occupie. And that the wardens of the said citie of euerie such handy craft, with one straũger or housholder, as is aforesayde of the same craft, haue full power and auctoritie by thys present acte to limit and appoynt to euerie straunger of the misterie and handycraft, that they be of, inhabyting within the said citie, suburbs, places or precinct aboue remembred, a proper marke without takinge any thing therefore: by the which their wares, vessellies & workmãships that they make may be knowen. And that the wardens of euery such handycraft and misterie aforesayde, calling to them one straunger of the misterie and occupation that they be of, beeyng an householder, shal haue full power and auctoritie to searche, view, and reforme, as well within the sayde Citie of London, as in all other places and limits beforesaid, all manner of wares of workmãships

London

Wardens

Marke Wares Workmanship Wardens

Serch London

straungers being vppon the sea or in any port aforesaid by way of amity, leige or truce, or by force of the kings safeconduit or safegarde, in any matter, and specially in attaching of any such straunge person, robbing or spoyling him of his shippe, or any other maner of goodes, or against any other person of his leyge people, the Chauncellour of Englande for the tyme beinge (as for the deliueraunce of any such person so attached to bee had, as to make restitution to euery such person so robbed or spoyled of shipp or goodes or of the value thereof) shall haue authoritye, callinge to him any of the Justices of the one benche or of the other, vppon a byll or billes of complaynt to him made in this behalfe, to make such proces out of the sayd Chauncery, as well against al such offendours, to bring them into the kings Chauncery, there to answere to the parties so greeued in this behalfe, as against any other person or persones, to whose handes any such person so attached, ship, or goodes shall come, as for the deliuerance and restitution by them to be made of the same person, shippe and goodes, as shal seeme to the same Chaunceller most expedient and necessarye, and vppon this proces so made out of the sayd Chauncerie, the sayd Chaunceller further to proceede in this matter yf the case do so require by aduyce of any such Justice to make the person and persones straungers so greeued, to haue full deliueraunce and restitution of any such person so attached and of all such ships and goodes, & also of al their costes, expences and losses made and suffered by him in this behalfe, and thereupon to make al maner of execution vpon the same out of the said chaūcery in such forme as shall seeme to the said Chaūcellour most expedient and necessary for such deliuerance and restitution to be had, calling to him any such Justice as aforesaid. An. 31. H. 6. ca. 4.

Safeconduit.
Robbery.
Shippes.
Chaūcellor
Justices of both benches Bill
Proces.
Chauncery.
Chaūcellor
Shippes Costes Damages
Execution

2 ¶ No person not borne vnder the obedience of the king, nor made denizen of what nation or countrey that he bee, the which shal come to this realme after the feast of Easter next comming taking vpon him to be an artificer or handicraftesman, shall take or occuppe any house or chamber and therein dwel or soiorn with any other straunge person not borne vnder the obeysaunce of the kinge as aforesaid, neither exercise nor occupie any handy craft or occupation of any handy crafts man in this realme of England, but that all such persons, which after the said feast of Easter, commeth into this Realme, euery of them shal depart into their owne countrey againe, or els bee seruauntes to such of the kinges subiectes onely, as bee expert and cunninge in such feites, artes and craftes, which the sayd straungers can occupie, vppon payne of forfaiture of al their goodes, which shal come and dwel in this Realme contrary to this act, in whose handes so euer they shalbe found. Also that no person, not borne vnder the kinges obeysaunce, nor made denizen, beinge artificer or handycraftesman, after the sayd feast of Easter, nor yet none other for him or to his vse, shall make any cloth or put any wolle to worke to make cloth in this Realme, vpon paine to forfayt the same cloth or clothes made contrary to this act. Also that al persons not borne vnder the kinges obeysance, beeinge artificers or handicraftesmen dwellinge in this Realme, nor none other such artificers or handicraftman which hereafter shall inhabit and dwel in the same, which after the feast of the Annunciation of our Lady next comming, shall vse, exercise, or occupie the feat of marchaundise of any manner wares within this Realme, shall sell or barter the same wares or marchandyses in grosse and not by retaile, in the port towne or place where the same artificers be or shalbe dwellinge, & in none other place vpon paine of forfayture of the value of al ỳ wares and marchandises solde contrary to this act. Also that no person not borne vnder the kings obeisaunce inhabitinge dwellinge, or holdinge any great house or chamber in this Realme, and occuppinge any handycraft, or being artificer or handicraftman after ỳ said feast of the Annunciatiō of our Lady next cōminge, shall take any apprentice seruāt or other person to worke with him, or to his vse, vnlesse it bee his sonne or his daughter, other then at the sayed feast shalbee apprentices or seruauntes with him, except that the same apprentices or seruaunts so to bee taken, be the kings subiectes borne, vpon paine to forfeit and to lose for euery apprentice or seruant

Seruants Crafts
Forf.
Denizen Artificer
Cloth Woll Forf.
Artificers
Marchants Wares
Grose Retayle Port
Forf.
Hāth ent
Apprentis
Forf.

xx.li. Fines Action Bill Custome Protection Essoine Artificers Bookes Stationer Alluminer Bynder Printer Denizen Handycraft Apprentice Fayt. x.li. Licence

seruaunt taken contrarie xx.li. The one halfe of al the said fines, forfeitures and penalties, and euerye of them, to bee to the king, and the other halfe to bee to him or them that will seyse the same, or pursue for the same by action of debt, by bill at the common lawe, by bill or plaint after the custome of the citie or towne where such fines, forfeytures or penalties hereafter shall fall and be, and that the defendant in any such action shal not be admitted to wage or do his lawe, nor no protection nor essoyne of the kynges seruice shalbe allowed for any such defendant in the same. Prouided alwayes that this act, or any parcel thereof, nor none other act made or to be made in the sayed parliament in no maner shal extend or be preiudice, disturbance, dammage or impedyment to any artificer or marchaunt straunger, of what nation or countrey he be, or shalbe, of or for bringing into thys realme, or selling by retaile or otherwise, any maner of bookes written or printed, or for the inhabiting within this saied realme for the same intent, or any seruener Alluminour, binder or printer of such bookes which he hath or shall haue to sell by way of marchãdise, or for their dwelling within the sayd realme for the exercise of the said occupations, this act or any part therof notwithstanding. An.1.R.3. ca.9. This last prouiso is repealed by An. 25.H.8.cap.15. as appeareth in Books.1.

3 ¶ No maner of straũger, borne out of the kings obeysaunce be he denizen or not denizen vsing any manner of handye craft within this realme, shall take from hencefoorth any apprentice except ẏ same apprentice be borne vnder the kings obeisance, vpon paine to forfait for euery apprentice that he shal take, cõtrary to this act x.li. The one halfe therof to be to our soueraigne lorde the king, the other halfe to him or them that shal sue for it, be it by action of debt, bill, plaint, information, or otherwise: In which suit the defendaunt shall not bee admitted to wage hys lawe ne any alloine, licence, or protection to be allowed. Be it &c. and vnder lyke paine to bee forfayted & recouered (as is aforesaid) that no straunger being alien borne, and vsing any manner of handy craft wᵗin this realme from the feast of all saints next ensuing, shal in any manner of wise vse, take, retayne, or kepe into hys or their seruices any maner of tourneyman or couenant seruant above the number of two at one time, except the same forneyman or couenant seruant be borne vnder the kings obeysance. And ouer this bee it &c. that al maner of persons being aliens borne, vsing any maner of handy craft, be they denizens or not denizens, and inhabiting within the Citie of London or suburbes of the same, within the towne of Westminster, the parish of Saint Martins in the field, the parish of our Lady of the Strond, saint Clement of Danes wᵗout Temple Barre, Saint Gyles in the field, saint Andrewes in Holborne, the towne and Borough of Southwarke, Shoredich, White chappel parish, Saint John strete, the parish of Clerken well, Saint Botolphes parish without Algat, Saint Katherins, Barmondsey strete, or within two miles compasse of ẏ sayed Citie of London or ẏ parishes aforesaid, shalbe vnder the search & reformation of the wardens & the felowships of handycrafts within the said citie of London, wᵗ one substancial straunger being an house holder of the same craft by ẏ same wardens to be cholẽ, that is to say, euery such straunger occupying any misterye or handycraft as is aforesaied, shalbe vnder the search and reformation of the wardens & one substancial stranger, being an householder of the craft, that they shall so occupie. And that the wardens of the said citie of euerie such handy craft, with one strãger or housholder, as is aforesayde of the same craft, haue full power and auctoritie by thys present acte to limit and appoynt to euerie straunger of the misterie and handycraft, that they be of, inhabyting within the said citie, suburbs, places or precinct above remembred, a proper marke without takinge any thing therefore: by the which their wares, vesselles & workmãships that they make may be knowen. And that the wardens of euery such handycraft and misterie aforesayde, calling to them one straunger of the misterie and occupation that they be of, beeyng an householder, shal haue full power and auctoritie to searche, view, and reforme, as well within the sayde Citie of London, as in all other places and limits beforesaid, all manner of wares of workmãships

Journeymen Denizens London London Wardens Marke Wares Workmanship Wardens Serch London

manshipps made by any manner of suche handycraftes men, beinge aliens borne, as is beforesayde. And that no straunger borne out of the kynges obeysaunce, vsing anie of the mysteries or occupations of smithes, ioyners, or cowpers, shall make any manner of wares or vesselles concerninge the same mysteries or occupations, except that they and euerye of them put to suche markes to euerye of the same wares and vessels, before they shal bee put to sale or vse, as the wardeyns of their occupations, craftes, or misteries, shall limyt and appoint, without takyng any thinge therefore, vpon payne of forfayture the double value of the same wares and vesselles, the one halfe of whych forfayture to bee to the kinge our soueraigne Lorde, the other halfe to the partie that first will sue for the same by action of debt, bill, plaint, or information, in which the defendaunt shall not wage his lawe, nor anie essoine shalbe cast or protection allowed. And farther it is &c. that if vppon any such searche or viewe to bee made by the wardeins and one straunger of any craft or mysterie, beforesayd after the forme of this estatute, in vesselles or wares to bee founde in the possessions of the workers or owners thereof, puttinge the same vessels or wares to workemanship of any straunger, falsly and disceiptfully made to the hurt of the kinges liege people, and so adiudged by the said wardens and one straunger, that then suche worker or owner, in whose possession the same false and deceiptfull wares shalbee foūd, shal forfait the same wares, the one halfe thereof to the king our soueraygne lorde, and the other halfe thereof to ỹ first finder thereof, suing for the same in anie of the kings courts by actiō of detinue, in which action the defendāt nor defendāts shal not bee admitted to wage their lawe nor protection, ne essoine, bee to thē herein allowable. Be it &c. that all wardeins and masters of felowships of all and euerie such handycrafts, within any such citie, borough or towne corporate within this realme, where anie suche wardens happen to bee, and in such boroughes and townes corporate, where no wardens of handy craftes are, the baillifes or the gouernour or gouernours of the same boroughes or townes so lacking wardeins, shall haue lyke power & authoritie with the baillife or baillifes, of the liberties wō them where any such libertie shalbe, beeing contented so to do, to viewe, searche & reforme straungers borne out of ỹ kings obeysaunce, inhabiting and vsing within any such Citie, borough, or towne corporate, any maner of hādy craft in as large and ample maner as the saide wardens & felowships of the said citie of Londō may doe, by vertue of this present acte. And that all straungers vsing anie of the saied handy craftes in any of the said cities, boroughs, or townes corporate, be bounden to do and obey in euery thing, accordynge to the tenor of this present act vppon lyke paynes, and forfaytures, as is aboue remembred, to be had & recouered in forme aboue rehersed. Prouided alway that if the wardens of any felowship or mysterie beforesaid, bailifs gouernour or gouernours, beforesayd, wrongfullye will entreate any straunger, in executinge of thys act, or any thinge therein conteyned, that then the straunger so greeued, may by authoritie of this act, by byll or information, complaine to the Lorde Chauncellour and Treasorer of England, or to ỹ Justices of Assise in the cōtie for the tyme being, which by their examination shal haue full power and authoritie to heare and determine the same complaint, and to awarde to the partye complaynant, such amendes as by their discretions shalbee thought reasonable. Prouided also, that it shalbee lawfull for and to euery of the said straungers borne out of the kings obeisance, beinge a houlholder, to haue & to retaine aswel al & euery such straungers borne out of the kings obeisaunce, being the time of this parliament with him retained as iourneyman, as to haue and retaine euery such straunger, being borne out of the kings obeisās being apprentice wō him thattime of this parliament, this act notwithstandinge. This to endure vntil the last day of ỹ next parliament. Prouided also, that this act extende not to thinhabitāts, straungers ỹ now be, or herafter shalbe, in the vniuersities of Oxforde, or Cambridge, or wīn the sāctuary of S. Martins le graūd, wīn ỹ said citie of London. Prouided alwaies, that if the said wardens of the said city of London, wō a straunger, or gouernour or gouernours

Smithes Ioiners Coupers

Forf.

Forf.

Wardens

Baillifes

Liberties

London

Chauncellour Treasorer Justices of assise.

Iourneind

Apprentice

Oxforde Cambridge London

Wardens

gouernors of any citye or borough corporate within this realme, refuse to marke the wares of any estraunger after ẏ they be required so to marke, ẏ then it shalbee lawful to the same estraũger or estraungers to whom such refusel shalbe made, to sel & put to sale his said wares so required to be marked & refused, this act notwithstanding. Prouided also that this act extend not to any other handy craft, then to the craftes of Joyners, pouchmakers, coupers, & blacke smithes, for, or concerning the forsaide article of marking of wares of ẏ said estraũgers. Also ẏ it shalbe lawful to any lord of the parliament, & euerie other of the kings subiects, hauing lands & tenemẽts to the yerely value of one C. li. to take & retaine estraungers joyners & glasiers in their seruice frõ time to time, to & for the exercising wt thẽ their crafts, this act notwithstanding. An. 14. H. 8. cap. 2. See this act continued in the next that here followeth.

Joyners
Pouchmakers
Coupers
Smithes
Lord of the parliament
C. li.
Glasiers

¶A Decree in the Starre chamber made 20. Februarij. an. 20. H. 8.

4 ¶Where of late our true & faithfull subiects artificers and handycraftesmen, borne vnder our obeysance, inhabiting wt in our citie of London, and the suburbs of the same, exhibited vnto vs a lamentable bil of complaint, conteining &c. It is ordeined, adiudged & decreed, that the xx. day of Februarye, in this present terme of S. Hillarye, in the xx. yere of our raigne in our Starre chamber by &c. that is to say, that according vnto the act of parliament made ẏ said xiiij. & xv. yeres of our raigne (before 3) ẏ no straunger artificer, borne out of our obeysance, inhabitinge wythin any citie, towne, or borough, or any other place within this our realme of Englãd, from thencefoorth shal kepe in his or their house or hooses, any maner of seruantes straungers borne out of our obeisance, but only ij. straungers seruants, & no more at one time. And that as many of the straũgers artificers now inhabiting within any citie, towne, or borough corporate, or in any other place within our said realm, that wilbe apprentices or seruants, to or with any of our subiects artificers, borne within our obeisance, exercising new or old stuffe, inhabitinge within our said realme, shalbee suffered so to abide & dwell with them, without interruption, as long as they will so continue and abide wyth them & can agree together. And furthermore it is decreed, that it shalbe lesul to al & euery of the said straungers artificers, now being housholders within our sayde realme, to take as many of our subiectes borne within our obeisaunce to be their seruants or apprentices, in the craft that they do exercise, as they can lawfully get. And that al the straũgers artificers now being housholders within our said citie of London, suburbes, parishes, or compasse thereof, exprssed in the said statuts, or wt in ij. miles compasse of the said parishes, & also al and singuler straũgers that now be, or hereafter shalbee made denizens, ẏ do or hereafter will inhabite wyth in our citie of London, suburbes, or parishes aforesaid, or within ij. miles compas of ẏ same, and kepe houses, and occupie their craft, shalbe contributorie to and with our subiects artificers within our city of Lõdon, paying, bearing, and sustaining such charges as hereafter shal bee exprssed. That is to say, as wall euery of the sayde strangers, being of the craft & misterie of cordwayners, housholders, as denizens ẏ now be, or hereafter shalbe made denizẽs, & shal inhabit wt in our said city, suburbes, parishes, or ij. miles compas of the same, shal quarterly pay to ẏ said master wardens & cominaltie of the said craft of cordwayners within our said citie of London for the time being vi.d. And euery seruãt straunger of the said occupation of ẏ said cordwainers, within the saide citie, suburbes & precinct not being denizen, shall quarterly pay to the said master wardens & cominaltie iii.d. And that al other strãgers artificers & denizens, of euery handycraft & misterie, inhabiting al wel wth in our said citie of London, as in any other citie or towne within this our realm shal pay, beare & sustaine, al such and lyke charges as our subiectes of like craft and misterie borne out of our obeisance, inhabiting within the citie, borough, towne, of their habitation at this time, do beare and sustaine. And also al straungers artificers and denizens, exercising the craft and misterie of cordwayners, dwellinge out of our citie of London in any other citie or towne wythin this our realme, shall pay, beare, and sustaine, scot, tares, tallages, subsidies, preses, and all other

London
Strangre Artificer
Seruents
Apprẽtices
London
Cordwayners
Wardens
vi.pence
Cordwayners
iii.d.
London
Tares
Tallages
Subsidies

reasonable exactions from time to time, according as the said maisters, wardens, and companies of the said craftes for the time being, shalbe bounden to pay, beare, and sustaine, when any subsidie, tare, tallage, or pyell, or other reasonable charges shalbe by the Maior and Aldermen of our said citie of London, and the Maiors and Aldermen of our saide other cities and towns, or by common counsel of the said cities and towns, of ꝑ for any charges or paymentes of money, to bee paied by the companies of the said crafts and citizens of any city, for any payment to be made vnto the kinges highnes, or his heires, or els to be paid for any cause concerning ꝑ common wealth of any our said cities, or towns, or common wealth of the said artificers, the said straungers shall pay all the same that they shalbe assessed, or tared to pay, as contributories with the said cõpanies being our subiects, as our said subiects shalbe assessed and tared to pay. And if any of them deny or refuse the same, or any part thereof, then he or they denying and refusing so to do, shall not only lose ꝑ benefite of this decree, but also shal not any longer occupy any handy crafts, vpon the paines, daungers, and perills specified in the aboue remembred acts ꝑ statutes. And that aswell al and euery of the sayde housholders straungers aforesaid, as all other straungers artificers, made or to be made denizens, that shalbe housholders, and inhabite and occupie any craft within our saide cities, suburbes, or ii. miles compasse of the same, as longe as they shall remaine and abyde within the sayd citie, suburbes, and ii. miles compas of the same, being reasonably required ꝑ warned by the wardens, ꝑ other persons gouernors in any citie, towne, or borough corporat, of theyr said crafts vꝫ in any of our said cities or townes corporate, or by any of them for ꝑ time being, or by their lawfull deputie or deputies, shal go wyth the said wardens or other gouernors ther as no wardens be, to make serch, according to the aboue remembred actes of parliament, made in the xiii. ꝑ xv. yere of our raigne, which if they refuse to do, and that proued before the Chauncelour of Englande, or before the Maior of London, and in other cities before the chyefe persons of the saide cities or Townes for the tyme being, that then the same housholder or housholders so offending, denying, or refusinge the same, shal no longer ꝑ same his occupation exercise or vse, wtin this our Realme, vppon payne, peril, and daunger, expressed in the afore remembred actes and statutes. And that the same straungers artificers, denizens or not denizens housholders, which will remaine and abyde within our saide realme, shall vpon lawfull notice to them geuen by the maister or wardens of their craft, or one of them, personally present them selues in the common hall or meeting place of their said craftes, within our said cities and townes, there as they bee inhabitinge, and then and there euery of them to receyue and take their othes and be sworne vpon the holy Euangelist before the saide Maisters and Wardens of their saide crafte or misterie wythin our said citie and townes corporate, to bee faithfull and true to vs, and to our heires kinges of Englande, and to bee obedyent to vs and them, and to our and their lawes, and to all actes, or dinances, and decrees made and confirmed by vs and our counsell, or by our counsell, and duelye and truely at all tymes when they shalbe appointed by the Wardens of their felowship, craft or misterie, for the tyme being, or their deputies to make searche with them according to the purport, tenour or effect of any statute or act of Parliament, made in the viii. and xv. yere of our raigne, and haue warning and monition thereof by the wardens or any of them, or any other their sufficient deputie or deputies, in that behalf to them made and geuen, and that they shall bee readye to go wyth the sayde Wardens to make the same search, and that they shall not geue notice to any straunger of the same searche, vntyll they with the sayde Wardens come together to make the saide searche, and that they shall well, indifferentlye and truelye behaue them in the same, settinge all affectyon, fauour, malyce, and dreade of any creature, and all fraude, and deceyte apart, so helpe them God and all saintes, and by the holy Euangelist. And theyr othe so receyued in fourme aforesayde, the sayde straungers shall paye for their admissyon, according as our sayde subiects

Maior

Artificers Denizens

Othes

Lawes Decrees

Wardens

Denizens

Wardens

Serch

Refuse Chauncelor

Maior

Admission

subiects haue alway vsed to pay. It is also further decreed that no straunger artificer or handycraftesmã borne out of our obeysaunce not beinge denizens which at the daye of the makinge of this decree is not a housholder within this our realme, or kæpeth any shoppe or shoppes within the said citie and suburbs or any other cytie, towne or borough within this our realme, shall from that day forward set vp or kæpe any house, shop or chãber within our citie of London, suburbes or parishes before rehersed, or within any other citie, towne, borough or village within this our realme, wherein he shall exercise and practice any handycraft or mistorie vpon paine to incurre and ren in such penalties as bee conteyned in the statutes before this time made and enacted. And that none of the sayde estraungers artyficers or handycraftesmen borne out of our obeysance, as well denizens or other shall assemble in anie companie, felowship, congregation or conuenticle, but only in the common haule of their craftes with our subiectes which bee of the companie of their said craft or craftes at such time as they shalbee commaunded and warned by the master and wardeins of the sayde crafte or craftes, and at none other place or time and in any other maner, vppon paine afore expressed. Prouyded alway that thys decree and euerye part thereof concerninge the crafte and mysterie of Cordwayners shall extende as well to them that worke olde stuffe as newe, within our Citie of London, the suburbes of the same, or in anie other Citie, towne, borough or village within thys our realme of Englande. Prouided also that notwithstanding anie wordes comprised in this decree, the straungers artificers, denizens, or not denizens, inhabiting in the vniuersities of Oxforde & Cambridge, and within the Sanctuarie of saint Martins le graund, within the citie of London, shal enioy all the benifits, and aduauntages reserued vnto them by reason of anie prouision made by acte of parliament expressed in the statute made in ỹ xiiij. & xv. yeare of our raigne, so that the said straungers, denizens or not denizens, inhabiting within the said Sanctuarie of saint Martins le graunde, be confirmable to suche direction and order as shalbee taken by the reuerende father in God Cutbert Bishop of London sir Richarde Bzoke knight chiefe baron of our Eschequer, John Mose knight, one of ỹ Justices of our benche, sir John Dauey, and sir John Klein knights, to whõ wee haue of late directed our letters patentes and by the same geuen them power and authoritie, and commaunding them and euerie of them to cause the house of euery straunger & denizen artificer, inhabitinge & dwelling within the said sanctuarie, to bee searched and viewed, how many seruaunts he or they kæpe, borne out of our obeysance, & they being al viewed & sene, then to appoint to euery of the said straũgers, housholders inhabitinge within the said Sanctuarie, by them in forme afore said, so tried, to be wtin the bondes and limits of the said sactuary, such number of seruauntes straungers, borne out of our obeysance as they by their discretion shal thinke conuenient, & sufficient, and not to be to any detriment vnto our subiects inhabitantaunts within our said City. Also commaundinge in our name al and euerye the said straungers denizens, housholders, that they from henceforth doe not kæpe within their houses, or in any other houses, shop or chamber within the said citie of London or the suburbes of the same, any mo seruaunts being borne out of our obeisance them shalbee to them at that time by them appointed, as they wil auoide the daunger and penaltye of our lawes, and what they haue done in ỹ premisses that they do certyfie to vs and our counsayle in our starre chamber at Westminster at the xv. day of Easter nexte commynge. In witnesse whereof we wil as well the sayed decree as al other the premisses shall bee exemplyfied vnder our Seale.

Artificer Denizen

Shoppes

London

Handycraft

Denizens Assemblies Conuenticles

Wardens

Cordwainers

London

Vniuersities

London

Sanctuarie

Bishop of London

Seruants

Denizens

London Seruants

¶ The act vpon the said decree.

The said order and decree, had geuen and made by our Soueraigne Lorde the king his most honorable counsaile, and al and euery thinge therein contayned, specified and declared, be holden and obserued firme and stable, and duely to bee put in execution in euery point and artycle, in maner and fourme as is aboue rehersed, accordinge to the purport, effecte

and true meaning of the same. And be it &c. that the acte made in the parliament &c. in the 14. yeare of the raygne of our saide soueraigne lorde the king that now is &c. cap. 2. (before. 3.) concerning strãgers, artificers, for takinge of apprentyces, iourneymen and couenant seruants, and euerie article, and prouision contayned in the same acte, shalbee from henceforth put in due execution accordinge to the true entent, meaning, and purport of the same, as well within the Citie of London, as in al other Cities, borroughs, and towns corporat within this realme, and the same to endure perpetually, any thinge conteined in the said acte or decree to ẏ contrarie notwithstãding. Prouided alwaies that no artificer, aliant, or straũger, borne out of the kinges obeysaunce, being a householder, or inhabiting within anye of the vniuersities of Oxforde, and Cambridge, or within the Sanctuarie of saint Martins le graund wỉn the Citie of London, shal from henceforth haue and reteine in their seruice, iornemen, or apprentices beinge aliauntes or straungers borne, aboue the number of .v. persons at one time, vpon paine of the penaltie conteined in the saide acte, made in the sayde xiij. and xv. peare of our said soueraygne lorde. The prouisions conteined or specifyed, in the same acte notwithstandynge. An. 21. H. 8. cap. 16.

Artificers Apprentices Iourneymen

London

Artificer

Vniuersities

London Iourneymen Apprentices

.v. persons

5 ¶ Euery person or persons whatsoeuer they bee, borne oute of thys realme of Englande, oute of the kynges obeysaunce, made or hereafter to bee made denyzein, do paye your grace and to your heires, and to all and euerye other person or persons of what estate, degree, or condition hee or they bee, and to all and singuler officers and mynisters of Cities, Borroughes, and Townes within thys Realme of Englande, and to euerie of them, all such subsidies, customes, tolles, duties, and other summes of money for their wares, marchaundises, and other whatsoeeur goodes, by whatsoeuer name or names the saide subsidies, customes, tolles, duties, and other summes of money, or any of thẽ be named, or called, as they shoulde or ought to haue payed before they were denyzeins, anie graunt or graunts to them made or hereafter to bee made, or anie acte or actes, estatute or ordinaunce to the contrarie made or had, notwithstending. Prouyded alway that all and singuler officers and mynisters of euerie Citie, borough, or town, wherein ante suche customes, tolles, duties, or summes of money shalbee demaunded, as is aboueiaide on this syde the feast of Pentecost nert commynge, shall sette vp or cause to be set vp in open place and places of euerie such City, borough, or town, a table or tables, by the which the certeintie and verie dutie of euery such custome, tolle and dutie or sũme of money, of such wares and marchandise to bee demaunded or required as is aboue rehersed, shal and may plainely appeare, and be declared, to the intent that no thing bee exacted otherwise then in olde time hath bene vsed, and accustomed, vpon peine of euery Citye not doinge the same to lose v. li. and euery towne corporat to lose xl. s. for euery monethe that the same table shall faile to be set vp, after the same feast, the moitie of which forfaiture to be to ẏ king our Soueraigne lorde, and the other moitye to the partie that will sue for the same by writte, bill, plaint, or informatyon, in which actyon, the defendaunt shal haue no essoyne, wager of lawe, ne protectyon allowed. Prouided alway and bee it enacted by the auctho̅rite aforesaid, that thys act ne any other act or actes, made or to bee made, in this present Parlyament, concerning the premisses, bee not in any wise prejudiciall or hurtfull to the marchaunts of the house of Almain, nor to any of them, hauinge the house within the Citie of London commonly called Ostlohal theutonicor̃, other wise called the merchauntes of the Stilliarde in London, nor to their goodes or marchaundises by what soeuer name or names, they or any of them be called, but that they and euery of them shal haue and enioy al such liberties, franchises, customes, and priuyledges, as they had the first day of this present parliament, any thing or things specified in this act or in any other act or acts made or to be made in this present parliament notwithstanding. Prouided alway ẏ the tables so to be set vp in ẏ city of Lõdon touchinge scauage within the same, shal first be viewed examined and approued, by ẏ Chaũcellor or treasorer of England, ẏ president of the kinges counsayle, the

Denizen

Officers

Subsidies Customes Merchãdises

Tolles

Denizens

Customes

Merchants of Almayne

Stillyarde

Customes

Tables Scauage

Chauncellour Treasorer

the lord Priuie seale, the lord Steward of the kinges most honorable houshold, and the two chiefe Justices of the kings bēch & common place for the time being, or by iiij. of them at the least, and by them subscribed. An. 22. H. 8. ca. 8.

Just of both benches

6 ¶ All maner of estrangers borne out of his graces obeysance, which heretofore haue beene made denizens, or that hereafter shalbe made denizens, from & after the first day of September next cōming, shalbe first bound and obedient by and vnto al the foresaid acts & estatuts. s. An. 1. R. 3. ca. 9. (before 2.) An 4. H. 8. ca. 2. (before 3.) & An. 21. H. 8. ca. 16. (before 4.) and to all the contents of the same, and to all other acts and statutes of this realme heretofore made now being in their force & not repealed, any letters patents or ordinances heretofore made, or hereafter to bee made to the contrarye thereof in any wise notwithstanding. And that also in all and euerie letters patents, of, or for the making of any denyzen, from and after the last day of thys present Parliament, to bee made to any strāger, not being borne vnder the kings graces obeisance, shalbe contained a prouiso, that he or they to whom such letters patents shalbe so made & graūted, shalbe bouden & obedient by & vnto al ẏ acts and estatutes of this realme, as is aforesaid, & to al & euery the cōtents of ẏ same, except it shalbe ẏ kinges most gratious pleasure to grāt to any such alīe, any special libertie or priuiledges, more or otherwise then is contained in ẏ said estatuts, & in ẏ case al such libertiez & priuiledges so to be grāted to any such alien, contrarie to ẏ forme of any of ẏ said estatuts, shalbee plainly, wholy, & particularly expressed, specified, & declared, by special wordes, aswel in the bill assigned wt the kings graces hand, for obtaining of any such graūt, as in the letters patēts to be made out of Chauncery for & cōcerning ẏ same. And furthermore be it enacted by ẏ auctoritie aforesayd, ẏ no alien nor estranger denizen, or not denizen, vsing any handy craft, being borne out of ẏ kinges graces obeisance, inhabyting within the vniuersities of Oxford or Cambridge, or wīn ẏ precinct of s. Martins le graund in London, or wīn any other such like places priuiledged, shal from the feast of s. Mychael the archangell next

Denizens

Letters patents

Denizen

Letters

Libertie priuiledge

Byll

Letters patents

Denizen

Vniuersitie

comming, retaine, haue, or keepe in theyr seruice, any apprentice, iorneman, or seruant, being aliens, borne out of the kings obeisance, aboue the number of ij. persons at one time, vpon pein & penaltie contayned in the said act, made in the said xiij. & xv. yeres of his graces raigne, any act or prouiso heretofore made to the contrarie in any wise notwithstanding. And ẏ it be also enacted by ẏ auctoritie aforesaid, ẏ euery alien & strāger borne out of ẏ kings obeisance, not being denizen, which now or hereafter shall come in, or to this Realme, or els where within the kings dominions, shall after the saide first day of September next comming be bound by & vnto the lawes & statuts of this realme, & to al & singuler the contents of ẏ same. And that none of the kings subiects shall retain or keepe together at one time in his houshold seruice or familie, aboue ẏ number of iiij. strangers, borne out of ẏ kings obeisance, nor ẏ any alien being denizen, & vsing no handy craft, shal retain or keepe in his houshold seruice or family, together at one time aboue the number of iiij. strāgers, vpon pein ẏ the offendor & offēdors contrarie to this article, shal lose & forfait for euery stranger borne out of the kings obeisāce reteined & kept aboue that number x. li. The moitie of all which forfaytures shalbe to the kings highnes, his heirs & successors, and the other moitie thereof to such person or persons as wil sue for ẏ same, by originall writ, bill, plaint, or information, in any of the kinges courts, in which suit none essoin, protection, or wager of law shalbee admitted or allowed. Prouided alway, that this acte nor any thinge therein contained, shalbee hurtful or preiudicial to such proclamation as the kinges maiestie hath published and proclaymed, for and concerning the payment of custome for straungers graunted by the goodnes of his maiestie, to endure for certaine yeares, but that the same proclamation shall abyde, be, and remain in the same plight and strength that it is, and as if this Acte had neuer bene made, any thinge in this acte to the contrarye thereof notwithstandinge. Prouided also that euerie Lord of the parliament may keepe the number of vi. straungers borne out of the kings obeisāce together at one time: Any thing in this act to the cōtrary

Apprentice Journeman

Denizen

Denizen Handy craft

Payne

Forf.

x li.

Moitie

Proclamation

Custome

Lord of the parliament vi. Straungers

Leases

Artificer

Denizen

Wolde Artificer

Denizen Lease

Foyl. C.s. Graunt

Foyl. Moitie

notwithstanding. And it is further enacted by auctho͂ritie aforesaid, that al leases of any dwelling house, or shoppe within this Realme, or any the kings demi͂yons, made to any straunger artificer, or handy craftesman, borne out of the kings obeisaunce, not being denizen, from and after the said feast of Saint Michaell the archangell next comming, shalbee voide and of none effect. And that no straunger artificer or handy craftsman, borne out of the kings obeisance, not being denizen, shal after the same feast take any lease of any dwelling house or shop, within this Realme, or in any other the kinges do͂mintons, vpon paine to lose and forfayte for euerie time doing contrarie to this act C. shillinges. And that no person after the same feast, shal graunt or let to ferme any dwellinge house or shoppes, to anye such straunger, artificer, or handy craftsmen, not being denizen, to the intent to dwel or inhabite in the same, vppon lyke payne of one hundred shillinges. The moity of which paines and forfaitures to be to the kinge our soueraigne lord, & thother moitie to such as wil sue for the same in maner and fourme, as in this act is aboue expressed. an. 32. H. 8. ca. 16.

¶ Amendementes.

Mispriision

Proces Letter Sillable

BY the misprision of Clerkes in euerie place where soeuer it bee, no proces shalbe annulled or discontinued by mistaking in writing one letter, or one sillable to much or to litle, but as soone as the thinge is perceiued, by challenge of the partie, or in other maner, it shalbe hastely amended in due fourme, without geuing auantage to the partie that challengeth the same, because of such misprision. an. 14. E. 3. ca. 6. stat. 1.

Iustices Adiournement

Errour

Record Proces

2 ¶ Whereas for to remoue diuersities of opinions vpon the statut of 14. E. 3. (before 1.) it was enacted 9. H. 5. ca. 4. That the Iustices before whom such plea or record is made or shalbe depending aswel by adiournement as by way of errour or otherwise, shall haue power and auctho͂ritie to amende such record and proces, aswel after iudgement geuen, as before, by force of the saide statut made in the time of the saide kinge Edwarde, which ordinance should endure tyll the nexte Parliament, which should bee first holden after the returne of the said king Henrie the father into Englande, from beyond the sea, and which now is determined by the death of the said late kinge Henry the father: Our soueraigne Lorde the kinge, by the aduise and assent aforesaid, hath ordeyned and established, that ỳ said statute, and the effect of the same, made the said ix. yeare, shal hold strength force and effect, in euery record & proces of the same, as well after iudgement geuen vpon a verdict passed, as vppon a matter in law pleaded, as a statut auailable & effectual in law, to endure forever. Prouided alwaies that this statut do not extend to records and proces to the parties of Wales, nor to ỳ records or proceses whereby any person is or shalbee outlawed at any mans suite. Anno 4. H. 6. ca. 3.

Record Proces Iudgement Verdict

Wales Outlawed

Errour Proces

3 ¶ For error assigned or to be assigned in any record, proces, or warraunt of attourney, original writ, or iudicial, panel or returne, in any places of the same raised or interlined, or in any addition, subtraction, or diminution of words, letters, titles, or parcell of writs founde in any such record, proces, warrant of attorney, writ, panel, or returne (which rasings, enterlinings, addition, subtraction, or diminution, at the discretion of ỳ kings Iudges of the courts and places, in which the said records and proces by writ of errour or otherwise be certified do appeare suspected) no iudgement nor record shall bee reuersed nor annulled. And that the kings Iudges of the courtes and places, in which any record, proces, word, plea, warrant of attorney, writ, panel, or returne, which for the time shalbee, shall haue power to examine such record, proces, word, plea, warraunt of attorney, writ, panel, and returne by them and by their clarkes, and to reforme and amend them in affirmance of the iudgements of such records and processes, al that, that to them in their discretion seemeth to bee misprision of ỳ clerk, in such records, proceses, word, plea, warrant of attorney, writ, panel, & returne, except appeales, indictments of treason & of felonies, & the outlagaries of the same, & the substance of the proper names, surnames, & additions left out in originall writs, and writes of

Warrant of Attorney Writ Panel Returne Interlined Addition Subtraction Rasing

Reforme

Misprision

Appeales Indictements of Treason Proper name Surname Additions

Exigend,

Erigend, according to the ſtatut another time made the 2. yere of king Henry father to our ſoueraigne lord the king that now is, and in other writts contayninge Proclamation, ſo that by ſuch miſpriſion of the clerk, no iudgement ſhall be reuerſed nor annulled. And if any record, proces, writ, warrant of atturney, returne, or panel, be certified defective, otherwiſe then according to the writting, which ther of remaineth in the Treaſorie, courts, or places, from whence they be certified, the parties in affirmance of the iudgements of ſuch recordes and proces ſhal haue aduantage to alleage variance betwixt the ſame writtinge & the ſaid certificat. And that found and certified, that ſame varyaunce ſhalbe by the ſaid Iudges reformed and amended accordinge to the firſt writting. And moreouer it is ordained, that if any record, or parcel of the ſame writ, returne, panel, proces, or warrant of atturney, in the kinges courts of Chauncerie, Eſchequer, the one bench or the other, or in his treaſory, be willingly ſtollen, taken away, withdrawen, or auoyded by any clerk or other perſon, by cauſe whereof any iudgemēt be reuerſed, ỳ ſuch ſtealer, taker away, withdrawer, and auoider, their procurators, cōcellors, & abettors, being thereof endicted, and by proces thereupon made therof duely conuict, by their owne confeſſion, or by enqueſt to bee taken of lawfull men, whereof the one halfe ſhalbe of the men of any Court of the ſame courts, & the other halfe of other, ſhalbee iudged for felons, and ſhal incurre ỳ pain of felonie. And that the Iudges of ỳ layd courts, of the one benche, or of the other, haue power to heare & to determine ſuch defaults before them, and thereof to make due puniſhment, as is aforeſaid. Prouided alwaies, that if any ſuch record, proces, writ, or warrant of atturney, panel, or returne, or parcell of the ſame, be now or hereafter ſhalbe exemplified in the kings Chauncerie vnder the great ſeal, and ſuch exēplification thear of record enrolled, wout any raſing in the ſame place, in ỳ exemplification, and the inrolment of the ſame, that then for any errour aſſigned or to be aſſigned in the ſaid recorde, proces, writ, warrant of atturney, panell, or returne, in any letter, word, clauſe, or matter of the ſame, varying, or contrarie to the ſaid exemplification & the inrolment, there ſhalbe no iudgement of the ſaid records and proces reuerſed nor annulled. An. 8. H. 6. ca. 12.

Proclamation
Certifie
Treaſorie
Variance
Reforme
Chauncery
Eſchequer
Treaſorie
Stollen
Indicted
Confeſſion
Felony
Heare & determine
Record
Proces
Writ
Warrant
Exemplified
Great ſeale
Raſing

4 ¶ The kings Iuſtices before whom any miſpriſion or default ſhalbe found, be it in any records & proces, which now be or ſhalbe hanging before them, aſwell by way of errour as otherwiſe, or in the returnes of the ſame made or to be made by ſherifes, corōners, bailifes of franchyſes, or any other, by miſpriſion of the clerkes of any of the ſaid courts of the king, or by miſpriſion of the ſherifes, vnderſherifes, corōners, the clerkes, or other officers clerkes, or any other miniſters, in wryting one letter, or one ſillable to much or to little, ſhall haue power to amende ſuch defaults and miſpriſions by their diſcretion, and by examination thereof by ỳ ſaid Iuſtices, to be take where they ſhal think nedeful. Prouided that this ſtatut do not extend to the records and proces in ỳ parties of Wales, nor to the proceſſes & records of outlagaries of felonies and treaſons, and the things depending vpon the ſame. An. 8. H. 6. ca. 15.

Miſpriſion
Records
Proces
Error
Returne
Sherifes
Corōners
Bailifes
Vnderſherifes
Clerkes
Letter
Sillable
Wales

¶ Amercements.

A Free man ſhal not be amerced for a ſmal offence, but after the quantitie of the offence. And for a great offence, after the maner thereof, ſauing to him hys tenement or freehold. And a marchant likewiſe ſhalbee amerced, ſauing to hym his marchandiſe. And any others villain thē ours, ſhalbe likewiſe amerced, ſauing his wainage, if hee fall into our mercye. And none of the ſaid amerciaments ſhal be aſſeſſed, but by the othe of good & honeſt men of the villnage. Earles and Barons ſhall not be amerced but by their equales, & after the quantitie of their treſpas: No man of the Church ſhalbee amerced after the rate of hys ſpirituall benefice, but after his lay tenement, and after the quantitie of his treſpas, Magna charta ca. 14. an. 9. H. 3.

Freeman
Freehold
Marchand
Merchandiſe
Villaine
Waynage
Othe
Earles
Barons
Peers
Spiritual men

2 ¶ No Eſchetor, Commiſſioner, or Iuſticer ſpecially aſſigned to take certein aſſiſes, or to hear & determin certein matters, frō henceforth ſhal haue power to amerce for default of ỳ cōmon ſomons, but onely the chiefe Iuſticers, or the Iuſticers

Eſchetor
Cōmiſſioner
Iuſt. of aſſiſe
Somons

in

Offers determined

in eire in their circuits. Marlb. ca. 18. An. 52. H. 3.

Citis Borough Towne

3 ¶No citie, borough, towne, nor any man be amerced wonn reasonable cause, and according to the quantitie of his trespas, that is to say, euery freeman sauyng his freehold, a marchant saving his marchandise, a villeine saving his gainure, & that by his or their equales. West. 1. ca. 6. An. 3. E. 1.

Freeman Freehold Marchant Villeine Saynure Piers

¶Annates & first fruites.

IN the Parliament begon An. 21. H. 8. & ended An. 27. H. 8. there was an act made not printed, against annates & first fruits to be paid to the Pope by Archbyshops and Bishops, And after an. 25. H. 8. ca. 20. the former act was confirmed, & also further thinges enacted against the said annates & first fruits, and also an order appointed for the electing and consecrating of Archbishops & bishops within this Realme. But an. 1. & 2. P. & M. ca. 8. the said two actes were repealed, and after reuiued, an. 1. El. vvhich act of an. 25. is in Roome 2.

Pope Archbishops Bishops

Consecrating

Repeale

¶Apparance.

BY cause that diuers of the kings liege people before this time haue ben outlawed and greatly vexed and diseased in diuers suits, aswell before the king in hys bench, as in the common bēch, in the records of which suits the entries haue ben made, that the plaintifs in the same suits, obtulerunt se in propria persona sua, where the same plaintifs neuer appeared to such suits, nor neuer had knowledge of the same, to the great mischiefe of the said liege people, if remedy be not prouided in this partie. Our said soueraigne lorde the king, willing in this case to prouide conuenient remedie, hath ordained and stablished by auctoritie of this present parliament, that no maner Filizer, Erigenter, nor none other officer from henceforth shall make such entre in any maner suite, except that the plaintife in the same sint, before that such entre be made, do appeare in his proper person before some of the sayde Justices of the place where the plea is or shalbe depending. And there he shall be sworne vppon a booke, that hee is the same person, in whose name the

Filizer Erigenter Officer Entre Plaintife

Appeare

Justices

Sworne

saide writte is sued, or that some other credible person of the kings counsel make such othe for him. And this ordinaunce shall endure till the next Parlyament. An. 10. H. 6. ca. 4. This act is made perpetuall, as appeareth by the next here 2.

Suit

2 ¶The said Statut (of an. 10. H. 6. ca. 4. before 1.) be affirmed, holden, & kept to endure for euer. And ỳ no officer contained in the said statute shall doe to the contrarie of the same, vpon paine of forfaiture of xl. shillinges to the kinge, euerie time that he of that shalbe attainted, by due examination, made by any of the Justices of the same place, before whom any entre or record is, and that euerye Atturney which hathe not his warrant entred of record in all his suites, wherein proces of Capias & Erigent bee awardable, the same terme in the which the Erigent is awarded or before, and vpon that be attainted by like examination, for euerie time that he so offendeth, hee shall incurre the payne aforesayde. anno 18. H. 6. cap. 9.

Officers

Fine.

Justices

Atturney Warrant

Proces Erigent Capias

Attaint

Peine

¶Apparell.

ANno 11. E. 3. ca. 2. & 4. Cloth made out of the Realme and furres were forbidden to be worne, but it is repealed, vt patet infra 4. & 5.

Cloth Furres

Repealed

2 ¶An. 37. E. 3. ca. 8. 9. 10. 11. 12. 13. & 14. certeine actes were made for apparell, but they were repealed by 38. E. 3. ca. 2.

Repealed

3 ¶An. 3. E. 4. ca. 5. & an. 22. E. 4. ca. 1. seuerall acts for apparell were made, but they were after repealed by 1. H. 8. cap. 14. and by 24. H. 8. ca. 13. vt patet infra 4. & 5.

Repealed

4 ¶An. 1. H. 8. ca. 14. a long act was made for apparell, and thereby al former acts for apparel made void and repealed, and after an. 6. H. 8. ca. 1. a long act was made for apparel, but it was repealed by another long act made for apparel. an. 7. H. 8. cap. 7. And after that act of 7. H. 8. was repealed by an. 24. H. 8. cap. 13. vt patet infra 5.

Repealed

Repealed

5 ¶For the better repressing of the inordinate excesse of apparell by some moderation, & for a reasonable order like to bee obserued, & performed in the wearing therof, be it &c. ỳ no person or persons,

of

of what eſtate, dignitie, degrée, or condi-
cion ſoeuer they be, from the feaſt of the
Purification of our Lady, which ſhalbee
in the yere of our lord M D xxxiij. vſe or
weare, in any maner their apparel, or vp
on their horſe, mule, or other beaſte, any
Purpure ſilke. ſilke of the colour of purpure, ne any cloth
Cloth of gold of gold of tiſſue, but onely the kinge, the
Tiſſue Quéene, ẏ kings mother, the kings chil-
dren, the kings brethern & ſiſters, and the
Exception kings vncles & aunts, except that it ſhalbee
leful to all Dukes, and Marquiſes, to
weare and vſe in their doublets & ſléeue-
les coates, cloth of golde of tiſſue, and in
none other their garments, ſo that the
ſame to be worne by ſuch Dukes & Mar-
quiſes, exceéde not the price of v. pound ẏ
yarde. Prouided that this word of (Pur-
pure) extend not to any mantel of the or-
der of the garter. And that no man vnder
ẏ eſtate of an Earle, from the ſame feaſt,
vſe or weare in his apparel of his body, or
Cloth of gold or ſiluer Tinceld ſatem Cloth or ſilke mixed or embroidered with gold or ſiluer Furres of Sables Exception
vpon his horſe, mule, or other beaſt, or har
nes of ẏ ſame beaſt, any cloth of gold, or
ſiluer, of tinceld ſattẽ, or any other ſilk or
cloth mixed or ẽbroidred wᵭ golde or ſiluer,
nor alſo any furrs of ſables, except that it
ſhalbe lawful for Vicoũts, ẏ Prior of S.
Johns Ieruſalem wᵭinthis realme, & Ba-
rõs, to wear in theirdoublets, or ſléeueles
coats cloth of gold, ſiluer or tyncel. Alſo it
is enacted, ẏ no man vnder ẏ eſtate of a
Duke, Marquiſe, Earle, & their childrẽ, or
vnder ẏ degrée of a Baron, vnles he be a
knight ẏ is a cõpanõ of the Garter, from
the ſaid feaſt, weare in any part of his ap-
Outlandiſh wollen cloth parel any wollen cloth made out of thys
realme of England, Ireland, wales, Ca-
leis, Berwick, or the Marches of ẏ ſame,
except in bonets onely. Ne alſo weare in
any maner apparell of his body, or en hys
horſe, mule, or other beaſte, or harnes of
Velues Crimsen Scarlet or Blew Blache Jennets Blache Luſrenes Embroidery Collers of S.
ẏ ſãe beaſt, any velues of ẏ color of crim-
zen, ſcarlet, or blew, ne any furrs of black
ienets or Luſerns, ne any maner embro-
derie. And ẏ no mã vnles he be a knight,
after ẏ ſaid feaſt, weare any color of gold
named a color of S. And ẏ no mã vnder
ẏ degre of a Barons ſõne, or of a knight,
except he may expend yearely in lands or
tenementes, rents, fées, or annuities, to
his owne vſe for terme of his life, or for
terme of another mans life, or in the
right of his wife CC. li. ouer all charges,
ſhall after the ſaid feaſt, vſe or weare a-
ny cheine of golde, bracelet, ouch, or other
ornament of golde, in any part of his or Cheine of gold or other ornament of gold, except Ringes vnder the weighe of an ounce
their apparell, or the apparell of hys or
their horſe, mule, or other beaſt, except e-
uerie ſuch cheyne, iewel, ouche, or orna-
ment bee in weight one ounce of fine
golde or aboue, and except ringes of gold
to be worne on their fingers with ſtones
or without. Ne alſo ſhal weare any ma- Velues in vpper moſt garments
ner of velues in their gownes, coats with
ſléeues or other vttermoſt garmentes,
nor any furres of libardes, nor alſo ſhall
weare any maner embroderie, prickinge
or printing with golde, ſiluer, or other
ſilke, in any part of their apparell, or on
their horſes, mules, or other beaſtes.
And that no man vnder the ſaide eſtates
and degrées, other then ſuch as may diſ-
pende in landes, tenements, rents, fées,
or annuities, as is aforeſaide, a hundred
poundes by yere ouer all charges, ſhal af- Satten Damaſke Silke chamlet Taffata in gowne or other vttermoſt garment Velues but in ſleueleſſe iakets Doublets Coyfes Partlettes Purſes Outlandiſhe kindes of furre except Foynes Genets Bogy
ter the ſayd feaſt weare any ſatten, da-
maſke ſilke chamlet, or taffata, in hys
gowne cote with ſleues, or other vtter-
moſt apparell or garment, nor any man-
ner of velues, other wiſe then in ſleueleſſe
iakettes, doubletes, coyfes, partilets or
purſes. Nor alſo ſhall weare any furre
whereof the lyke kynde groweth not
within thys Realme of Englande, Ire-
lande, Wales, Cales, Barwicke or the
marches of ẏ ſame, except foines, genets
called greye genets, and Bogy. And that
no man vnder the ſaid degrées, other thẽ
the ſonne and heire apparant of a knight,
or the ſonne and heire apparant of a man
of thrée hundreth markes by yere ouer
all charges, and ſuch other men as may
diſpende in lands and tenements, rents,
fées, annuities, or other yerely profites
as is aforeſayd xl. li. by yere ouer al char-
ges, from the ſayd feaſt, weare in their Chamlet Silke Satten Damaſke Taffata Sarcenet
gounes, or any other their vttermoſt ap-
parell, any chamlet or ſilke, ne alſo weare
in any other part of their apparelle, any
ſilke other then ſatten, damaſke, taffata
or ſarcenet in their doublets, & ſarcenet,
chãlet, or taffata in lining of their gowns Velues
and the ſame, or velues in their ſleues
coates, iacketts, ierkins, coifes, cappes,
purſes, or partlets, the colours of ſcarlet,
crimſen, and blewe, allwaies except. nor Foynes Genets
ſhal weare any furre of foins or ienetes,
called grey ienettes, nor any other furrs,
whereof the lyke kinde is not growen
within

within this realme of England, Ireland, Wales, Calcis, Berwick, or the marches of the same, (except before excepted)

Aglets Buttons Broches

Ne shall weare any maner aglets, buttons, broches of gold, or siluer gilte, or counterfait gilt or made with any other deuise or any weight. Nor shall weare any cheine of Gold of lesse weight and value then x. ounces of Troy weight of fine golde. And that no man vnder the sayde degrees, other then suche gentelmen as may dispend in landes and tenementes, rents, fees, or annuities, as is aforesaide xx. li.

Cheine of gold x ounces

xx. li.

xx. poundes by yeare, ouer all charges, from and after the said feast, weare any maner of silke in any apparell of hys bodie, or of his horse, mule, or other beast, except it be satten, taffata, sarcenet, or damaske, in his doublet or coise, and chamlet in his sleeues, iackets, and a lace of silk for his bonet, or points, laces, girdels, or garters made or wrought in England or Wales: Nor shall weare any furres of blacke conye or bogy. And that no man vnder the said degrees, other then such as may dispend in landes and tenementes, rents, fees, or annuities, (as is aforesaid) v. poundes by yere ouer all charges, from and after the said feast, weare any maner of cloth of the colours of scarlet, crimsen, or violet engrayned, nor any silke in their doublets or iackets, nor any other cloth in any garment aboue the price of xl. s. viii. pence the brode yarde, nor anie other thinge made out of this realme, except chamlet in their doublets e iackets,

Satten Taffata Sarcenet Damaske Silke lace Points Laces Girdels Garters Blacke conye Bogy

v. li.

Cloth Silke

xl. s. viii. s.

Chamlet

And that no seruingman, nor other yeoman takinge wages, or such other as may not dispend of freehold xl. s. by yere, after the said feaste, shall weare any cloth in his hosen, aboue the price of ii. s. the yard, and that none of their hosen be garded or mixed with any other thinge that may be sene on or through the vtter part of their hosen, but with the selfe same cloth onely, nor in his gowne, coate, or iacket, or other garment, any cloth aboue the price of iii. s. iiii. d. the brode yard, except it bee his Maisters liuerie, nor any maner furre, except it conye called grey conie, blacke lambe, or white lambe of English, Welshe, or Irish growinge.

Seruingman Yeoman

xl. s. Cloth ii. s.

Cloth iii. s. iiii. d.

Grey conye Blacke lambe White lambe

Nor shal weare any shirt or shirt bande, vnder or vpper cap, coise, bonet, or hat, garnished, mixt, made or wrought, with silke, golde, or siluer, nor shal weare any bonet or shirt band, made or wrought out of this Realme of England or Wales.

Silke Golde or siluer

Neuertheles it shalbe lawfull for him to weare a silke riband for his bonet, and also the cognisance or badge of his lorde or maister, & a horne tipped or slewed with siluer gilt or vngilt. And also they and all other persons to weare on their bonets, all such games of siluer gilt or vngilt, as they or any of them may vse by wrastling, shooting, running, leaping, or casting of the barre, and also masters of the ships or other vessels, and mariners to weare whistels of siluer, with the cheine of siluer to hang the same vpon, any former clause in this act heretofore mentioned to the contrarie notwithstanding. And that no husbandman, from the sayd feast, weare in his hosen any cloth aboue the prise of ii. s. the yard, or any cloth in his gowne, aboue the price of iiij. s. the broade yarde, or in hys iacket or coate aboue the price of ij. s. viij. d. the broade yarde, nor in hys doublet any other thing then is wrought within this realme, fustian and cannas onelye excepted, nor any manner of furre in any hys apparell. And that no seruingeman in husbandry, or tournemã in handy craftes, taking wages after and from the feast aforesayd, weare in his hosen any cloth aboue the price of xbj. pence the yarde, nor shal weare any cloth in his gowne, iacket, or coate, above the price of ij. s. viij. pence the broade yard, nor in his doublet any other thinge then fustian, cannas, leather, or wollen cloth, nor any manner of furre in any of hys apparell. Prouided allwayes, that all such officers, and seruauntes, waytinge or attendinge vppon the kinge, the Quæne, the prince or princes daylye, yerely, or quarterly in their housholdes, or being in their Checke roll, as shalbe admitted, assigned, and licenced by his grace, to vse or weare any manner apparel on their bodies, hozes, mules, or other beastes, otherwise then is afore expressed shall notwe lawfully do the same, according to the licence which shalbee geuen vnto them in that behalfe. The same licence to be declared in writinge by the kinges highnes, or the Lorde Stewarde of his most honorable household, or the lord Chãberlaine, knowing ẏ kings most gratious pleasure in ẏ same.

Silke Golde or siluer

Silke riband

Badge A horne

Games

Master of the ships Whistels of siluer

Husbãmen Cloth ii. s.

iii s.

ii s. viii. d.

Fustian Cannas Furre

Seruants

xbj. s.

ii. s. viii. d.

Fustian Leather Cloth Furre Officers Kinges seruants

Checke roll Licence

Lorde warde L. Chamberlaine

Prouided

Vice Chamberlaine Steward Treasorer Comptroller

Velvet Satten Damaske Chaines Brouches

Chauncelour Treasorer President of the Counsel Lord priuie Seale

Velvet Satten Furres

Clergie Bishop Abbot Priour Lord of the Parliament

Archdeacons Deanes Prouostes Wardens Prebendaries Doctors Bachlors in diuinity

Sarcenet Satten Chamlet Velvet

Cloth Furres Budge Foynes Shankes Minniver

Clergie Furres Black conye Shankes Calabre Grey Fytche Foxe

Prouided also that the Vicechamberlain, Steward, Treasorer, and Comptroller of the French Quenes honorable household, and euerie of them for the time being, after and from the said feast, may weare in their gownes, coates, iacketts, doublets, and other their apparell, velvet, satten, and damaske, being of the colours of blacke, tawny, or russet, and also cheins and brooches of gold, of such value as they will at their libertie, this present act, or any thinge therein mencioned to the contrarie notwithstanding. Prouided also, that the Lord Chauncelour, and the Lord Treasorer of England, the President of the kinges counsell, and the Lord Priuy seale for the time being, of what estate or degree soeuer they bee, besides those rownes, may weare in their apparel, velvet, satten, and other silks of any colours except purpure, and any manner furres, except black Genetts, any thinge in this act mencioned to the contrarie notwythstanding. Be it further enacted, that after the laide feast, none of the Clergie vnder ỹ dignitie of a Bishop, Abbot, or Prior, being a Lord of the Parliament, weare in any part of his or their apparell of their bodies, or on their horses, any maner of stuffe wrought or made out of this realme of England, Ireland, wales, Calles, Berwicke, or the Marches of the same. Except that it shalbe lawfull to all Archdeacons, Deanes, Prouostes, Masters, and wardens of cathedral and collegiat churches, prebendaries, doctors, or Bachlers in diuinity, Doctors of the one one law or the other, and also Doctors of other sciences, which haue taken the degree, or be admitted in any vniuersitie, to weare Sarcinet in the ipninge of their gownes, blacke satten or blacke chamlet in their doublets and sleeues coates, and blacke velvet or blacke sarcenet or blacke satten in their tippets and ryding hoodes or girdels, and also cloth of the colours of scarlet, murrey or violet, and furres called grey, blacke budge, foynes, shanks, or minniver, in their gownes & sleeues coates, any thinge before mencioned to the contrary notwithstanding. And that none of the clergie vnder the degrees aforesaide, shal weare any manner of furres, other then blacke Conye, Budge, grey Conye, Shankes, Calaber grey, Fitche, Foxe, Lambe, Otter, & Beuer. And that none of the Clergie vnder the degrees aforesaid, other then Maisters of art, and Bachelers of thone law or the other, admitted in any vniuersitie, or such other of the said clergie as may dispend yearely xx.li. ouer all charges, shall weare in their tippets any maner of sarcenet or other silk. Prouided also that this act or any thinge therein contained, shal not extend nor be hurtfull or prejudicial to any of the kings most honorable counsel, ne to Iustices of the one bench or the other, the Barons of the kinges Eschequer, the Maister of the Rolls, Seriants at the law, the Masters of the Chauncerie, ne to any of the counsell of the Quene, prince or princes, apprentices of the law, the kynges, the Quenes, the princes, and the princesses Phisitions, Maiors, Recorders, Aldermen, Sheriffes, Bailifes elect, and all other head officers of cities, townes, and boroughes corporate, wardens of occupations, the Barons of the fiue Ports, that is to say, to al the said Officers and persons that now be, or heretofore haue bene in like rowme, place, office, or auctority, or hereafter for the time shalbe, aswel in the time as after, that they haue bene in any such place, office, rowme or auctority, but that they shal now at al times wear after the said feast al such apparell in and vpon their bodies, horses, mules, & other beasts and also Citizens and burgesses, shal and may weare such hoodes of cloth & of such colours, as they haue heretofore vsed to weare, any thinge in this act mencioned to the contrarie notwithstanding: except that it shal not be lawfull to any of them to weare velvet, damaske, or satten of the colours of crimzen, violet, purpure, or blew, otherwise then by the continue of this Acte, in any of the clauses before mencioned, is by reason of their landes or otherwise permitted, limitted or assigned. Ne also this Acte or any thing therein mencioned, shall extend to Embassadours or other personage, sent from outwarde princes, or to noble men, or other comming into the kinges realme or other part of his obeysaunce, to visite, see, or salute his grace, or to see the countrey, & not minded to make long or continual demur in the same, ne to any Hench man, Herauld, or Purcenant at armes, minstrels, players

Lambe Otter Beuer

Maisters of art Bachlers

xx li.

Tippets

Kings counsell Iust. of both benches Barons of the Eschequer Maister of the Rolles Seriants Maisters of the Chauncery Councellors Apprentices at Law Kings phisition Maiors Recorders Aldermen Sheriffes Bailifes Wardens Barons of the v. Ports Officers

Citizens Burgesses Hoodes of cloth

Velvet Damaske Satten

Landes

Embassadors

Henchman Herauld Purcenant at armes Minstrels

Players

players of enterludes, sightes, reuells, iustes, turneis, barriers, solempne watches, or other martiall feates, or disguysinges, or to men of warre, being in the kings wages of warres, nor to any man for wearing any apparel geuen vnto him by the kinges highnes, the Quæne, the French Quæne, the prince or princes,

Men of warr

Sword bearer

ne to any sword bearer of the citie of Lõdon, or of any citie, borough, or towne corporat, ne also shal extẽd to any vtter barrester of any of the Innes of court, for

Vtterbarrester

wearing in any of his apparell such silke and furre as is before limited for men ẏ may dispend in lands, tenements, rents,

Silke Furre

xx li.

fees, or annuities for terme of life xx. li. ouer all charges, nor to any other student

Student

of the Innes of the court, or chauncerie, or to any gentelman being seruant to any lord, knight, squire, or gentleman of

Gentelman

this realme, whose master may dispende xl. li. ouer al charges, for wearing (by such

xl li.

student, or gentelman being seruant) of doublets, partlets of saten, damaske or chamlet, or iacketts of chamlet, which

Apparell geuen

doublets, partlets, or iackets be geuen vnto them by any of their parents, masters or kinsfolkes, so alwayes they be not of the colours of crimzen, purpure, scarlet, or blew, or for wearinge of any furres

Furres Clarettes

whereof the like groweth wythin thys realme, Wales, or Ireland, Marterns, and blacke conye except. It is also further enacted, that if any man vse or weare at any time after the said feast any apparel or other the premisses, contrarie to the tenour and fourme aforesaide, then hee so

Forf. of the apparel or the value, x li. s. xiii. d. for euery day

offending shal forfait the same apparell, and other the premisses so by him vsed or worne vpon his person, horse, mule, or other beast, wher with soeuer it be garnyshed, embrodered, doubled, or mixed, or ẏ value thereof, & also iii. s. iiii. d. in ẏ name of a fine for euerie daye that hee shall so weare the same contrarie to the tenour & purport of this act. And that euery man that will, may lawfully sue for the same, by action of detinne, to be commenced vp

Action of Detinue

in xv. daies next after the beginninge of the terme next ensuyinge, after any such tyme and cause of forfaiture so geuen, in

xv dayes

the which action the defendant shall not be suffered to wage his law, nor any essoigne or protection shalbe to him allowed in that behalfe. The one halfe of the

Moytie

which forfaiture and fine shalbee to the kinges highnes, and the other halfe to hym or them that will sue for the same, in fourme and within the time before limitted. And it is further enacted by the auctherie aforesaid, that it shalbe lawfull to the Justices of peace in their sessyons, the Sherife in his turne, the Steward in any lete or lawday, the Aldermẽ in their wardes, and to all other persons hauyng auctorye to enquire of bloudshed and frayes, to enquier of euerie of the said offences and forfaitures, and the partyes offending against this statut and so presented, shal make fine in maner & fourme and after the rate aforesaid. Ouer this it is enacted by auctoritie aforesaide, that all other actes made for reformation of excesse in apparel or array, at any time before this present parliament, & al and singuler articles, prouisions, forfaitures, and penalties mencioned in the saide former actes or any of them, be from henceforth vtterly voide, repealed, extinct, and of none effect, and all transgressions, offences, summes of money, penalties, & forfaitures, for any thing done contrarie to the said former actes or any of them, before this time made for reformation of excesse in apparell, bee clerely remitted, pardoned, and released, and the offendors in that behalfe and euerie of them, to bee thereof discharged and acquited for euer.

Juſtices of p. in their ſeſſions

Sherife in his turne

Steward of leete

Alderman in his ward

Enquire

Aſſeſſe the fine of iii. s. iiii. d.

Other Actes repealed

Prouiſo

Prouided alwaies that this act, nor any thing therein contained, be hurtful or prejudicial to any spiritual or temporal person, in & for the wearing any ornaments of the Church, vsed for executing diuyne service, or for wearinge their amices, mantiles, habites, or garments of religion, or other thinges, which they vsed or be bound vnto by their roumes, promotions, or religions, ne also to any Graduats, beadels, or ministers to the Graduats, in vniuersities and schooles, for wearing of their habits or hodes, with furres lininges, or otherwise, after such fourme as heretofore they haue bene accustomed to do, any thinge in this present act made to the contrarie notwithstanding.

Spiritual ple Temporal perſon

Church

Diuine ſeruice

Graduats

Beadels

Prouiſo

Prouided also that this act nor any thing therin contained, be preiudiciall or hurtfull to any person or persons for wearinge of any linnen cloth, made or wrought out of this realme, or other parties of the kings

Linnen cloth

obey-

obeysaunce, nc to any personne beinge of the degree of a gentleman for wearinge of any shirt made, wrought, or embrodred with threde & silke only, so the same worke embrodred bee made wtin this realme of England, Wales, Calcis, Barwicke, or ꝑ marches. An. 24. H. 8. ca. 13.

Gentleman Sherr Embrodery

6 Wch it enacted that no person borne within this realme, or the dominions of the same, other then the sonne and heire apparant of a knight, or other then such as may dispende rr. li. by the yere in lãds offices, fees, or other yerely reuenues for terme of lyfe, or bee worth in goodes ij. C. li. shall after the first day of Aprill nert comminge, weare any manner of silke in or vppon his hatte, bonet, nyght cap, girdle, scabarde, hose, shoes, or spurre leathers, vppon peyne of iij. monethes imprisonment, and forfayture of terme li. for euery dayes wearinge, contrarye to the tenour of this act. And be it &c. that Justices of assise in their circuites, Justyces of peace in their Sessions, sheriffes in their turnes, stewardes in Lætes, and lawdaies, Maior, sheriffes, and Baylifes of Cities, borroughes, and Townes corporate, in their courtes, shall and may enquire, heare and determine, from time to time, al and euery the sayd offences committed or done within the limits of their seuerall iurisdictions and authorities, and where any such forfaitures, shall happen to be found within the precinct of any citie, borough, Towne corporate, leete or lawday, then the Maior, Sheriffes, and Baillifes of the said cities, boroughs, and townes, & owner of the said lẽte or lawday, to haue the one moitie of the said forfaitures, and the other moitie to be to any subiect of this realme, that wil sue for the same in any court of record, by action, information, byl or otherwise, in which no wager of law, protection, or essoine shalbe allowed. And where suche forfaiture shalbee found out of any citie, borroughe, towne, leete, or lawday, that the moytye of al such forfeitures shalbe to the kynge and Quẽnes mateslies, and the heires of the Quẽne, and thother moitie thereof to any of their subiectes that wil sue for ꝑ same, by byll, plaint, action, information, or otherwise in any court of recorde, as is aforesaid, in the which no wager of law, protection, or essoine shalbee admitted or allowed. And that al and euerie such person and persons, as haue authoritie by vertue of this act, to heare and determin the premisses, may vpon the conuiction of euery such offendor, awarde proces vn to the sherife of any shire within this realme, for the apprehenson of the said offendor, which being apprehended, shalbee committed by the sherife, vnto the gaole of the saide shire, there to remaine without baile or mainprise, vntill the saide offendor hath paid the said forfeiture, where in he is so conuicted. And be it further enacted by the authoritie aforesaid, that if any person or persons, of what estate, cõdition, or degree soeuer he or they be, after the said first day of April next comming, knowing any seruant or seruants, of hys or theirs, to offend contrarie to this acte, do not put the same out of his or their seruice, but shal kepe in his or their service ꝑ same offender or offenders, by the space of viiii. dayes next after suche knowledge had, or els being so put out of his or their service, shal retaine the same offender or offenders, to his or their service againe within one yeare next ensuyng the tyme of committing any such offence, the same person or personnes so kepinge or retayning againe, in or to his or their service any such seruant or seruants, offending cõtrarie to the tenour of this act, as is afore saide, shall for euerie his or their offence forfait C. li. of lawful money of Englãd, the moitie whereof to be to the king and Quẽnes maiesties vse, & the heirs & successors of the Quẽne, & the other moitie to him ꝑ wil sue for the same in any court of record, by actiõ, bil, plaint, information or otherwise, wherein no wager of law, essoin or protection shalbe admitted or allowed. Prouided alway & be it enacted, ꝑ this act or any thing therin cõtained, shal not extẽd to any person being of or aboue ꝑ degree of a knightes sonne or daughter, or being wife to any of thẽ, nor to such as haue ben, be or shalbe Maior, Baylife, Alderman, or head officer in any citie, borough, or towne corporat, or to the wife of any of them, nor to any of the kinges or Quẽnes seruãts in ordinary wages, attendant & wearing the kings or Quẽns ordinarie lineries, but ꝑ they and euery of them may vse & weare as they or any of thẽ might lawfully vse & weare before the making

Penaltie of a Knight xx. li. Offices

CC. li. Silke Hat.

Imprysonment. Forf. x. li

Justices of Assise Justi. of p. in their sess. Sessies Maiors Bailifes

Enquire heare and determine

Forf.

Leete Lawday

Moitie

Forf.

Moitie

Bill

Proces of execution

Capias

Imprisonment without baile

Seruant

viiii. dayes

One yeare

Forf. C. li. Moitie

Prouiso

Knightes sonne

Maior Bailife Alderman

Knightes seruantes Liuries

Prouiſo Prentice

making of this act. Prouided alſo, that no perſon ſhalbe compelled by this act to put away his prentice or hired ſeruaunt before the ende of the terme before agreed betweene them, nor that any maiſter ſhall forfeyt or loſe any payne or forfayture for the keping of his apprentice or hired ſeruant after his offence contrarye to this act, vnto the end of the terme before agreed betweene them. Any thinge aboue ſayd to the contrary notwithſtanding. Prouided alſo that weomen may weare in their caps, hats, girdels & hoods, as they or any of them myght vſe, and weare, lawfully before the makinge of this act. An. 1. & 2. P. & M. ca. 2. *

Prouiſo Women

7 ¶ An. 5. El. ca. 6. An act was made againſt the ſellinge of forein ware, concerning apparel, otherwiſe then for readie mony. To endure to the ende of the nert parliament & ſo now it is expired.

¶ Appeales.

Impriſon Woman

NO man ſhalbe taken or impriſoned vpon the appeale of any woman, for the death of any other then of her huſbād Magna charta cap. 34. Anno 9. H. 3.

Outlaw

2 ¶ For as much as it hath bene vſed in ſome countties to outlawe perſons being appealed of commaundement, force, ayde & recept within the ſame tyme that he which is appealed for the dēede is outlawed. It is prouided and graunted by ẏ kinge, that none be outlawed vppon appeale of commaundement, force ayde, or recept, vntill hee that is appealed of the dēede bee attainted, ſo that one lyke lawe be vſed therin thorough the Realme, Neuertheles he that will ſue appeale, ſhal not by reaſon of this interrupt or leaue to cōmence his appeale at the nert County aſwel againſt them, as againſt thē which be appealed of the dēede, but the exigent againſt them ſhal remaine, vntill ſuch as be appealed of the dēede, be attainted, by outlawry or otherwiſe. W. 1. ca. 14. an. 3. E. 1.

Outlawed Cōmaundement Force Ayde Recept

Exigent

Attaint Outlawry

3 ¶ It is prouided alſo that no appeale ſhalbe abated ſo ſlightly as they haue ben heretofore, but if the appellor declare the dēede, ẏ yere, the day, the houre, the time of the kinge, and the towne where the dēede was done, and with what weapon he was ſlaine, then the appeale ſhal ſtand in effect, & an appeale ſhal not bee abated for default of freſh ſuit, if the partie ſue wō in the yere and day after the dēede done. Glouc. 9. an. 6. E. 1.

Abate Yeare Day Power Time Towne Weapon

Abate Freſh ſuit

4 ¶ Becauſe that many do maliciouſly procure falſe appeales to be ſued by appellors of no ſubſtance, Be it &c. That when any beinge ſo appealed of felony ſurmiſed vpon him, doth acquite him ſelfe in due maner, either at the ſuit of the appellour, or of the king, the Juſtices, before whō the appeal was heard and tried, ſhal punithe the appellour by a yeres impriſonment, and the appellours ſhal neuertheleſſe reſtore to the partyes appealed their dammages, according to the diſcretion of the Juſtices, having reſpect to the priſonment and trouble that the partye hath ſuſtained by reaſon of ſuch appeales, & to the ſclaunder & infamy that they haue incurred by the impriſonment or otherwiſe, and ſhal neuertheleſſe be greeuouſly ranſomed towardes the kinge. And if the appellours be not able to recompence the damages, it ſhalbe enquired by whoſe abbetement and malyce the appeale was commenced, if the partie appealed deſire it. And if it be found by the ſame inqueſt, that any man is abbettour thorough malyce, at the ſuit of the partie appealed, hee ſhalbe diſtrained by a iudiciall writte, to come before the Juſticers. And if, he bee lawfully convict of ſuch malicious abetment, he ſhalbe punithed by impriſonmēt & ſhal pay damages, as before is ſaid of ẏ appellor. W. 2. ca. 13. an. 13. E. 1.

Juſtices Gaoles

Felony Acquite Juſtices Impriſ. Damages Juſtices Slaunder Fine Abetment Writ Convict Impriſon Damages

5 ¶ The kings pleaſure is, ẏ thēues & appellours (when ſo euer they wil) may confeſſe their offences vnto prieſtes, but let the confeſſours beware that they inſourme not ſuch appellors erroniouſly. Articuli cleri ca. 10. an. 9. E. 2.

Theeues Confeſſion Prieſtes

6 ¶ Where as certain Juſtices of late were aſſigned to take aſſiſes in all ſhires of the realme, & alſo to deliuer the gailes of the ſame ſhires at euery of their commynges after the taking of ſuch aſſiſes, as more playnely is conteyned in a ſtatute made by the king, thereupon, our ſouereigne lord ẏ king, at his Parliament at weſtminſter, the 28. yere of his raygne, for more ſure obſeruation of his peace, & for felonies to be more quickely punithed and priſoners to be ſooner deliuered, hath graunted, ordeined, and prouided, ẏ who ſo euer

Peace Felonies Priſoners

Pryoners Justices

soeuer be appealed by prouours, being in prisons, which the same Justices do deliuer, (wheresoeuer in our realme that such appealers be dwelling or lurking) ẏ immediatly it shalbe commaunded to the

Shirikes writ

sherife, in whose libertie the partie so appealed be conuersant or may be found, by the kings writ vnder the testimony of ẏ same Justices, that he do take such persõs appealed, & cause them to be brought vnto the gaols where the appealors be kept,

Gaoles Justices

ẏ appealed them, and shal answer there before ẏ same Justices. And if they ẏ bee appealed, will put them selues vppon the

Countrey

countrey, it shalbe cõmaunded in like maner by a iudicial writ, by the same Justices to the sherife, in whose libertie the felonies were done, of which they are appealed, ẏ bee shall cause an inquest of the

Sherife

countrey to come before the same Justyces vnto the same place where ẏ appealors be kept vnto a certaine day. And the

Inquest

sherifes & other (in whose keping such appealours be detayned) shall receyue wout contradictiõ, those ẏ be appealed by such prouors, where the parties appealed bee taken in forme aboueſaid, and brought vnto ẏ same appealours. Statute of Appeales. An. 28. E. 1.

7 ¶Because of diuers great incõueniẽces & mischiefs ẏ haue happened diuers times by reason of diuers appeals made wõin ẏ realme, It is &c. That frõ henceforth all ẏ appeales to be made of things done wõin ẏ realme, shalbe tryed and determined by ẏ good lawes of the realme, made and vsed in the tyme of the kinges noble progenitours: and that all the appeales to be made of thinges done out of the realme of England, shalbe tryed and

Constable Marshall

determined before the Constable & Marshal of England, for the time being. And more ouer it is accorded and alleged, that no appeales bee from henceforth made, or in any wise pursued in the parliament in any tyme to come. Anno. 1. Henrici 4. Cap. 14.

¶Appeales to Roome.

FOr asmuch as this realme is an Empire wherof ẏ kinge is supreame head, & consisteth of the Spiritualtie & temporaltie, ouer which the kinge hath whole power & iurisdiction, notwithstãding ẏ late diurpatiõ of the See of Rome. Be it &c. That all causes testamentary, causes of matrimony & deuorces, rights of tithes, oblations, & obuentions, the knowledge whereof by the goodnes of princes of this realme, & by the lawes & customes of the same appertayneth to the spirituall iurisdictiõ of this realme, already commẽced, mooued, depending, being, happeninge, or hereafter comming in contentiõ, debate, or question wõin this realme, or within any the kings dominions, or marches of ẏ same, or els where, whether they cõcerne ẏ king our soueraigne lorde, his heires or successors, or any other subiectes or resyants within the same, of what degrẽ so euer they be, shal be frõ henceforth heard, examined, discussed clerely, finally, & diffinitiuely, adiudged & be determined, wõin the kings iurisdiction and auctoritie, and not elle where, in such courts spiritual and tẽporal, of the same as the natures, cõditions, & qualities, of the causes and matters aforesaid in contention, or hereafter happening in contention, shal require, wout hauinge any respect to anye custome, vsle, or sufferance, in hinderaunce, let, or prejudice of ẏ same, or to any other thing vsed or suffered, to the contrarie therof by any other maner person, or persons, in any maner of wise. Any forein inhibitiyons, appeales, sentences, summons, citations, suspencions, interdictions, excommunications, restreints, iudgements, or any other proces, or impedimẽts, of what nature, names, qualities, or cõditions, soeuer they be, from the See of Rome, or any other forein courts or potentates of the world, or from and out of this realme or any other ẏ kings dominiõs, or marches of the same, to ẏ See of Rome or to any other forein courtes or potentates, to the let or impediment therof, in any wise not withstading. And that it shalbee lawful to the king our soueraigne lord, and to his heires and successors, and to all other subiectes or resiants within this realme or wõin any ẏ kings dominions or marches of the same, notwithstanding, ẏ hereafter it should happen any excommengement, excõmunications, interdictions, citations, or any other censures of forepne proces out of ante outward parties to bee fulminate, prouulged, declared, or put in execution wõin this said realme, or in ante other place or places for any ẏ causes be-

Testament
Matrimony
Deuorce
Tithes
Oblations
Spirituall Jurisdiction
Marches
Determined
Spirituall courts
Custome
Inhibitions
Rome
Excommunications
Interdictions
Citations

foꝛe rehearſed, in preiudice, derogation oꝛ contempt of this ſaid acte, & the very true meaning & execution thereof: may & ſhall neuertheleſſe as wel purſue, execute, haue and enioy the effects, profites, benefites & commodities, of al ſuch proceſſes, ſentences, iudgements, & determinations, done oꝛ hereafter to bee done in any the ſayde courtes ſpiritual oꝛ temporal, as the caſes ſhall require, within the limits, power & auctheꝛitie, of this the kings ſaid realme, and dominions, and marches of ỹ ſame. And thoſe onelye and none other to take place, and to bee firmely obſerued and obeyed within the ſame, as alſo that al the ſpiritual prelates, paſtoꝛs, miniſters, and Curates within this realme and the dominions of the ſame, ſhall & may vſe, miniſter, execute & do, oꝛ cauſe to be vſed, miniſtred, executed & done, all ſacramẽts, ſacramẽtals, diuine ſeruices, and al other things, within the ſaid realme and dominions, vnto al the ſubiects of the ſame, as catholike & chriſtian men ought to do, any foꝛmer citations, proceſſes, inhibitions, ſuſpentions, interdictions, excõmunications oꝛ appeales, foꝛ oꝛ touchinge any of ỹ cauſes afoꝛſaid, frõ oꝛ to ỹ Sée of Roome, oꝛ any other foꝛein pꝛince oꝛ foꝛein courts, to the let oꝛ contrary thereof, in any wiſe notwithſtanding. And if any of the ſayde ſpiritual perſons, by the occaſion of ỹ ſaid fulminatiõs of any of the ſame interdictions, cenſures, inhibitions, excommunications, appeales, ſuſpencions, ſommõs, oꝛ other foꝛeyne citations, foꝛ the cauſes befoꝛeſaid, oꝛ foꝛ any of them, do at anie time hereafter refuſe to mynиſter oꝛ to cauſe to bee miniſtred, the ſayde ſacramentes and ſacramentals & other diuine ſeruices, in foꝛme as is afoꝛeſayde, they ſhal foꝛ euery ſuch time oꝛ tymes ỹ they oꝛ anye of them do refuſe ſo to doe, oꝛ to cauſe to be done, haue one yeres impꝛyſonment, and to make fine and raũſome at the kinges pleaſure. And it is further enacted by thauctheꝛitie afoꝛeſaide, that if any perſon oꝛ perſons inhabitting oꝛ reſyant within this realme, oꝛ within anye ỹ kings dominiõs, oꝛ marches of ỹ ſame oꝛ any other perſon oꝛ perſones, of what eſtate, condition, oꝛ degree ſo euer he oꝛ they be, at any time hereafter, foꝛ oꝛ in any the cauſes afoꝛeſaid do attẽpt, meane, purchaſe, oꝛ pꝛocure, from, oꝛ to the Sée of Roome, oꝛ from, oꝛ to any other foꝛeyne court oꝛ courtes out of this Realme, anye maner foꝛein pꝛoces, inhibitiõs, appeals, ſentences, ſummons, citations, ſuſpencions, interdictions, excommunications, reſtraints oꝛ iudgemẽts, of what nature, kinde, oꝛ quality ſo euer they be of, oꝛ execute any of the ſame pꝛoces oꝛ do any act oꝛ acts, to ỹ let, impediment, hinderance, oꝛ derogations, of any pꝛoces, ſentence, iudgement, oꝛ determination had, made, done, oꝛ hereafter to be had, done, oꝛ made in any courts of this realme, oꝛ ỹ kinges ſaide dominions oꝛ marches of the ſame, foꝛ any of the cauſes afoꝛeſaide, contrarie to the true meaning of this pꝛeſent act, & the execution of the ſame: that then euery ſuch perſon oꝛ perſons ſo doing, and their fautours, comfoꝛters, abbettours, pꝛomoters, executours, and coũſailours, & euery of them, being cõuict of the ſame, foꝛ euerie ſuch default ſhal encurre & rũne in the ſame paynes, penalties, & foꝛfaitures, oꝛ deuiſed and pꝛomded by the ſtatute of pꝛouiſion & Pꝛemunire, made in ỹ xvi. yeare of the reigne of ỹ right noble pꝛince king Richarde the ſecond, againſt ſuch as attempt, pꝛocure, oꝛ make pꝛouiſion to the Sée of Roome oꝛ elſe where, foꝛ anye thing oꝛ things to the derogation, oꝛ contrarie to the pꝛerogatiue oꝛ iuriſdiction of ỹ crowne & dignitie of this realme. And furthermoꝛe in eſchewing the ſaide great enoꝛmities, inquietations, delayes, charges, & expences, hereafter to be ſuſteyned in purſuing of ſuch appels & foꝛein pꝛoces, foꝛ & concerning the cauſes afoꝛeſaide, oꝛ any of them: do therefoꝛe by auctheꝛitie afoꝛeſaid, oꝛdeine and enact, that in ſuche caſes, where heretofoꝛe any of the kings ſubiects oꝛ reſiantes haue vſed to purſue, pꝛouoke, oꝛ pꝛocure any appeale to ỹ Sée of Roome, & in al other cauſes of appeals, in, oꝛ foꝛ any of the cauſes afoꝛeſaid, they may & ſhall from henceforth, take, haue, & vſe their appeales within this realme, and not elſe where, in manner and foꝛme as hereafter enſueth, & not otherwiſe, that is to ſaye, firſt, from the Archedeaken, oꝛ his official, if the matter oꝛ cauſe be there begonne, to the Biſhop dioceſan of the ſaide Sée, if in caſe any of the parties bée greeued. And likewiſe if it be commenced beforꝛe the biſhop dioceſa, oꝛ his cõmiſſarie, from the Biſhop dioceſan oꝛ his commiſſa-

Pꝛoces
Sentence
Iudgement
Spirituall courts

Marches

Pꝛelates
Miniſters
Curates

Sacraments
Diuine ſeruice

Roome

Spiritual perſons

Sacrament

Impriſ.
Fine

Marches

Roome

Foꝛf.

Pꝛemunire

Roome

Archdeacon

Biſhop

Cõmissary xb. daies

Archbishop Canterbury

Yorke

Justice

Court

Arches Audyence

Judgement Sentence

Determine

Proces

Archbishop

Procuration

Canterbury

commissary, wtin fiftéene daies next ensuing the iudgement or sentence thereof there geuen to the Archbishop of the prouince of Caunterbury, if it be within hys prouince, and if it be within the prouince of Yorke, then to ẏ Archbishop of Yorke, & so like wise to all other Archbishops in other the kings dominions, as the case by order of Justice shal require, & there to be diffinitiuely, and finally ordered, decreed, and adiudged, according to Justice, without any other appellation or prouocation to anye other person or persons, court or courtes. And if the matter or contention for any of the causes aforesaid, be or shall be cõmenced by any of the kings subiects or resiants before the Archdeaken of anie Archbishop or his commissarie, then the partie greeued, shall or may take his appeale wtin fiftéene daies next after iudgement or sentence there geuen, to ẏ court of the Arches or audiẽce of ẏ same Archbishoppe or archebishoppes, and from the said court of the Arches or audience, with in fiftéene daies then nert ensuinge, after iudgement or sentence there geuen, to ẏ Archebishop of the same prouince, there to be diffinitiuely and finally determined wout anye other or farther proces or appeale thereupon to be had or sued. And it is &c. that all and euerie matter, cause & contention now depending, or that hereafter shalbee commenced by anye of the kings subiects or resiantes for any of the causes aforesaide before anye of the saide Archbyshoppes, that the same matter or matters, contention or contentions shalbe before the same archbishop where the said matter, cause, or proces shalbe so commenced, diffinitiuely determined, decreed, or adiudged, without any other appeale procuration, or anye other forayne proces out of this realme to be sued, to the let or derogation, of the saide iudgement, sentence, or decree, otherwise then is by this act limitted and appointed. Sauinge alwaies the prerogatiue of the Archebyshop and church of Caunterbury, in al the foresaide cases of appeales, to him and to his successors to be sued wtin this realme in such & in like wise as they haue ben accustomed & vsed to haue heretofore. And in case any cause, matter, or contention, nowe depending for the causes before rehearsed, or any of them, or that hereafter shal come in contention for any of ẏ same causes in any of ẏ foresaid courtes, which hath, doth, shall or may touche the kinge, his heires or successors kings of this Realme, that in all and euerye suche case or cases, the party greeued as before is said, shal or may appeale from any of the sayd courtes of this realme, where the sayde matter nowe being in cõtention, or hereafter shal come in contention, touching ẏ king, his heires or successors, as is aforesaid, shal happen to be dentiate, cõmenced or begon, to the spiritual prelates and other Abbots & priors of the vpper house assembled, and aduocate by the kings writ in the conuocation, beinge or nert ensuinge within the prouince or prouynces, where the same matter of contention is or shalbe begon. So that euerye such appeale be taken by the partie greeued, with in fiftéene dayes nert after the iudgemẽt or sentence thereupon geuen or to be geuen. And that what soeuer bee done or shalbee done and affirmed, determined, decreed and adiudged by the foresaide prelates, abbottes, and prpours of the vpper house of the said conuocation as aforesaid, appertayning, concerning, or belonging to the king, his heires and successours, in anie of these foresaid causes of appeales, shall stande and bee taken, for a finall decree, sentence, iudgement, diffinition, and determination, and the same matter so determined, neuer after to come in question and debate, to be examined in any other court or courtes. And if it shal happe any person or persons hereafter to pursue or prouoke any appeale contrarie to the effect of this act, or refuse to obey, execute and obserue, al things compriſed within ẏ same, concerning the said appeales, prouocations, and other forein processes to be sued out of this realme, for any ẏ causes aforesaid, that then euerye such person or persons so doing, refusing or offẽding, contrarie to the true meaning of this act, their procurers, fautours, aduocates, cõsailors and abbettors, and euery of them shall incurre into the paynes, forfaytures, and penalties, ordeined, and prouided in the said statute, made in ẏ said xbi. yere of king Richard the second, and with like proces to be made against the said offenders, as in the same statute, made the saide xbi. yere more playnely appeareth.

Courtes

Writ

Prouince

xb. dayes Judgement

Prelates Vpper house Conuocation

Examine Court

Forf.

Proces

Repealed Renued

An.24.H.8.cap.12. This act vvas repealed. An.1. & 2. Phi. & Ma. and after renued. Anno. 1. of Queene Elizabeth as appeareth in Crovvne 6.

¶Apprentice.

ANno 12.R.2. capit.2. An acte was made, that a child which had vsed husbandrie til the age of twelue yeres, should abyde still at the same labour.
But it seemeth to bee repealed by An. 5. Eliz.ca.4. after in Laborers. 38.

2 ¶Anno.7. Henrici quarti cap. 17. It was enacted that none that could not dispende twenty shillings by yere in land or rent, should put their children to be apprentices within any Citie or Borough. But this is also repealed by An.5.El.ca.4 after in Laborers 38.

Worsted makers Norffolke Wardens

3 ¶Euery person of the aforesaid occupation, (S. of Worsted, Sayes and Stamin makers) within your county of Norfolke, the which the fower wardens of ỳ saide occupations within your foresayde cõtie, yerely chosen shal enhable to kepe a prentice, shall by this present act, bee at libertie to take and kepe at all times one or two apprentices, any person or persõs hereafter put to thaforesaide occupatyon, so that bee passe not two at once at the most. And in likewise hereafter euerie person shalbe at hys libertie to put anie apprentice to the aforesaide occupations. Any act or ordinance afore made to the contrary notwithstandinge. Anno 12. H.7.capitulo 1.

Libertie

Occupation

This statut seemeth to remaine in force still by a speciall prouiso, in 5. Eli. ca. 4. infra Labourers. 38.

¶Appropriations.

BEcause that much harme hath come to the parishioners by appropriations of benefices. Be it &c. That in euerye licence from henceforth to bee made in the Chauncerie of appropriation of anye parish church, it shall be expresly conteyned and comprised, that the diocesan of the place vppon thappropriation of suche churches, shal ordein according to the value of such churches, a conuenient sũme of money to be payd & distributed yearely of the fruites and profites of the same churches by those that shal haue the saide churches in proprie vse and by their successours, to the poore parochians of the sayde churches, in ayde of their liuing and sustenaunce for euer, and also that the vicare be well and sufficiently endowed. Anno 15.R.2.cap.6.

Licence Chauncerie Church

Fruites

Succeffers Poore

Vicar

2 ¶An.4.H.4.ca.12. It was enacted ỳ the said statut of An.15.R.2.ca.6. (before 1.) should be kept & put in execution, & appropriations made since the statute contrarie thereunto, to be reformed before a certaine time or els to bee voide, except Haddenham. And al vicarages ãnexed or appropriated since. An.1.R.2. to be void. And that from hẽceforth in euery church so appropried, a seculer person be ordeined Vicare perpetual, canonically institute & induct in the same, & conuenably endowed by the discretion of the ordinarie, to do deuine seruice, & to enforme the people & to kẽpe hospitality there (except ỳ church of Haddenham aforesayd,) And ỳ no religious be in any wise made vicar in any church so appropried, or to be appropried by no waye in time to come. Anno. 4. Henrici 4.cap.12.

Haddenham

Church

Vicar

Deuine seruice Hospitalitie Haddenham

Religious

¶Approuements.

BEcause many great men of England (which haue infeffed knightes & their freeholders of small tenementes in their great manners) haue complayned, that they can not make their profit of the residue of their manners, as of their wastes woods, and pastures, whereas not withstanding the same feffees may haue sufficient pasture as much as appertaineth to their holde. Thus it is prouided & granted that when soeuer such feffees do bring an assise of nouel disseisin for their cõmon of pasture. And it is acknowledged before ỳ Justicers, ỳ they haue asmuch pasture as sufficeth for their hold, & that they haue free egresse & regresse frõ their holde vnto the pasture: then let them bee contented therewith, & they on whom they haue cõplained, shal go quit for that, ỳ they haue made their profite of their lands, waste, woodes, and pastures. And if they allege that they haue not sufficient pasture, or sufficient egresse & regresse according to their holde, then let the trueth be inquired by assise. And it it be found by the assise, ỳ the

Infeoffe Freeholders

Waft woods Pastures

Feoffees

Assise of nouel disseisin

Common of pasture

Justices

Egresse

Regresse

Assise

the same beforetyme haue disturbed them of their egresse or regresse in any thinge, or ỳ they haue not sufficient pasture (as before is said) then shal they recouer their seisin by ỳ view of ỳ inquest, so ỳ by their discretion & othe, ỳ plaintifs shal haue sufficiẽt pasture, & sufficiẽt egresse & regresse in forme aforesaid. And ỳ disseisors shal be amerced, & shal yelde dãmages as they were wont before this prouision. And if it be certified by the assise, that the plaintifes haue sufficient pasture wᵗ frée & sufficient egresse and regresse, as before is sayd, let ỳ other make their profit or approuemẽt of ỳ residue and go quit of ỳ assise. Merton ca.4.an.20.H.3.

View
Inquest
Othe

Disseisors
Amerce
Dãmages

2 ¶ As in a statute made at Merton (before 1.) it was graunted, ỳ lordes of waste woods and pastures might improue the said waste woods & pastures, notwithstanding ỳ contradiction of the tenantes, so ỳ the tenants had sufficyent pasture to their hold, with frée egresse & regresse to ỳ same. And for as much as no mẽcõ was made betwéene neighbors, many lordes of waste woods & pastures haue bene troubled heretofore by the contradiction of neighbors hauing sufficient pasture. And for because foreine tenants haue no more right to cõmõ in the waste, woods, or pastures of any lord, then ỳ lordes owne tenants: It is ordeined, that the statute of Merton prouided betwéene the lord & his tenants, frõ henceforth shall holde place betwene lords of waste, woods & pastures & neighbours, saning sufficient pasture to their tenaunts and neighbors, so that the lords of such waste, woods & pastures may make improuement of the residue, & thys shalbe obserued for such as claime pasture as appurtenant to their hold, but if any do claime cõmon of pasture by special feffement or graunt, for a certaine number of beasts, or otherwise thẽ he ought to haue of common right, seing that the couenãt restrayneth the law, he shal haue such recouerie as he ought to haue by forme of the graunt made vnto him. By occasion of a windemille, berkary, necessarie deprie, inlarging of a court or courtilage, frõ henceforth no man shalbe greéued by assise of nouel disseisin of cõmon of pasture, and where some time it chanceth ỳ one hauing right to improue, doth leuy a dike or an hedge, and some by night, or at an other season when they suppose not to be espied, do ouerthrowe the hedge or dike, & it cannot be knowen by verdict of the assise or iurie, who did ouerthrowe ỳ hedge or dike, and men of the townes nere, will not indict such as be guiltie of the fact, the townes néere adioyning shalbe distrayned to rayse vp the hedge or dike agayne at their owne cost, & to yelde damages. W.2.ca.45.anno.13. E.1.

Wast woods
Pastures
Improue

Egresse
Regresse
Neighbors

Forein tenãts

Improuemẽt

Common of pasture
Feoffement

Mill
Windmill
Berkary
Courtilage

Assise
Improue
Ditch
Hedge

Indict
Distraine
Dãmages

3 ¶ The two statutes aforesaide of Mert.ca.4.& w.2,ca.45.(before 1.& 2.) and all braunches, clauses, articles, sentẽces, matters, and pointes conteined and specified in them and euery of them now not repelled, shal frõ henceforth be good & effectual, & also stand and be in their full strength, force, and effect. And because ỳ such persons as shall bring assise of nouel disseisin vpon the said estatutes, or vppon any of them shal by force of the same estatute recouer but onelye single damages which is thought to be a small recõpence for the same. Therefore bee it &c. that all such person & persons, as shal at any time hereafter bring assise vpon a braunche or article of the said estatuts, or any of thẽ, and haue iudgement to recouer, shal haue his or their dãmages trebled, by ỳ iudgement of the court where suche assise and iudgement shalbée had. And where in diuers countreis of this realme there hath bene builded vppon commons or waste groundes certaine necessary houses with ground, vnder the quãtitie of three acres, and not aboue three acres, enclosed to and with ỳ same, & in some place there is enclosed a gardeine, orcharde, or ponde, out of or in suche wastes or groundes, which exceéde not the quantitie of two acres, or there aboutes, which doth not hurt, and yet is much cõmoditie to the owner therof, and to others. Be it &c. that the sayde two former actes, nor any of thẽ, nor anie thing in them conteined shall extende to any such houses, ground, or other thing so enclosed, as is last herein before mencioned, ne shal cause any person or persõs to lose or forfait any paine, damage, or penaltie for ỳ same. Prouided alway and be it enacted, ỳ if any such house hath ben heretofore builded vpõ any waste ground as is aforesaid, & that there bée aboue the nũber of three acres enclosed to ỳ same, ỳ then the said house & three acres parcell

Assise
Iudgement
Treble dãmages
Commons
waste grounds
iii. acres
Enclose
Gardeine
Orchard
Pond
ii. acres
Encloser

of the same enclosure, shall still remayne, stande, abide and continue in like and the same forme and degree as it now doth, & that the ouerplus of the sayde iii. acres so enclosed as is aforesayd, shall and may be layd open by the owner or owners of the same wastes, any thing in this act, or in any of the sayde former actes to the contrary in any wise notwithstanding, An. 3.E.6.cap.3.

¶Archery.

Bowes Arrowes

In the statute of Westminster as appeareth in robbery.2.An.12,R.2.ca.6. it is enacted what persō shall haue bowes and arrowes, but those parts of those statutes that concerne hauing of bowes and arrowes be repelled by 33.H.8.cap.9.as appeareth in playes and games.2.

Repealed

2 ¶An.3.H.8.ca.3.& An.6.H.8.c.2. were ii. statuts made for the maintenāce of Archery with long bowes. But both those statutes be repelled by 33.H. 8. as appereth in playes & games.2.And there is a good statute made for the mayntenance of Archery vvith long bovves, See the statute.

Lōg bowes Repealed

¶Armour.

EDwarde by the grace of God king of England, lord of Ireland, duke of Acquitaine, to his Justices of his bench, greting. whereas of late before certaine persons deputed to treat vpō sundry debates, had betweene vs & certaine great men of our realme, Amōgst other things it was accorded that in our next parliamēt after, prouisions should bee made by vs & by the common assent of the prelates, Erles, & barons, that in all parliaments, treaties, & other assemblies, which should be made in the Realme of England for euer, that euery man shall come without all force & without armour well & peaceably, to the honour of vs, & of the peace of vs and our Realme. And nowe in our parliament at Westminster after the sayd treatise, the prelates, Erles, barons, & ỳ cominaltie of our Realme there assembled, to take aduise of this business, haue said ỳ to vs it belongeth, and our part it is by our royall seigniory, str eightly to defend wearing of armour, and all other force against our peace at all times when it shall please vs and to punish them which shall doe contrary according to the lawes and vsages of our Realme, And hereunto they are bounde to ayde vs as their soueraygne lorde at all seasons when neede shall be, we commaunde you, that ye cause these thinges to be read afore you in the sayde benche, and there to be enrolled, Guen at Westminster, the xxx. day of october, the seuenth yeare of our reigne. Stat. of armour. An.7.E.1.

Peace

Enrolled

2 ¶In Statuto armor', it is ordeyned howe many squires, the erles, lordes, and knights shall haue at torneys, and what signes, harnes, weapons and other things squires & heraudes and other shal beare at torneys, & what shalbe forfaited and lost at turneys. tempore c.1.

Esquiers Lords Attourneis Signes Harneis Weapons Haraudz

3 ¶ The king wil that no man from henceforth shall be charged to arme him selfe, otherwise then he was wont in the time of his progenitours kinges of England. And that no man be compelled to goe out of his shire, but where necessitie requireth, and the sodaine comming of straunge enemies into the Realme. And then it shall be done as hath bene vsed in times past for the defence of ỳ Realme, An.1.E.3.Stat.2.cap.5.

Enemies

4 ¶ Be it enacted, that no man great nor small of what condition so euer he be. (except the kings seruāts in his presence, & his ministers in executing of the kings precepts or of their office, and such as bee in their company assisting them, and also vpon a crye made for armes to keepe the peace, and the same in such places where such acts happen) be so hardy to come before the kinges Justices, or other of the kings ministers doing their office, with force, nor to bring force in affraie of the cōtrey, nor to go nor ride armed by night or by day in faires, markets, nor in presence of ỳ Justices or other ministers, nor in any place els where, vpon peine to forfait their armour to the king, & their bodies to prison at the kinges pleasure. And that ỳ kings Justices in their precinctes, sherifes and other ministers of the king in their bayliwikes, lordes of fraunchises and their Bailifes in the same, & Mayres Bailifes of Cities and Boroughs, within the same Cities and Boroughes, and Borowholders and wardenes of the peace

Peace

Armed

Forf. Imprison

Justices Shrifes Bailyfes Maiors

Wardens of peace

peace within their wards shal haue power to execute this acte. And that the Justices assigned at their cõming downe into ỳ countrey, shal haue power to inquire howe such officers and lordes haue, exercised their offices in this case, and to punish them whom they finde that haue not done, that that perteyned to their office. An.2.E.3.cap.3.Statut' Northampton.

☞ 5 ¶ The kinge prohibiteth that from henceforth no man shal ride armed within the realme, contrarye to the statute of Northampton thereupon made, nor wt̃ launcegay within the realme, the whych launcegaies be clerely taken away within the sayd realme, as a thing prohibited by our soueraigne lorde the kinge, vpon paine of forfayture of the sayde launcegayes, armours, & other harneys whatsoeuer, in whose hands or possessions they be found, that beare them wtin the realme contrarie to the statutes and ordinaũces aforesaid, without the kings special licẽce. Anno.7.R.2.ca.13.

☞ 6 ¶ It is accorded that no seruaunt of husbandry nor labourer nor seruant of artificer nor of victaylor, shal hereafter weare any baselarde, dagger, nor sworde, vpon the forfeyture thereof, but in tyme of warre for the defence of the realme of England, And then by the suruey of the arrayours that then shal be, or in trauailing through the coũtrey with their maisters, or in the message of their maisters. And that the Sherifes, Maiors, Baylifs and Cõstables shal haue power to arrest, and shall arrest all that shall do to the cõtrarie, and shall seyse and kẽpe the sayde baselardes, daggers, and swordes, vntill the Sessions of the Justices of peace, and shall present the same before the said Justices in their sessions together with the names of those that did weare thẽ. An. 12.R.2.cap.6. Stat' Cantebridge.

But See if this be not repealed by the generall repeale in the Stat' of 5.Eliz,ca. 4.after in Laborers.38.

☞ 7 ¶ Be it enacted ỳ the statut of Northampton. An.2.E.3.cap.4.& of 7.R.2. cap.13.be fully holden & kept & duely executed, & ỳ ỳ said Launcegaye be wholly taken away, vpon the paine contained in ỳ said statute of Northampton, & also to make fine & raũsome to ỳ kig. And more ouer ỳ no lord, knight, nor other little nor great, shal go nor ride by night nor by day armed, nor beare sallet nor skull of yron nor other armuor, vpõ ỳ paine aforesaid, saued & except the kings officers & ministers indoig their offices. An.20.R.2.ca.1

8 ¶ For the better furniture & defẽce of this realme. Be it enacted &c. that as much of all & euery act & statute concerning only the kẽping or finding of horse, horses, or armour, or of any of them, heretofore made or prouided, & al & euery forfaiture & penaltie concerning onely ỳ sãe, shalbe from henceforth vtterly voide, repealed & of none effect. And bee it further enacted by auctoritie aforesaid, ỳ euerie noble man, gentleman & other temporall person, after the rate & proporcion hereafter declared, shal haue & kẽpe in readynes such horses, geldings, armour, & other furniture for the warres at the least, & in such sort & maner as is and shalbe in this acte hereafter exprẽssed & declared. That is to say, All & euery person tẽporall hauing any honors, lordshippes, manors, houses, lãds, medowes, pastures or woods, of estate of inheritance or frẽhold, to the clere yerely value of one thousand pounde or aboue, shal from & after the first day of May, which shal be in ỳ yeare of our lord God, a thousand v.hundreth fifty & eight, haue, find, & kepe, sustaine & maintaine wtin this realme of England, of their owne pper & at their owne proper costs & exprẽces fyre horses or geldigs able for dimilaũces, whereof iii. of them at the least to be horses, wt̃ sufficient harneses, stæle saddels, & weapon requisite & appertaining to the said dimilaunces, horses, or geldings, and tenne lyght horses or geldinges able and meete for light horsemen with the furnytures of harnes and weapon requisite for the same. And also xl. coselets furnished, xl. almaine riuets, or in stæde of the sayd almaine riuettes, fortie coates of plate, coselettes or brigandines furnished, fortie pikes. xxx. long bowes. xxx. sheafe of arrowes, thirtie stæle cappes or sculles, twenty blacke billes or halberts, twentie haquebuttes, and twentye morpars or sallets. And euery person tẽporall hauynge any honours, lordships, manors, houses, landes, medowes, pastures or wodes of any such estate, as is aforesaid, to the clere yearely value of a thousande marckes or aboue, & vnder the clere yerely

Statutes repealed.

Armed

Launcegay

Forf.

Licence

Seruant weare Dagger Swo.d

Constable Arrest

Seise

Psesent Sessions Justices of peace

Launcegaies

Fine

Tempoꝛal man

Freeholde 1000.li.

Free holde 1000. Marckes

value of a thousande pounde, shall have, finde, sustaine and mayntayne within this Realme, of and at their owne proper costs & expences iiii. horses or geldings able for demilances, whereof ii. at the least to be horses with sufficient harnesses, and weapon & sadles mete & requisite to the said demilances, horses or geldings, & fyue light horses or geldings able & mete for light horsemen, with furniture of harnes and weapon requisite for the same. And also of armour and weapon. xxx. corselets furnished. xxx. almaine riuets, or in stede of the sayde almaine riuets, xxx. cotes of plate corselets, or brigandines furnished, xxx. pikes. xx. long bowes, xx. sheafe of arrowes, xx. steele cappes or sculles, x. blacke billes or halberdes, x. haquebuts, and x. morians or sallets. And euery person tempozall hauing honours, lordshippes, manours, houses, landes, medowes, pastures or woodes, of any such estate as is afozesayd, to the cleere yearely value of CCCC. li. or aboue, and vnder the cleere yerely value of a thousande markes, shal haue, finde, kepe, susteine, & maitaine as is afozelaid ii. horses, or one horse and one geldyng, able for dimilaunces with sufficient furniture of harnes, steele saddles, and weapons for the same, as is afozesaid, and iiii. geldings able for light horsemen with sufficient harnesse & weapon for the same, and also xx. corselets furnished, twentie almaine riuets furnished, or in stede of almain riuets, twenty cotes of plate, corselets, or brygandines furnished, twentie pikes, fiftene long bowes, fiftene sheses of arrowes, xb. steele caps or sculles, vi. haquebuts, & vi. morians or sallets. And that euery person tempozall hauing lordships, manozs, houses, lands, medowes, pastures, or woods, of any such estate as is afozesayd, to the clere yearely value of CC. poundes, or aboue, and vnder the clere yerely value of CCCC. li. shal from the said first day of May, haue, kepe, sustaine and maintaine, one great horse or gelding, able for a demilaunce, with sufficient furniture of harnesse, steeled saddle, and two geldings able for light horse men, with harnesse and weapons sufficient, as is afozesayde for the same, and also tenne corselets furnished, tenne almaine Riuettes, or in the place of almaine Riuets tenne cotes of plate, corselets or brygandines furnished, x. pykes, viii. long bowes, viii. sheafe of arrowes, viii. steele caps or sculles, iii. haquebuts, & three morians or sallets. And euery person tempozall hauing any lordships, manours, houses, lands, medowes, pastures or woodes, of any such estate as is afozesaid to the cleare yearely value of one hundred pound, or aboue, and vnder the yerely value of two hundred pounds, shal from and after the said first day of May haue, kepe and maintaine (as is afozesaide) ij. geldings able & mete for light horseme, with sufficyent harnes and weapon requisite for the same. And also three corselets furnyshed, three almaine riuets or in stede of them so many coats of plate corselets or bringādines, furnished, iij. pikes, three long bowes, three sheafs of arrows, iii. steele caps or sculs, two haquebuts, and two morians or sallets. And also euerie person tempozall hauing lordships, manours, houses, landes, medowes, pasture & woodes, of any such estate as is afozesaid, to the clere yerely value of a hundred marke or aboue, & vnder ỹ yerely value of C. li. frō ỹ said first day of May, shal haue, kepe, maintaine and susteine one geldyng able and mete for a lyght horseman, wt the harnes and weapon sufficient and requisit for ỹ same two corselets furnished, two almaine riuets or in stede of ỹ same two coates of plate, or brygandines furnished, two pikes, two long bowes, two sheafs of arrows, two steele caps or sculs one haquebut, one morian or sallet. And also euery person tempozall hauyng lordships, manors, landes, houses, medowes, pastures or woods of any such estate as is afozesaide, to the clere yerely value of xl. li. or aboue or vnder the yerely value of a hundred markes, shall from and after the saide first daye of May haue, maintaine, and kepe two corselets furnished, two almayne riuets, or in stede of the same two coates of plate, corselets or brigandines furnished, two pykes, one long bowe, one sheafe of arrowes, one steele cape or scull, two haquebuts, ii. morians or sallets. And also euery person tempozal hauing lordships, manors, houses, lands, medowes, pastures, or woods of any such estate as is afozesaid, to the clere yearely valy of xx. li or aboue & vnder ỹ yerely value of xl. li shal frō ỹ said firſt day of May, haue, kepe, & maintaine one corselet furnyshed,

Freeholde C. li.

Freeholde 200. li.

Freeholde 400. li.

Freeholde C. Marke

Freeholde xl. li.

Freeholde xx. li.

Freel 10. li.

Freeho 5. li.

Goodes 1000 marke

Goodes 400. li

nyshed, one pike, one haquebut, one morīā or sallet, one longe bowe, one sheefe of arrowes, and no steele cap or scul. And also euery person temporall hauing lordships, manours, houses, landes, medowes, pastures or woods, of any such estate as is aforesaid, to ỹ clere yerely value of x. pouñds or aboue, and vnder the yerely value of xx. pouñds, shal frō and after ỹ said day, haue kepe & sustaine one almaine riuet, cote of plate or brigandine furnished, one haquebut, one morian or sallet, & one long bow & one sheefe of arrowes, one steele cap or scul. And also euery person tēporal hauing lordships, manors, houses, lāds, medows pasture, or woodes, of such estate as is aforesaid to ỹ clere yerely value of v.li. or aboue, & vnder the yerely value of x.li. shall from and after the said first day of May, haue, kepe, and sustayne one coate of plate furnished, one blacke bil, or halbert, on lōg bow, one sheefe of arrowes, and one steele cap or scul. And also euery person tēporall hauing goodes or cattels to the value of one thousand markes or aboue shal from the said first day of May, haue finde, kepe, sustaine, and maynteyne as is aforesayd one horse or geldinge, able for a demilāce with sufficient harneys, steele saddle and weapon requisite and conuenient for the same, and one geldinge able & meete for a lyght horseman, with harneys and weapon sufficient and requisite as is aforesaid for the same, or xviii. corselets furnished in the steede of the sayd horse and geldinge, and furniture of the same at hys choise. And also shal frō the same day haue find kepe, and maintayne of armour & weapon, two corselets furnished, two almaine riuets, or for the same almayne riuets, two coates of plate, two corselettes, or two brigandines furnished, two pikes, fower longe bowes, fower sheefes of arrowes, fower steele cappes or sculles, and three haquebuts, with three murians or sallets. And also euery person temporall hauinge goodes or cattelles, to the value hereafter in this present act specified and declared, shal from and after the said first day of May, haue finde, kepe, sustayne and maintein such geldings armour weapons and furniture, for warre, as is hereafter declared. That is to say, hauinge to the value of fower hundred pounds or aboue, and vnder the value of a thousande markes, one gelding able and meete for a light horseman with sufficient harneys & weapon requisite and meete for the same, or ix. corseletts furnished, at his election, & also shal haue, finde, and kepe one other corselet furnished, one pike, two almaine riuettes, or plate coates, or brigandines furnished, one haquebut, two longe bowes, two sheefes of arrows, & two steele cappes or sculs. And hauing in goodes and cattels to the value of two hundred pouñ or aboue and vnder fower hundred, one corselet furnished, one pike, two almaine ryuetes, plate cotes, or brigandines, furnished, one haquebut, one murriane or sallet, two longe bowes and two sheefes of arrows, and two sculles or steele caps. And hauinge in goodes and cattels to the value of a hundreth poundes or aboue, and vnder two hundred, one corselet furnished, and one pyke, one paire of almaine ryuets, one plate coat or paire of brigandines furnyshed, two longe bowes, and two sheefes of arrowes, and two sculles. And hauinge as is aforesayd, in goodes and catels to the value of fourty poundes or aboue and vnder a hundreth poundes ii. paire of almayne riuets, or two coates of plate or brigandines furnished, one longe bowe and one sheefe of arrows, one steele cappe or scul, and one blacke bill or halbert. And hauinge as is aforesayd in goodes and cattels to the value of twenty poundes or aboue, and vnder fourty poundes, one paire of almayne riuets, or one coate of plate, or one paire of brigandies, two longe bowes, two sheefes of arrowes, two sculles, or two steele cappes, & one blacke bill or halbert. And hauynge as is aforesayed to the value of tenne pounde or aboue and vnder twenty poundes, one longe bowe, one sheefe of arrowes wyth one steele cappe or scull and one blacke bill or halbert. And also that euery person temporal, not beinge aboue charged by this act, hauing or that hereafter shall haue any annuitie or annuities, or yerely fee or fees for terme of lyfe or of any estate of inheritance, or any copy hold or copiholdes for terme of lyfe or of any estate of inheritance, to the clere yerely value of xx. poundes or aboue, shalbe charged and chargeable with such furniture of warre as is aforesaid in euery degree qualitye & condition according to the propor-

Freehold xx.li.

Goodes M. markes

Freehold x.li.

Goodes C.li

Goodes 400.li

Goodes 200.li

Goodes 100.li

Goodes 40.li.

Goodes xx li.

Goodes x.li.

Goodes Annuitie Fees Copy holde xx.li

proportion and rates before expressed limitted and appointed for goods and cattels. And be it further enacted by the authority aforesaid, that every person which by vertue of the act made in the parliament holden at Westminster in the 33. yere of the raigne of king Hēry the eight (Cap 5. after Horses 7.) was bounde by reason that his wife shoulde weare such kinde of apparell or other thinge, as in the same statute is specially mencioned and declared, to keepe or finde one great stoned trotting horse, (Vidz. Euery person temporall vvhose vvife (not beinge devorsed nor vvillingly absenting herselfe from him) doth vveare any govvne of silke, frenche hoode, or bonet of velvet, with any habilimēt, past or Edge of gold, pearle or stone, or any cheane of gold about her necke, or in her partlet, or in any apparell of her body. Except the sonnes and heires apparentes of Dukes, Marqueses, Earles, vicountes and barons, and of others hauinge hereditamentes to the yerely value of sixe hundreth markes or aboue, duringe the lyfe of thier fathers. And vardes hauing hereditaments of the yerely value of CC. li.) And is not by this act before charged, to haue, maintaine, and keepe, any horse or gelding, shal from the said first day of May, haue keepe and mainteyne, one geldinge, able and mete for a lyght horseman, with sufficient harneys and weapon for the same, in such maner and fourme as euery temporall person hauinge lordshippes, houses, landes, medowes, pastures or woods of such estate as is aforesayd, of the clere yerely value of one hundreth markes, is charged or appointed to fynde, haue and maintaine, by this present act. And be it further enacted by thauctorittie aforesaid, that if any personne chargeable by thys act as is aforesayd, shall by the space of any three whole monethes after the said first day of May, lacke or want the sayed number and kindes of horses, geldinges, armour, weapon and furniture aforesaid, or any of them, after such rate, proportion, maner and forme as is in thys act aboue limitted declared, and appoynted: That then euery such persone shall forfait & lose for euery such three monethes that he shall so lacke and want the same number and kyndes of horses, geldinges, armour, weapon, and furniture, or any part thereof, for euery horse or geldinge so lackinge tenne poundes, and for euery demplaunce and furniture of the same three poundes, and for euery corslet and furniture of the same xl.s. and for euery almayne rivet, cote of plate or bygandine, and the furniture of the same xx. s. and for euery bow and sheefe of arrows, byl, halbert, haquebut, steele cappe, scull, murrayne, and sallet x.s. the one moitye of which said forfaitures, shalbe to ỹ king and Quene our soueraigne lord and lady & to the heires & successours of ỹ same our soueraigne Lady, and the other moitie to hym or them ỹ wil him sue for the same in any court of record, by bil, plaint, actiō of debt, or informatiō, in ỹ which bil, plaint, actiō, or information, no wager of lawe, essoigne, or protection shalbe allowed or admitted. And be it further enacted by ỹ authoritie aforesaid that the inhabitants of euery Citie, borough, towne, parishe & hamlette, within this realme, other then such as are specialy charged before in this act, shall haue, fynde, keepe, sufficyne, and maintayne, at their common charges and expences, such harneis, and weapon, and as much thereof as shalbee appointed by the commissioners of our said Soueraigne Lord and lady, and of the heires and successours of the same our soueraigne Lady, for the musters or vievve of armour within such Citie, Borough, towne, parish or hamlet, there to be kept in such place as by the sayd commyssioners shalbe appointed. And the numbers and kindes therof to be vvritten and compyled in a paire of indentures, to be made betweene the said commissioners, or two of them at the least, and twelue, eight, or foure of the chiefest of euery such Cytie, borough, Towne, parishe or hamlet, whereof one part to remayne wyth the chyefe offycer of the same Citye, Borroughe Towne, parishe, or hamlet, and the other parte to remayne wyth the clerke of the peace of the shire or countye where euery such Citye, Towne, Borough, parishe, or hamlet shall stande or bee. And if the same inhabitauntes of euery such Citie, borough, towne, parishe, or hamlet, other then such as are specyally (as is aforesaid) charged shal lacke or want such harneys or weapons, or any

Wife Apparel Markes Freehold

Lacking 3. moneths

Forf.

10 li 7

30. li.

40. s.

20. s.

10. s.

Moitie

Inhabitants

Comon Charges

Cōmissioners of Musters

Indenture

Clerke of the peace

any

any part thereof as shalbe vnto them appointed by the sayd commissioners for the musters and vyewe of armour, as is aforesayd, by the space of any three Monethes together next after any such appointment made, that then the same inhabytauntes shall forfayt for euery the sayd three monethes for euery such harnes or weapons so lacking, after the rate aboue ymitted. the one moytie thereof to be to our said Soueraigne lord & Lady, and to the heires and successours of our said Soueraigne Lady, & the other moytie to him or them that will sue for the same in any of the courtes of recorde of our sayd Soueraigne Lord and lady, and of the heires and successours of the same our soueraigne Lady, by bill, plaint, action of debte or information, wherein no wager of lawe, essoine or protection shalbee admitted or allowed. And be it further enacted by thauctoritie aforesayd, that the Lorde Chauncellor of England for the tyme beinge, shal haue full power and auctoritie by vertue of this present act, from tyme to tyme to graunt out commissions vnder the great Seale of Englande to the Justices of peace within euery Shire or Countie of thys Realme, or to so many of them as by hys discretion shalbe thought meete and conuenient for the appointing and limittinge of the sayd harneys and weapons, to bee found, kept, & maintayned in euery such citie borough, towne, parish & hamlet, at ẏ comon charges of ẏ inhabitãts therof, as is aforesayd. Prouided alwaies, ẏ this act or any thing therin conteined shal not extend to take away or discharge any tenãt or fermour of his seruice or couenaunt towardes hys Lorde, for the findinge of Horse, Armour, or weapon, or for doinge of seruice by him selfe or any other, which by the tenure of his land or ferme, hee is bounde to do at the tyme of makinge of this act, but that he shall yelde, paye, and do the same in as large ample manner, and fourme, as though this act had neuer bene had ne made. And be it further enacted by thauctoritie aforesaid, that ẏ Justices of peace of euery shire, shall haue power and auctoritie by vertue of thys act, from tyme to time, to make serch and viewe, of and for the said furnitures of horses, geldinges, armour, and weapon, to bee founde, maynteined and kept by any person aboue layde, hauinge Lordeshippes, manours, houses, landes, medowes, pastures or woodes to the clere yerely value of CC. poundes or vnder, and not aboue the yerely value of CCCC. poundes, or to bee founde maynteyned or kept by any personne or personnes chargeable by thys act, by reason of his or their goodes cattels, annuityes, fees, or copyholdes, as is aforesayde, and to heare and determyne at their quarter Sessions all and euery the defaultes commytted or done contrarye to this act, within the county where such Sessions shalbe kept by inquisition, presentment, bill, or informatyon before them exhibited, or by examination of two lawfull witnesses at the discretion of the same Justices, and to award proces thereupon as though they were indicted before them by verdict of twelue mẽ or more. And vppon the conuiction of the offender by information or suit of any other then the kinge or the Quẽne, or of the heires or successours of the Quẽne to make estreates of the one moytie of the said forfaytures to bee leuyed to the vse of our said soueraigne lord and Lady, or of the heires or successours of the same our soueraigne Lady, as they vse to doe of other fines, issues, and amerciaments, growinge in the Sessions of peace, and to awarde execution of the other moitye for the compleinaunt or informer against the offender, by Fieri facias or Capias, as the kinges Justices at Westmynster, may do and vse to do. And if any such conuiction shall hereafter happen at the onely suit of our sayd Soueraigne Lord and lady, or of the heires or successoures of the same our soueraygne Lady, that then the whole forfaitures to be estreated and leuied to their vses onely. And bee it further enacted by the auctoritie aforesayd, that whensoeuer any personne shall at any time hereafter bee conuicted by vertue of thys act, for any default or thinge mencioned in this act, that then the same personne shall not other wyse or eftsones be vexed, troubled, sued, or conuicted for the same default or thinge, wherefore he shalbe so conuicted. And be it more ouer enacted by the auctority aforesaid, ẏ if any sould or shal at any time hereafter make sale of his horse harneys and

3. monethes

Fort.

Vnder 400. li. lande

Here and determine Quarter sessions

Enquire Examination Discretion Proces

Chauncellor

Cõmissions Just. of p.

Estreates Moyty

Execution Fieri facias Capias

Prouisio

Tenant Couenant

Terme

Conuict

Just. of p.

Serch

Sendyour Sell

and weapon, or any of them contrary to the forme of the laid ſtatute made in the ſaid ſecõd & third yere of the ſaid late king, It is ment of 2. & 3. E. 6. ca. 2. vvhich See in Captaines 6. that then not onely the ſame ſouldiour ſhal incurre the penalties of that ſtatute, but alſo the ſaid ſale made by ſuch ſouldioures to any perſon or perſons knowing him to be a ſouldiour, ſhal be voide and of none effect, againſt him or them that found or ſet forth the ſaid horſe, harneſſe, and weapons or any of them, to, or for the furniture of ſuch ſouldiour to ſerue with the ſame. Prouided alwaies ỹ no perſõ ſhalbe empeached or troubled for any offence done contrary to this act, vnleſſe preſentment or ſuit thereof bee had, made, or taken within one yere next after the offence done, any thinge in thys act to the contrary therof in anywiſe notwithſtandinge. Prouided alway and bee it enacted by thauctoritie aforeſayd that if at any tyme hereafter it ſhal fortune any perſon or perſons aforeſayd to bee ſued or impeached, or any forfaiture or penaltye, for not hauinge ſuſteyninge or keepinge ſuch furniture of corſelets, pikes, haquebuts, or murrians, as by this act is beefore lymitted, rated, and appointed, and for his or their excuſe and aunſwere ſhal allege and plede that the ſame furniture ſo lacking, coulde not by him or them cõuenyently bee had, gotten, or prouided, for want and lacke of the ſame within thys Realme, according to the tenure and purport of this act, the ſame matter of want and lacke as is afore ſayd, ſhalbe allowed and taken for a good and ſufficient aũſwere and barre in the lawe, in caſe it be true, and if the ſame bee denyed or trauerſed, that thereuppon an iſſue ſhalbee toyned, and that the triall ſhalbe of euery ſuch iſſue, onely had by the certificat to bee made by the Lord Chauncellour, lord Treaſorer, the Lorde preſident of the counſel, the Lorde Steward of the kings and Quenes moſt honorable houſholde, the lord prime ſeale, the lord Admirall and the lorde Chamberlayne of the ſayd houſhold, or by three of them in writing vnder their ſeales or the ſeales of three of them, this preſent act or any ſtatut, law or vſage heretofore had to the contrary notwythſtandinge. Prouided alſo and bee it enacted by the auctho̅rite afore ſayd, that no perſon or perſons chargeable by vertue of this act, to or for the findinge or haurge of any horſe, geldinge, armour, weapon, or furniture for the warre as is aforeſaid, ſhalbe charged with the ſame or with any of them, both for his manours, houſes, landes, meadowes, paſtures & woods, & alſo for his goods cattels, fermes, leaſes copiholds, rents, and annuities. Prouided alſo & bee it further enacted by the auctoritie aforeſaid that this act or any thinge therin contained, ſhal not in any wiſe extend or be iudged or interpreted, to abrogate, repeale, or make void any part, ſentence, matter, clauſe, article, or thing conteyned or ſpecified in the ſtatute made in the xxviii. yere of the raigne of the late noble prince of worthy memory king Henry the eight, for or concerning the haunge of longe bowes and arrowes, and the vſing, order, exerciſing, & maintenance, of archery & ſhoting in long bowes, (which See in Playes 2.) but that the ſame ſtatut and euery article, clauſe, ſentence, and thing therin contained and ſpecified touching or in any wiſe concerninge the hauing of longe bowes, arrowes vſing, order, exerciſinge or maintenance of archery and ſhoting in long bowes, ſhal ſtand and remaine in force and be obſerued performed and kept, according to the tenour, effect and true meaninge, of the ſaid act, vppon the paines contayned in the ſame as though this act had not beene had ne made, this preſent act or any thing therein contained to the contrary in any wiſe notwithſtading. Prouided alſo that if it ſhal fortune ỹ ſaid furniture of armour aforeſaid, or any part therof, at any time hereafter to bee loſt or ſpent in any ſeruice of defence of the Realme, or els ỹ horſes or geldings aforeſaid, to be killed or deſtroy or els by ſome other occaſion to be dead, ỹ in ſuch caſe or caſes, no perſon or perſons, ſhalbe charged with any forfaiture or penaltie aforeſaid, for not hauing ſuch quantitie or number of armour, horſes or geldings, as is aforeſaid, ſo that hee or they wythin one yere next after ſuch loſſe or want do ſupply ỹ ſãe againe in al points, accordinge to the true meaning & purport of this act, any thing in the ſame act to ỹ contrary therof notwithſtanding. Prouided alſo that ỹ want of any gauntlet or gaũtlets, ſhall not be demed, accõpted, or taken

Sale

Voyd

Prouiſo

Preſentment
One yere

Prouiſo

Plede

Trauerſe

Prouiſo

Prouiſo

Prouiſo

One yeres
Supply

Prouiſo
Gauntlet

taken for any lacke or want of furniture for a corselet any wordes before expressed soundinge to the contrarye notwithstanding. Prouided also & be it enacted by the authoritie aforesaid ỳ euery person & persõs charged with ỳ finding of any haquebut ỳ his or their seruant or seruaunts shal & may exercise & vse shooting in ỳ sãe haquebut, at such markes as is limitted & apppointed by ỳ statut made in ỳ 33. yere of ỳ raigne of king H. the 8. (which See in Crossebowes 2.) or at their owne proper games, so that they carry not, or vse not ỳ same haquebut in any high way, vnlesse it bee commynge or goinge to or from the musters, or marching towardes or from the seruice or defence of the Realme, any clause or article in the said act of the xxviii. yere to the contrary notwithstandinge.

Prouyded alwaye that this act ne any thing therein contayned shall extende to charge any person or persons, dwellinge or abyding within the coũtreis of North wales, and Southwales, & vẽ the coũtie Palentine of Lancaster, and Chester or either of them, with the finding or hauinge of any haquebut, but that they and euery of them shal and may at their wil, libertie, & pleasure, haue & keepe, in stede & place of euery haquebut charged by thys act, one longe bow & one sheafe of arrows, ouer & besides such other armour & munition as is by the lawes of this realme limitted and appointed, any thinge in thys act to the contrary notwithstãding. Prouided alwaies that the Lorde Chauncellour of England, or keeper of the great seale for the time being, shall and may frõ time to time by vertue of the kinge and Quẽnes hyghnesse commission, name, assigne and appoynt, commissioners, in euerie Citye, Borough and Towne corporate, wherein there bee Justices of the peace, as well in England as in Wales, so many of the same Justices of peace, with such and as many other persones to bee ioyned with them dwellinge out of the sayd Cityes, Boroughs & townes corporate, as hee or they shall thinke meete, to take vewe of armour in euery of the same Cyties, Boroughes and townes corporate according to this present act, and also to assygne what harneys and armour shalbee prouided and kept by the inhabitauntes of euery such Citie, Borough and Towne corporate as is aforesayde according to thys present act. Anno 4. & 5. Philip. & Mariæ Cap. 2. *

Prouiso

Haquebut

33. H. 8. ca. 6.

High way Musters

Prouiso

Wales Lancaster Chester

Longe bowe

Prouiso Chauncellour L. keper

Cõmissioners Just. of p. Wales

Vewe Cuestze.

¶ Arrowheades.

WHereas Arrowsmithes do make faultie heades of arrowes and quarels not defensible, to the great preiudice of the people and Realme. Bee it etc. That all the heades for arrowes and quarelles after thys tyme to be made shalbee well boyled or brased, and hardened at the pointes with steele, and if any of the sayd arrowesmythes do the contrarye, they shal forfait al such heades and quarelles to the kinge, and shalbee also emprisoned and make a fyne at the kinges will. And that euery arrowhead and quarell be marked with the marke of hym that made the same. And the Justices of peace in euery Countye of Englande, and also the Maior and Sherifes, and Bailifes of Cities & boroughes within the same Cities and boroughes, shall haue power to enquire of al such deceitful makers of heddes and quarels, and to punish them as afore is sayd Anno 7. H. 4. cap. 7. * 20

Arrowes Quarrelles Brased

Forf.

Imprisõ.

Marke

Just. of p. Maiors Sherifes Bailifes

Punish

¶ Arrestes.

COncerning great mẽ & their bailifs, & others, except ỳ kinges officers (vnto whõ special authority is geuẽ so to do) wt at the complaint of any, or by their owne auctoritie, attache other, passinge through their iurisdiction with their goodes, compelling them to answer before thẽ vpon contracts, couenãts, and trespasses, done out of their power and iurisdictiõ, where in deede they holde naught of them, nor within the fraunchise where their power is, in prejudice of ỳ kinge and his crowne & to the damage of the people: It is prouided, that none from henceforth so do, & if any do, he shal pay to him that by this occasion shalbe attached, his dammages double & shalbe greuously amerced to the king. W. 1. ca. 34. An. 3. E. 1.

Bailifes

Attach Goods

Contractes Couenaantes Trespasses

Damages Amerc.

2 ¶ Because that cõplaint is made to our soueraigne lord the kinge by the clergie of his said realme of England, that as wel diuers pleas, bearing ỳ cheefe body of

Clergy Pleas

of Lorde Jesu Christ to sicke people, and their clerkes with them as otherwise dyuers other persons of holy church, whiles they attende to deuine seruices in ỳ churches, churchyards, & other places dedicate to god, be sundry times take & arrested by auctoritie royall, and commaundement of other temporal lords, in offence of god & of the liberties of holy church, and also in disturbance of the deuine seruices afore said. The same our soueraigne Lorde the kinge (who would be greatly displeased, if any did in such maner) wil & graunteth, & defendeth vpon his grevous forfaiture, ỳ none do ỳ same frō hēceforth, so ỳ collusion or feined cause be not founde in any of ỳ said persons of holy church in this behalfe. An. 50. E. 3. ca. 5.

Clerkes
Sacraments
Churches
Church-yardes
Deuine seruice
Collusion

3 ¶Because that the prelates do cōplaine thē selfe, that aswell beneficed people of holy church, as other, bee arrested & drawen out aswel of cathedrall churches as of other churches & their churchyards, & sometime whyls they be entendinge to deuine seruices, & also in other places, although they bee bearinge the body of our lord Jesus Christ to sick persons, & so arrested and drawen out, be boūd & brought to prisō against ỳ libertie of holy church. It is ordeined, ỳ if any minister of the kinge or other do arrest any personne of holy church, by such maner, and thereof be duely conuict, he shal haue imprisonmēt, and there be raunsomed at the kings wil, and make grē to the parties so arrested. Prouyded alwaies that the sayd people of holy church shall not hold them within the churches or sanctuaries by fraude or collusion in any manner. An. 1. R. 2. cap. 15.

Prelates
Prestes
Cathedral Churches
Church-yardes
Sacrament
Prison
Imprisl. Fine
Sanctuaries
Collusion

¶Artificers.

IT is ordeyned, that artificers handye crafte people, shal holde them euery one to one mistery, which hee will chose betwixt this and the said feast of Candelmas. And ii. of euery craft shalbe chosen, to survey that none vse other craft thē ỳ same which he hath chosen. & ỳ iustices be assigned to enquire by proceste, to heare and determine in this article, and that ỳ trespassours in this article, shalbe punyshed by imprisōmēt of two yere, & moreouer to make fine and raunsome according to the quantity of the trespas. And the surueyours by the discretion of the Justices, be appointed. But the intent of the king and of his councel is, that weomē, that is to say, bruers, bakers, carders, and spinners, and workers as wel of wol as of linen cloth and of silke, brawdesters and breakers of wolle, and all other that doe vse and worke handy workes, may freely vse and worke as they haue done before this time, wythout any impechement, or beinge restrayned by this ordinance, An. 37. E. 3. ca. 6.

Survey
Justices Oyer ỳ terminer
Trespasses Imprisl. Fine
Weomen Bruers Bakers Woolle Linnen cloth

2 ¶Where diuers estatutes penall heretofore haue ben made against straūgers artificers, for exercisinge of handycrafts within this realme, and for keping of houses, apprentices, and seruāts straūgers, as by the said seueral estatuts more plainely is rehersed, Sithens the making whereof Bærebruers, & Bakers which ben commen vitaulers, and also surgeons and scriueners, being straungers inhabytinge and dwelling within this Realme, haue bene put to trouble and great veration by occasion of informacion brought against them vpon the said estatut, supposinge that straungers vsinge baking, bruing, surgery, or writings, should be hādicrafts men: vpon the which informatyon great doubts and ambiguities haue risen, whether straungers vsing any of the said misteries, or sciences, should be vnderstād such handy craftes men as were intended by any of ỳ said estatuts: for plain declaratiō wherof be it enacted &c. That no person or persons, straungers, being a common baker, bruer, surgeon or scriuener, shalbee enterpreted, or expounded, handycraftesmen, in, for, or by reason of vsinge any of ỳ said misteries or sciēces of bakig bruing, surgery, or writing: & that al informatiōs suits, actiōs, & proces had, takē or hereafter to be taken, vpon any of the said estatutes, against any such straunger or straūgers, being bakers, bruers surgeons or scriueners, shal by auctority of this present act be void & of none effect. An. 22 H. 8. ca. 13.

Aliens
Apprentices
Bruers
Bakers
Surgions
Scriueners
Handy craftes men
Woyde

3 ¶For as much as of late dates sellers of victuales for their greater gaine haue cōspired and couenaunted together, to sel their victuales at vnreasonable prise. And artificers handicraftes mē and Labourers, haue made confederacyes and promyses

and

and haue swoꝛne mutual othes, not onely that they should not medle one with an others woꝛke, and peꝛfourme and finiſhe that another hath begonne, but also to cõſtitute and appoynt howe much woꝛke they shal doe in a day, and what houres and tymes they shall woꝛke contrary to the lawes and statutes of this Realme, And to the great hurt and impouerishement of the kinges maiesties subiectes: Foꝛ reforꝛmation whereof it is enacted. That if any bouchers, bꝛewers, bakers, poulters, cokes, costermongers oꝛ tiꝛtrers: shall at any time from x after the first day of March next commynge conspire, couenaunt, promise oꝛ make any othes, that they shal not sell their victuals but at certaine pꝛises, oꝛ if any artificers, woꝛke men, oꝛ Labozers, do conspire oꝛ couenaunt oꝛ pꝛomise together, oꝛ make any othes that they shall not make oꝛ do their woꝛkes but at a certayne pꝛice and rate, oꝛ shal not enterpꝛise to take vppon them, to fynishe that another hath begonne, oꝛ shall do but a certeyn woꝛke in a day, oꝛ shall not woꝛke but at certeyne howers and tymes, that then euery personne so conspiringe, couenaunting, swearinge oꝛ offending, being lawfully conuict thereof, by witnesse, confession oꝛ otherwise, shall foꝛfayt foꝛ the first offence, tenne pounde to the kinges highnesse, and if he haue sufficyent to pay the same, and do also paye the same wythin fiue dayes nert after his conuictyon: oꝛ els shall suffer foꝛ the first offence twenty dayes imꝑisonment, and shall onely haue bꝛead and water foꝛ his sustenaunce. And foꝛ the seconde offence shall foꝛfayt twenty pounde to the king, if hee haue sufficient to pay the same, and do pay the same wythin fiue dayes nert after his conuiction: oꝛ els shall suffer foꝛ the seconde offence, punishement of the pillozy. And foꝛ the thirde offence, shall foꝛfayt fourty poundes to the king, if he haue sufficient to pay the same, and also do pay the same wythin fiue dayes nert after hys conuiction, oꝛ els shall sit on the pilloꝛie and lose one of his eares, and also shall at all tymes after that, be taken as a manne infamous, and hys sayinges, deposityons oꝛ othe, not to bee credited at any tyme in any matter of iudgement. And if it foꝛtune any such conspiracy, couenant oꝛ pꝛomise to be had and made, by any societie, bꝛotherhed, oꝛ companye of any craft, misterie oꝛ occupatiõ of the victualers aboue mencioned, wyth the pꝛesence oꝛ consent of the moꝛe part of them, that then immediatlye vppon such act of conspiracye, couenaunt oꝛ pꝛomyse had oꝛ made, euer and besides the partyculer punishement beꝛoꝛe in this act appointed foꝛ the offendour, their coꝛpoꝛation shalbe dyssolued to all intentes constructions and puꝛposes. And it is ꝛc. that all and singuler Justices of assises, Justices of peace, Maiors, Bayliffes, and Stewardes of Leetes, at all & euery their sessiõs, Leetes and courtes, shall haue full power and aucthoꝛitie to enquire heare and determyne, all and synguler offences commytted against this statute, and to punyshe oꝛ cause to bee punished the offendours accoꝛdynge to the Tenour of thys statute. Anno 2. Edvvardi sexti Cap. 15.

Butcher
Brewers
Bakers
Poulters
Cookes
Costermongers
Artificers
Labozers
Conspire

Price

1. Offence
Fayt. x. li.

Imprisond

ii. offence.
xx. li.

Pillory
iii. offence
xl. li.

Pillory
Lose one eare

Infamous

Conspiracy
Corporation

Corporation
Dissolued

Justi. of all.
Iust. of peace
Maiors
Bailifes
Stewardes
of leetes
Oier & ter-
miner
Punish

*

In the same act vvas an article that none shal disturbe certeyne artificers named in that article, to vvorke in any of the craftes there named in any Citye Borough or Tovvne corporate, with any person, though the artificers do not dvvell or bee not free there. &c. But this article for the benefite of the Citye of London is repealed by. 3. Edvvardi 6. cap. 20.

And learne if the generall vvordes of 5. Elyzab. cap. 4. (infra Laborers. 38) hath not repealed the rest of this statute concerninge Artificers, vvorkemen and Laborers.

¶Assault and Fraies

BEcause that Richarde Chedder Esquier, which was come to thys pꝛesent Parliament, with Thomas Bꝛooke knyght, one of the knightes chosen to the same Parlyament foꝛ the countye of Somerset, and menyall seruaunt wyth the said Thomas, was hoꝛribly beaten, wounded, blemished, and maymed, by one John Sauage. It is oꝛdayned and stablished, that foꝛ so much as the same hoꝛrible deede was done wythin the time of the said parliament, that pꝛoclamation be

Chedder
Brooke
Somerset
Parliament
Mayme
Sauage
Proclamation

kings bench

Attaint
Damages
Judges
Enquest
Fine

Parliament
Counsel
Proclamatiõ

Attaint

ti. damages
Justices
Enquest
Fine

Examinatiõ
Affray

ti. damages

Fine

be made, where the same horrible déede was done, that the said John, appere and yelde him in the kinges Bench within a quarter of a yere after the proclamatyon made, & if hee do not, the same John Savage shalbe attainted of the said dede, and pay to the party greved his double damages, to be tared by the discretion of ỹ Judges of the said bench for the time beinge, or by enquest if it nede be, and also he shal make fyne and raunsome at the kinges will. Moreover it is accorded in the same Parliament that like wise it bee done in tyme to come in case lyke. Anno 5. H. 4. cap. 6.

2 ¶ If any assault or affray be made to any Lord spiritual or temporal, knight of the shire, Citizen, or Burgesse, comming to the Parliament, or to the councell of our soueraigne Lorde the kinge by his cõmaundement, and their being and attendinge to the parliament or counsel of our soueraigne Lorde the kinge, that thẽ proclamation shalbe made in the most open place of the towne by three seueral dayes where the affray was made, that the partie that made such affray or assault yelde him before the king in his benche within a quarter of a yere after the proclamation made, if it be in the time of the terme, or otherwise at the next day in the time of the terme following the said quarter, and if he do not, that he be attaynted of the sayd dede and pay to the party greued his double dammages: to be tared by the discretion of ỹ Justices of the same bench for the time being, or by enquest if it be nedeful, and that he make fine and ransome at the kings wil. And if he come and be founde gylty by enquest, by cxamynation, or otherwise, of such affray or assaut then hee shall pay to the partie thereby greeued, his double damages foũd by ỹ enquest, or to be tared by the discretiõ of ỹ sayd Justices and make fine and ransome at the will of our soueraigne lord the kinge as above is said. An. 11. H. 6. ca. 11.

¶ Assises.

Mountdauncestour

Chiefe Justice

Assises of nouell dysseisin, & of Mortdauncestour shall not be taken but in their shires, and after this maner. We, or (if we be out of ỹ realme), our chiefe iusticers shal sende out our Justicers through

Knights of shires

Determin

Circuit
Difficultie

Escheator
Sheriffe
Bailife
Warrant

Disseisse
Freehold
Office

Cõmon law
Attaint
ti. damages
Amerced

Attaint
Disseisin
Robbery

Recognisan
Judgement

Damages
Freehold
Fine

Prison
Force

Mountdauncestour
Darrain
Presentment
Advoc
Septuagesima
Lent
Elegit
Statut marchant

Chauncery
Plaintife

euery countie once in the yeare, which vñ the knights of the shires, shal take the said Assises in those coũties, and those things that at the commynge of our said iusticers being sent to take those assises in the coũties, cannot be determined, shalbe ended by them in some other place in their circuite. And those thinges which for difficultie of some articles cannot be determined by thẽ, shalbe referred to our iusticers of ỹ bench, & there shalbe ended. Mag. car. Cap. 12.

2 ¶ No Escheator, sheriffe, nor other bailife of the king, by colour of his office, without special warrãt, or commaundement, or auctoritie certaine, pertainynge to his office, disseise any man of his freehold, nor of any thinge belonging to hys freeholde. And if any do, it shalbee at the election of the disseisse, whether that the kinge by office shal cause it to be amẽded at his complaint, or that hee will take the common lawe by an assise of Nouel dysseisin, and he that is attainted therof shall pay double damages to the plaintife, and shalbe grevously amerced vnto the king. W. I. ca, 24. An. 3. E. 1.

3 ¶ It is prouided also and agreed, ỹ if any man be attaynted of disseisin done in ỹ time of ỹ kinge that now is, vñ robberie of any maner of good or mouable, and it be founde against him by recognisance of assise of nouel disseisin, the iudgement shalbe such, that the plaintife shal recouer his seysen and his dammages, as wel for the goodes & mouables afore said, as for ỹ soyle, and the disseisour shall make fine whether he be present or not (so as if hee be presented) he shalbee first awarded to prison. And in lyke maner it shalbe done of dysseisin with force & armes, although there bee no robbery done W. 1. cap. 36. An. 3. E. 1.

4 ¶ Assises of nouel disseisin, Mortdaũcestour, and darraine presentment, shall be taken in aduent, septuagesime, & lent, euen as wel as enquestes may be thẽ take W. I. ca. 48.

5 ¶ Se execution 2. of ass. by tenãt by elegit. And se recog. 2. of assise by tenãt by statut merchãt. And se staple 8. of assise by tenant by statut staple.

6 ¶ For as much as there is no writ in the Chauncery, wherby plaintifes can haue so spedye remedy, as by a writte of nouel

Nouel dill. Iustice Delaies

nouel disseisin, our soueraigne lord ỳ king to the intẽt ỳ Iustice may bee more spedily ministred, and delayes in pleas may bee abridged and taken away, graunteth, that a writ of Nouel disseisin shall holde place in mo cases then it hath done heretofore, and graunteth that for estouers of wood, and mutes, acornes, fruites, corody, tolle, tronage, passage, pontage, pawnage, woodes, parkes, forestes, chases, warrens, bathywikes, offices in fee, from henceforth an assise of nouel disseysin shall lye, and in all the cases afore rehearsed the writte shalbee as it was wont to bee. De libero tenemento, And as before times it hath lien and holden place for common of pasture, so shall it from henceforth holde place for common of turuelande, fishinge, and suche lyke commons, which any man hath appendaunt to free holde, or without freeholde by specyall deede, at the least for terme of life. In case also when any holdynge for terme of yeares, or in ward, alieneth the same in fee, and by such alienatyon the freeholde is transferred to the feoffee, the remedie shall bee by a writte of Nouel disseisin, and as well the feofour as the feoffee shalbee had for disseysours, so that durynge the lyfe of anie of them, the sayde writte shall holde place. And if by the death of the parties remedy happen to fayle by that writte, then remedie shalbee had by a writte of Entre. And albeit that above mention is made of some cases wherein a writte of Nouel disseisin helde no place before, let no man thynke therefore that thys writte lyeth not nowe where it hath lyen before. And though some haue doubted whether a remedie may bee had by this writte, in case where one feedeth vpon the seuerall of an other, let it bee helde for certayne, that a good and a sure remedye is geuen in that case by the saide writt. And let them that bee named disseysours beware from henceforth, that they alledge no false exceptions, whereby the takynge of the assise maye bee deferred, sayinge that another tyme an assyse of the same land passed betweene the same parties, or saying vntruely that a writ of more high nature hangeth betweene the same partyes for the same lande, and vppon these and lyke maters do vouche rolles or recordes to warrantie, to the ende that by the same vouchinge they may take awaye the vesture of the land, & receiue the rents & profits to the great damage of the playntife. And whereas before none other payne was had against him that faillye had alledged such vntrue exceptions, but onelye that after such false surmises disproued, ỳ assise should be taken. Our soueraign lord the king (to whom such false exceptions be odious) hath ordeyned, that if any beinge named disseisour do personally alledge ỳ exception, if at the daye to him geuen hee fayle of the warrantie that hee hath vouched, he shalbee adiudged for a disseisour without taking of the assise, and shal restore ỳ damages before enquired of, or to be enquired of after to ỳ double, & shal nevertheles haue a peres imprisonment for his falshod. And if ỳ exception be aledged by a baillife, ỳ taking of ỳ assise shal not be delaied therfore, nor the iudgement vpon the restitution of the lands & dammages. Prouided neuertheles, ỳ if the maister of such a baillife that was absent, come afterwarde before the same Iusticers, ỳ toke ỳ assise, & offer to prove by the record or rol, that an other time an assise passed betwene ỳ same parties for ỳ sãe land, or ỳ a plaintife at an other tyme did wrongfully his suit in a like writ, or that a plea hangeth by a writ of more high nature: a writ of venire facias shalbe made to him for ỳ same record, & when they haue the same, & the Iusticers do perceiue, that ỳ record so sent, would haue bene so auailable to him before iugement that the plaintife by force of the same should haue bene barred of his action, ỳ Iusticers shal awarde immediatly a Scire fac. against him ỳ first recouered, ỳ he be before thẽ at a certaine day: at ỳ which ỳ defendaunt shal recouer again his seisin & his damages (if he haue paid any by the first iudgement) wt ỳ damags also ỳ he hath susteined after ỳ first iugement geuen, which he shal recouer to the double as before is said, & he ỳ first recouered shalbe punished by imprisonmẽt after ỳ discretiõ of ỳ Iusticers. In the sãe

Estouers of wood Mutes Acornes Fruites Corody Tolle Tronage Passage Pontage Pawnage Woodes Parkes Forestes Chases Warrens Bathywikes Offices

Common of pasture

Turueland Fishing

Freehold

Alienation Writ

Seuerall

Disseisones False exceptions

Rolles Record Vouch

Vesture Profits

Exceptions

Disseisor

Alledged

Damages

Imprison

Baillife

Iudgement Master Iusticers

Proue

Plaintife

Venire facias

Barre Action Scire fac.

Defendant Damages

Iudgement

Imprison

Absence
Deedes
Releases
Jurie
Examine
Pleading

manner if the defendant, against whom ỳ assise passed in his absẽce, shew any deeds, or releases, vpon ỳ makinge whereof the iury were not examined nor could be examined, because there was no mẽtiõ made of thẽ in pleding, & probably they might be ignorãt of ỳ makig of those writings, The Justices vpõ the sight of those writings, shal award a Scire facias to ỳ partie that recouered, that he appeare before them at a certaine day, & shal cause the iurours of ỳ same assise to come before thẽ. And if he proue those writinges trewe by their verdict, or by the inrolmẽt of them, he that purchased that assise cõtrary to his owne deede, shal be punished by the paine aforesaid. Neither shall the sheriffe from hẽceforth take an ore of the disseisie, but of the disseisour only, & if there be many disseisours named in one writ, yet shal he be contented with one ore, nor shal aske any ore but of fiue shillinges price, or ỳ value. W.2.cap.25.An.13.E.1.

Scire fac.
Iurours
Verdict
Inrolment
Payne
Shirife
Ore
v.s.

7 ¶ Where one hauing no right to cõmon, vsurpeth cõmõ, what time an heire is within age, or what time a woman is couert, or whilest ỳ pasture is in ỳ handes of tenãts in dower by ỳ curtesy, or otherwise for terme of life, or yeeres, or in fee taile, and the pasture be longe vsed, many hold opinion, ỳ such pastures ought to bee said appurtenant to their frẽhold, & that ỳ possessioner ought to haue acciõ by a writ of nouell disseisin, if he be defaced of such pasture: but frõ hencefoorth this must be holden for law, ỳ such as haue entred võin ỳ time that an assise of Mortdaunceſtour hath lyen, if they had no common before, shal haue no recouery by a writ of nouell disseisin, if they be defaced. W.2.cap.46.

Common
Vsurpe
Infant
Woman
Dower
Te. by curteſie
Appurtenant
Writ
Before
Mortdaunceſtour

8 ¶ Where tenants in assyse of nouell disseisin might not make atturnes heretofore, it is agreed that the tenants in assise of nouel disseisin from hẽceforth may make attournes, yet the king intendeth not hereby that the tenantes and defendantes in assises of nouell disseisin shall pleade by bailifes at their owne pleasure, as they haue done heretofore, stat. Ebor. cap.1.An.12.E.2.

Atturneis
Bailifes

9 ¶ For as much as it chaunceth many times in assises of nouel disseisin, that the tenant doth pleade against the plaintiffe, that he holdeth ỳ landes being in demaund ioyntly with his wife, not named in the writ, & sometime with a straunger who likewise is not named in the writ, & she weth forth a deed testifying the same, & demaundeth iudgement of the writte: It is agreed & ordeined, that if the plaintiffe will offer to auerre by assise, that the day of his writ purchased, hee that alledged the exception was sole tenant, so that neither his wife nor any other had any thing in the said lands, then the Justices, before whom the assise is arrayned, shall retaine the same deed safely in their keeping vntil ỳ assise be tryed betwene them thereupon. And they shal let the party absent, to vnderstande by our writte vnder their witnessling, and also to the ioynte-nant that is present, of whome the deede maketh mention, that he be present, at a certaine day with the other tenant, for to aunswere vnto the party plaintife as wel vpon ỳ exception alledged, as of the lands demaunded & put in view, if it seme expedient for him, at which day if both ỳ are named tenants do come in, & do iustifye the same feffement, they shall aũswere & maintaine the exception alledged by on of thẽ, & further shal aunswere vnto ỳ assise as though the originall had ben purchased against both of them ioyntly. And if it be proued by assise, that ỳ exception was alledged maliciously, for to delay the playntife of his right so ỳ they held not ỳ same land iointly the day of the writ purchased, tẽ albeit ỳ same assise do passe for the tenants, & against ỳ plaintife, yet they that alledge ỳ exception shalbe punished by on peres imprisonment, from whence they shal not be deliuered vnõut greeuous fine. And let the Justices bee wel aduised, that from hencefoorth they do not allow an exceptyon alledged by the bailifes of anye such tenantes: and if hee that allegeth the exception ablent him selfe at his day, and the other that is named iointenant do appere, although he iustifie the same deede, and say that hee hath nothinge in the aforesaid landes &c. neuertheleſſe the assyse shall passe against hym that is absent by default. And if it be founde by assise, that they were not iointly seised the day of the writte purchased, and lykewise that the tenant against whom the writ was purchased, or an other named in the writte did disseise the plaintife, then hauinge regard to them that were falsly and maliciously alledged

Before
Exception
View
Feoffement
Original
Joint
Punish
Imprison
Fine
Justices
Bailifes
Default
Disseise

Joint.

alleadged to the hurt of the partie, and to the disseisin that they made, the plaintife shall recouer his seisin and double damages, and they that alleage the false exception, shal haue the punishment aforesaid. But if neither of the tenaunts doe come in at the day, then vpon their default the assise shall passe against them. And if it be founde, that the same exception was lawfully and truely alleaged, & that they that alleaged it, were iointly seised before the plaintife purchased his writ agaynst them, the assise shall passe no further, but the writ shalbe abated. The same shalbe obserued if both or one do appeare, if it be founde by assise that the exception was truly alleaged, as before is said: The same order shalbe obserued in assises of Mortdaunce ster, and writs of Iuris vtrum, that the first day that the parties appeare in court, if the tenant alleage the exception against the demaundant, shewing a dede there vpon, and the demaundant will offer to auerre by the assise or iurie, that the day of his writ purchased, hee that alleaged the exception was sole tenaunt, hereafter the same maner of proces shalbe vsed in assises of Mortdaunce stor, & writs of Iuris vtrum, as before is ordeined in assises of Nouel disseisin, and like punishment shalbee awarded to the offendours. But in other writts whereby landes are demaunded, such proces shalbee made at the first daye, that the parties appeare in court, if the tenaunt do alleadge the foresaid exception of a ioint feoffement, and the demaundant will offer to auerre by the countrey, that the day of the writte purchased, he that alleaged the exception, was sole tenant, then the same maner of proces shalbee obserued betwixt the parties, vntill a iurie haue passed betweene them thereupon. And if it be founden by ỳ iurie that the same exception was truely alleaged, then the writte of the demaundant shall abate. And if it be founden by the iury that ỳ same exception was falsely and maliciously alleaged, to the hinderãce of the partie, then the demaundaunt shall recouer his seisen of the lãds in demaũd, and the tenaunt shalbee punished by the paine aboue saide in a writ of Nouel disseisin, as to the imprisonment, & as to the damages according to the discretion of ỳ Iustices. An. 34. E. 1.

u. damages

Default

Writ Abate

Mortdaunce ster or Iuris vtrum

Auerre

Sole tenaunt

Writs proces

Iurie

Abate

Imprison Damages

10 ¶ An assise of Nouel disseisin shal bee from henceforth graunted and made of rent behinde due of tenements beeyng in diuers counties, to be holden in the confine of the counties, with in which the tenements be. And thereupon the assise taken and tried by people of the said counties, in the same maner as is done of a common of pasture being in one countie and appendant to tenements in another countie. And that aswel of disseisins done in times past, as of disseisins yet to bee done, and that writts there vpon at the suit of the plaintifes be made from henceforth in the Chauncery without any maner of contradiction in a due fourme. An. 7. R. 2. ca. 10.

Rent

Confines

Common of pasture

Appendant

Disseisin

Writs

11 ¶ In case any lands or tenements be graunted by the kings patent without title found by enquest or otherwise, there where the kinges entre is not gæuen by the law. They that be put out or disseised of their freehold, shal haue a speciall assise of the Chauncellors graunt, without other suit to be made to the king in that behalfe, and if the persons hauing the kings letters patents do play in ayde, a writ of Procedendo shalbe graunted by the sayde Chauncellor, without making other suit to the kinge. And in case that they which be put out or disseised, do recouer agaynst the persons hauinge such patents, ỳ then they which so be put out or disseised, shall recouer their treble damages. And that this ordinaunce and statute hold place as well after the kinges arriuall into Englande, as in all time to come. An. 1. H. 4. cap. 8.

Patents Enquest

Entre Disseised Chauncelor

Ayde Procedendo

3. Damages

12 ¶ Whereas dayly the great men of the realme do make forcible entries in to other mens lands, and put out the possessors of the same, clayming some tyme in their owne right, where their entre is not lawfull, and some time in anothers right, where they haue nothing in remeyner sion, in right, nor in demean, nor there is no affinitie nor coſinage betweene them & those in whose right they haue entred, and also take their goods and cattels in maner of robberie, so that oftentimes they be in such maner put out, and of their goodes & cattels spoled, that they haue nought to pursue for their right, & so by such forcible entres and maintenants, the land tenãts and possessours be vtterly disherited and

Forcible entries

Goods Robberie

rected. Our said soueraigne lord ỹ king minding to do euen right to all his liege people, aswell the smal as the great, & that his lawes be duely executed, at the greeuous complaint of the said commons, by the aduise & assent of all the lordes afore said, for to punish and chastice such riottes and forcible entries so made, & hereafter to be made against the lawes of the land, hath ordeined and stablished, that if any man great or smal of what estate or condition that he bee, make any such forcible entrie in his owne right, or to his owne vse, or in an others right, or to anothers vse by way of maintenãce, or take or carry away any goods after such forcible entre from the possessor of the freeholde, that if the partie greeued or other lawfull man, will make othe in hys name, that the entre was made in such forcible maner, That the Chauncellor of Englande for the time beinge, shall haue power by hys discretion to graunt a special assise in this case to the partie greeued, of what soeuer valour the tenements be, without syping to the kinge. And if such disseisor be attainted of such disseisen made in such forcible maner, hee shal haue one peres imprisonment, and yelde to the partie greeued his double damages. And if he be conuicted by the same assises, that he hath taken or caried away any goods or cattells of such disseisees, the Justices of the same assise shall haue power for to heare and determine as wel for our soueraigne lord the king, as for the party, of the goods and cattels so caried away, and to awarde to the same partie so greeued his damages. And that in euerie such especial assise bee named one of the Justyces of the one benche or of the other, or the chiefe Baron of the Eschequer, if hee be a man of the law. And that hereafter no writ of Supersedeas bee graunted to the contrarie of such especiall assises. Anno. 4. H. 4. cap. 8.

Riots
Maintenãce
Affiance
Chauncellor
Disseisor
Attaint
Imprisonn
2 Damages
Conuict
Goods
Justices.
Oyer & ter.
Damages
Supersedeas

13 ¶ An. 9. H. 5. ca. 3. The king commaunded that his Justices should holde the Assises through his Realme by the maner accustomed.

Justices

14 ¶ An. 9. H. 5. ca. 3. & An. 4. H. 6. ca. 2. & An. 8. H. 6. ca. 13. & an. 14. E. 4. ca. 2. tiij. seuerall actes were made to endure for certeine yeares, wherein were enacted ỹ recoueries in assise should not bee preiudiciall to them in the reuersion which were beyonde the Sea, with the kinge in his seisure, if they were not named in the assise.

Recoueries
Reuersion

15 ¶ The panels of especial assises shal be arrayed, and a coppe indented of the same by the Sheriff deliuered to ỹ playntifes, tenants, and defendants, vi. dayes at the least before the Session of the Justices, if they require the demaunde. And as to the returne or aunswere of the bailifes of fraunchises, they shall make their returnes or aunsweres to the Sheriffes of such special assises vi. dayes before the session in the maner as afore. And that vpon paine of xl. li. to be paied by the said Sheriffes or bailifes to the kinge, as often as they or any of them do contrarie to thys ordinance or statut. An. 6. H. 6. ca. 2.

Panels
Shyrife
Returne
vi. Dayes
Paine
Bailifes

16 ¶ Where as diuers persons, often times doe sue Assises of Nouel disseisine before Justices assigned, against diuers persons, and by craft and collusion, for to haue their writs of their said assises directed to ỹ Cozoners of the counties, where the tenements bee, for to make execution of the said writs, do name in their sayde assises, the Sheriffes of the same countie one of the disseisors, where he is not nor neuer was disseisor nor tenant of the tenements in demaũd, wherby oftentimes the said assises be awarded by the default of the tenants, which have no knowledge of those assises, in so much that they fond not any assise against them of the sheriffe in the file, nor have no suspition of anye such assise taken against the sheriffe and them: Our soueraigne Lord the king, willing in this case to prouide remedy, of the assent and auctoritie afore said, hath ordeyned, that in all such assises purchased at this time hanging, or hereafter to bee purchased betweene any persons what so euer they be, before any such Justices in which assises anye such Sheriffs bee named disseisour, if the tenaunts in the said Assises or any of them will auerre, that the sayde Sheriffe is not, nor neuer was disseisour nor tenaunt of the tenementes in demaund, but was named disseisor by collusion, the auerrement shalbe receiued. And if it be found by the said assise, that ỹ said Sheriffe is not nor neuer was disseisour nor tenant of the tenemẽts, but was named disseisour by collusion, then the said

Collusion
Writs
Cozoners
Sheriffe
Fyle
Auerre
Treason
Treason
Restored

Justices abate

said Justices shall do to be abated the said writ purchased or to bee purchased in the fourme aboueſayde. And that the plaineties or plaintife be in the greuous mercie of the king. An. 11. H. 6. cap. 2.

See the like Statut in Coniſance. An. 9. Henrici 4. Cap. 5. & Anno 8. Henrici 6. Cap. 26.

Abridge

17 ¶ That the playntife in euerie assise from henceforth maye at his pleasure seuer and abridge his plaint, of anye part or partes, whereunto any barre is pleaded, in such like maner as hee or they might do in cases that plees in barre had bene had and deuided to any certaynties or number of acres in the playnt, and that the playnt for the residue of the parte or partes of the landes not abridged, shalbee and stand good and effectuall in the lawe. An. 21. H. 8. cap. 3.

¶ Attainder.

ANno. 11. Rich. 2. Capitulo. 5. &c. certayne persones were attaynted by parliament.

2 ¶ An. 5. H. 4. cap. 1. & Anno. 7. H. 4. ca. 12. certeine persõs where attainted by parliament.

3 See vses 8. of attainder of Empson and Dudley.

4 ¶ Anno 25. H. 8. cap. 12. an act was made concerninge the attaynder of treason of Elizabeth Barton Nũne of Caũterburye, Rycharde Maſter, Edwarde Boking Monke, John During & Hugh Ric. and Richard Risby obseruant friers,

Misprision

and Henrie Golde, of misprision of treason of John Fiſher bishop of Rochester, Th. Golde, Th. Lawrence, John Adeston, & Thomas Abel &c.

5 ¶ See Crowne 4. of the attaynder of Anne Bollem & her brother & others.

6 ¶ Anno 33. H. 8. capit. 21. an acte was made for the attainder of treason of Quẽne Katherine Halward, the Ladye Rochford, Culpeper & Derham, and of ẏ

Treason

attainder of misprision. An act of treason of the Duches of Norfolke, the Coũtesse of Bridgewater, Lord Willã Halward & diuers other men & women.

7 ¶ In An. 2. E. 6. capitulo. 17. an acte

Treason

was made for the attainder of treason of sir W. Sherington knight & after An. 3. E. 6. ca. 13. he was restored to his bloud.

Restored

8 ¶ In An. 2. E. 6. cap. 18. a great long acte is made for the attaynder of treason sir Thomas Seymor Lorde Admirall, and after Anno 3. E. 6. Capit. 14. Marye Seymor hys daughter was restored to her bloud.

Treason

Restored

9 ¶ In An. 1. M. 1. Parliamento. 2. Seſsione. cap. 16. an acte was made for the confirmation of the attaynder of treason of John Dudley Duke of Northumberl. Thomas Cranmer Archbishop of Caũterbury, Willã Marques of Northãpton, John, Earle of Warwike, Sir Ambrose Dudley Knight, Guylford Dudley Esquier, and Jane his wife, Herry Dudley Esquier, sir Andrew Dudley Knight, sir John Gate Knight, and Sir Thomas Palmer knyght, with diuers articles concerning that matter.

Treason

10 ¶ An. 13. Eliz. Reginę ca. 16. An act is made for the confirmation of the attainder of Charles earle of Westmerland, Thomas Earle of Northumberlande & many other knights, Esquires & Gentlemen.

¶ Attaint.

THe kinge of his office shal from hence forth graunt attaints vpon inquestes in plea of lande or of frẽholde or of any

Freehold

thinge touchinge frẽholde when it shall seme to him necessary, W. 1. ca. 37. An. 3. Ed. 1.

2 ¶ Of proces to runne in Juries of xviij. because that by the lawe the same hath not bene of late vsed. Justices haue

Juries

Justices Jurrours

not taken Juries vntil al the first Jurors which were alriue did appeare before thẽ in court: And those Jurours doubting to bee attainted, would rather lose their Isſues thẽ appere in court, by means wherof the plaintifes were greatly delayed, and false othes seldomtimes punished. It is therefore ordeigned and eſtablished ẏ if the first Jurours which shalbe ympnge appere not in court before the Justyces which shalbe assigned such Juries to take, at the first graund distres vpon thẽ returned, or that returne be made, ẏ they haue nothinge whereby they may be distrayned, that then by their absence, there bee no delay made of ẏ Jurie, obseruing in al other thinges the proces in such juries vsed this notwithstanding. W. 4. de vic. & viridi Cera.

Appeare

Grande distres

Proces

Principall Dāmages Trespas Chauncellor

3 ¶ A writ of attaint shalbe graunted as well vppon the principall, as vpon the dammage of such writ of Trespas. And that the Chauncellour which shalbe for for the tyme, shall haue power to graunt suche writtes of attaintes without speakinge therefore to the kyng. And in such and all other cases of attaintes the Justices shall not let to take the attaintes for the dammages not payde. Anno 1.E.3. capitulo 6.

Justices

Juro^rs

4 ¶ Whereas Jurrours haue the lesse doubted to bee perjured, by reason of the long delayes that haue bene in attaintes, before the Justices of the one benche and of the other, and beefore other Justices: It is enacted that no essoine of the kings service, nor protectyon shall bee from henceforth allowed in suche iurtes, no more then in assises of Nouel disseisin. And that fiue daies by the yeare bee geuen beefore the Justyces of the common benche in the sayde iuries at the least. And that a Nisi prius bee as well geuen in suche writtes as in other. And where as it is conteyned in a statute late made at Westmynster, in the first yeare of the raigne of our soueraigne lorde the kynge that nowe is, after the coronation, that attayntes shoulde bee graunted in writs of trespas. It is accorded and establyshed that wryttes of attaynte shall bee from henceforth, graũted as wel in pleas of trespas moued wythout writte, as by writte before Justices of record: if the dammages iudged do passe fortye shyllings. Anno quinto Edvvardi tertij. capitulo 6. & 7.

Perjury Iudges of both benches

Essoigne Protection Juries

Justices of the common bench Nisi prius

Writtes of trespas

Dāmages

5 ¶ The writ of attaint shalbe graunted from henceforth, aswell vpon a bill of trespas, as vpon a writ of trespas of enquestes which bee to bee taken in time to come, wout hauing regard to ỹ quantytie of the dāmages. An. 28. E. 3. cap. 8.

Bill of trespas

Dāmages

6 ¶ Euery man agaynst whom they passe, may haue the attaint as wel in plee real as personal. And that the attaint bee graunted to the poore people which will affye ỹ they haue nothing therof to make fine (but onely their coũtenance) without fine, & to al other by easy fine. An. 34. E. 3. cap. 7.

Real Personal Poore people

7 ¶ It is accorded & assented, ỹ if the tenant for terme of life, tenãt in dower, tenant by the curtesy of Englãd, or tenãt in taile after possibilitie of issue extinct, be impleaded, & plede to an inquest, and lose by the othe of vij. or that they lose by default or in other maner, that bee to whõ the reuersion of the tenemẽts so lost pertaineth at the time of such iudgement geuen, his heires & his successors, shal haue an action by writ of attaint, to attaint the same othe, if they will assigne the same othe to bee false, and also by writ of error, if errour be founde in the recorde of such iudgement, as wel in the life of such tenants ỹ so do lose, as after their death. And if such iudgement erroneous bee reuersed, or such false othe be foũd, that the tenãt ỹ did lose by the first iudgement, if he be in life, shal be restored to his possession of ỹ tenements so lost, with ỹ issues in the meane time, and the partye pursuing to the arrerages of the rent yf any be due of the same tenements. And if such tenaunt bee dead at the time of the iudgement geuen vpon such writtes of attaint and of errour, that restitution of the sayd tenementes be made to the party pursuinge, with the issues after the death of the sayd tenant, together with the arrerages of the rent, if any to him were due in the lyfe of the tenaunt.

T. for life T. in dower T. by curtesie T. in taile

Enquest

Othe Errour

Reuers

Issues

Arrerages

Restitution

Prouided neuertheless, that although the tenant, which so did lose by the fyrst iudgement be in life, and the partye pursuyng will alledge, that the same tenaunt was of couyne, and of the assent of the demaundaunt which recouered, that such tenementes ought to be lost, that restitution of the same tenementes bee made, to the same partye pursuynge, wyth the issues and arrerages, as afore is sayd. Saynge to such tenaunt hys action by writ of Scire facias out of the same iudgement so reuersed or geuen, or writt of attaynt if hee will trauerse the couyn and assent afore sayd, and other wise not An. 9. R. 2. ca. 3.

Couin

Restitution

Iustes Arrerages Scire fac. Trauers Collusion

8 ¶ See An. 13. R. 2. ca. 1. how ỹ of a verdict taken before the Maior & bailifes of Lincolne, attaint shalbe sued in the kings bench or comon place, & the Jury shal bee of the coũty of Lincolne.

Verdict Maiors Bailifes Kings bench Common plas Lyncolne

9 ¶ See An. 3. H. 5. ca. 5. how that of a verdict taken before the Maior & bailifes or sherife of Lincoln, attaint shall be sued in ỹ kings bench or comon place, & the iury shalbe of the county of Lincoln though

Lincolne

Lincolne were made a county by it selfe.

10 ¶ Our soueraigne lord the king, by the grieuous complaint of his commons, considering the great mischiefes had with in the realme, and yet not remedied, & also the great damage and disheritance ỳ commyth by the vsual periurie of iurors, empanelled in ꝑquests, aswel in ỳ courts of our soueraigne lord ỳ king, as of other, the which periurie haboundeth & encreaseth daily more then it was wont, for the great gistes that such iurors take of ỳ parties in plees sued in the saide courts, insomuch that the greater party of people that haue to sue in the said courts, leue their suits for the mischiefe aforesaide, & namely for cause of the delates that bee in the writs of attaints, for that in times past in writs of attaints when the graund iurie had appeared in court, and were readie to passe, one of the tenants or defendaunts, or of ỳ petit iurors named in such writs, sometime haue pleaded false & faint plees which were not triable by the graund iurie of the attaint, and by that cause delaied, the taking of such graund iuries, til such plees were tried, And afore such plees tried and found for the plaintife another of the iurors, tenants or defendãts, myght plead another such false and faint plee, after the last continuance in the same attaints. And so euerie of the defendants, iurors, or tenants after other, might plead such false and faint plee, & delay the graũd iurie when it was readie to passe. And though that all such false and faint plees were foũd against thẽ which pleaded thẽ, no peine was geuen to them by the common lawe. For cause of which delayes the graund iuries in attaintes haue bene greeuously vexed and trauayled, and the plaintifes in such attaints put to so great costes, and thereby impouerished, that they might not sue forth their saide suits, wherefore the iurours bee the more incouraged to be periured and make their false othes in such cases: Our sayde Soueraigne lord the king, willing vpon that to prouide remedie at the request of the saide commons, and by the assent of the lords aboue saide, hath ordeyned and stablished, that the parties plaintifes in all such attaints, shall recouer their damages and costes against all such tenaunts, iurours, and defendaunts, whych they haue

Perturie Iurors

Delayes

Graund iurie

Petite iurie Faint plees

Recouer' Damages

haue sustayned in that behalfe, Anno 11. H. 6. cap. 4.

11 ¶ No Sherife, Bailife of franchise, nor Coroner in actions or writtes of attaint of plee of land, of the yerely valour of xl.s. or more, nor action of attaint of dedes, concerning lands or tenements of like value or more, nor personal, where of the iudgement of the recouerie shal extend to the summe of xl.li. or more, shall returne or impanell in any inquisition, or enquest, any persons but such as be inhabiting within his baily wicke, whych haue estate to their owne vse, or they to whose vse other persons haue estate of fee simple, fee taile, or freehold in landes and tenements of the yerely value of xx. li. or more in his bailiwicke, out of suspent demeane, the v. ports, and the tenour of Gauelkinde, nor shall not returne in the kinges court lesse issues in the said actyons of attaint then xl.s. at the first writ of distresse, and an C.s. at the seconde writ of distres, and the double at euerie other writ of distresse against the persons impanelled and returned to bee sworne in the same actions. And that no person of lesse sufficiencie of freehold then of the yearely value of xx. pound in the fourme aforesaide, shalbee sworne in the kynges court vppon any issue in the saide actions of attaint, if he bee for the same by the plaintifes in due fourme challenged. And that also as often as any Sherife, Bailife of fraunchise, or Coroner, do contrarie to this ordinance, he shall pay and by this statut be bound to pay to the kynge x.li. and to the plaintifes in the said actions and writs of attaint for their delaye other x.li. And if any of the forcine aunswores and pleas bee tried and founde against any of the saide defendaunts, that then the same iudgemẽt against the same defendants and for the said plaintifes shal be geuen by the kinges Justices, & ỳ consideration of his courtes, as by the lawe should be geuen against the same defendaunts in case that the graund iurie in the said actions and writs of attaint vppon the points and articles of the same writs had passed against ỳ same defendants, and with the saide plaintifes. And that by the same iudgements none other of the said defendaunts, but they against whom the aforesaid forcine aunswores and plees

Shirife Bailife Coroners

Returne Panell Inquest

xx.li.

v. Ports Gauelkind Returne Issues

Writ of distres

Impanel Returne Sworne

Freehold xx.li.

Challenge Shirife Bailife Coroner

Fine

Forcine plees

Judgement

Courts

Graund iurie

be founde and tried, shalbe hurt or indamaged. And that this statut touching the office of Sheriffes, Bailifs of fraunchise, & Cozoners, in returning of the said persõs of the sufficiency of frœhold of the yearely value of xx. pound, and that no persone of lesse sufficiency of frœhold be swozne in the said actions, and wzits of attaint shal not extend to cities & bozoughes, within the said realme, noz to the inhabitants in any of them. Pzouided alwaies, that if in anie of the said counties there be not persons inhabiting vnder the estate of a Baron, of possession of lands and tenements of the yearely value of xx.li. in the same countie, in the fourme afozesaid, to suffice the nunber to be empaneled and returned in the said actions and wzitts of attaint, that then the Sheriffes and Bailifs of fraunchises, and Cozoners of the same coũtie, shal impanel & returne in the same actions & wzits, persons there inhabiting, of the most sufficient of possession of yerely valne of lands and tenementes wythin the value of xx.li. in the same countie, in ỹ fourme afozesaid. And that to such persõs the said challenge shall not extend, that he is not of possession of lands and tenemẽts of the yearely valne of xx.li. in the same coũtie. And that as oftẽ as any of ỹ same Sheriffes, Bailifes, oz Cozoners, do contrarie to this article, hee shall pay to the king x.li. & to the plaintifes x. li. in fozme afozesaid. An. 15. H. 6. ca. 5.

Returne

xx li.

Baron

Shirifes Bailifes Cozoners

Challenge

xx.li.

Fozf.

12 ¶ Those men which haue estate to their vse, and also they to whose vse other men haue estate of fee simple, fee taile, oz frœhold, in landes and tenements, of the yerely valne of xx.li. of the tenour of Gauelkinde, shalbe returned and impanelled in al such attaints as be aboue recited (before 11) which attaints be not now hanging, but may hange in time to come, in ỹ sãe maner and fozme, as any other persõ may be returned & impaneled, by force of the said statut made in the said xb. yeare. An. 18. H. 6. ca. 2.

Gauelkind Impanel

13 ¶ No person ne persons hereafter be impaneled, summoned, oz swozne in any iuries oz enquests in courts within the same citie (s. of London) except he bee of landes, tenements, oz gwds and cattels, to ỹ value of xl. marke. And ỹ no person noz persons hereafter be impaneled, summoned, oz swozne in any iurie oz enquest, in any court within the said citie, foz lãds oz tenements, oz action personal, wherein the debt oz damages amounteth to the summe of xl. marke oz aboue, except he be in lands & tenements, gwds oz cattels, to the value of a C. marke, & the same matter & cause alleaged by any of the said parties by way of chalẽge, & so founden, shal be admitted & taken in euerie of the same courts as a pzincipal challẽge. And ỹ euery such person hereafter to be impanelled oz summoned to appeare in any iury oz inquest befoze any of the said Iudges of the same citie, makinge default at first summons, lose & forfait in illues xii.s. & at the second default xj.s. & so at euery such default after ỹ, the illues & penalties to bee doubled, & al such illues lost in the Maiozs court shalbe forfaited, leuied & perceiued to ỹ vse & behoofe of ỹ Maioz & cõmunalty of the said citie. And al such illues lost in the sheriffs court oz courts shalbe forfaited leuied & perceiued, to ỹ vse of ỹ sheriffs of the same city foz the time being, toward their fee ferme. And also bee it enacted by ỹ same aucthozitie, ỹ ỹ partie grœued by any vntrue oz false verdict hereafter to be gœuen in any of the courts of the said city, shall & may haue & sue attaint by bil in the hustinges in London, holden foz cõmon pleas befoze the Maioz & aldermen of the same citie foz ỹ time being, & there vpon a pzecept to be awarded and made by the same Maioz to euery alderman of the said city oz his deputie in his ablence, to pzesent & certifie the names of xiij. indifferent & discrete persons of good fame, & euery of thẽ of substance of C. li. oz moze, citizens of ỹ same citie dwelling in his warde, to the Maioz & aldermen of the said citie foz the time being, at the hustinges of common pleas within the same citie then next ensuing to bee holden, of which persons so pzesented & certified, the said Maioz & vi. aldermen oz mo, holdinge the same court of hustinges, shall take, name & impanell xlviii. by their discretion, thought most able, sufficient, & indifferent, & the Maioz & his succesoz Maiozs of the said city, shall do to be summoned the said xlviii. persons so by the said Maioz & aldermen named & empaneled, & also the iurozs of the petye iurie, & the partie oz parties named as tenants oz defendants in the said bil of attaint, to appeare befoze the Maioz & alder-

C. Marckes

Challenge

Iudges Default Fozf. Illues xii s.

2. Default ii.s.

Illues doubled

Maiozs court Fozf. Vse

Shirifes court Fozf. Vse

Fee ferme

False verdict Courts Bill Hustings Cõmon pleas

Maioz Pzecept

Aldermen

Certifie

C.li.

Maioz

vi. Aldermen

xlviii. Sufficient Indifferent

Iurozs

Petie iurie

man

Sworne

Iury London

xl. Marckes

Empaneled

Hustings

men of the same citie at the hustinges of common plees then next to be holden in ỳ same citie, and if the same attaint then or any other time happen to remaine vntaken for, or by default of iurours, by challenge or otherwise, ỳ vpon euery Males graũted, ỳ said Maior & aldermen shal impanel the said persons which were certified by the said aldermẽ or their deputies, & omitted out of ỳ said panel, or put there in other person or persons being citizens of ỳ said citie, & of the substance of C.li. or more, & also ỳ al the plee & plees to bee alleaged or pleaded by or for the tenãt or defendant, tenãts or defendants, or by anie of ỳ iurors of ỳ petie iurie in the same attaint, & triable by any iurie or enquest, shal be tried within the same citie & by the enquests of ỳ same, & in none other place ne countie. And ỳ none of the said pety iurie, ne other parties named in any such bill of attaint, shal or may haue any challẽge to tharray, or to any person or poll thersin being impaneled, for lacke of sufficient of goods or of lands: Ouer that be it prouided & enacted, ỳ the iudgement in any such attaint, shal not extend to any lãds or tenements, ne to other punishment of ỳ petit iurie, ne other proces to be in ỳ same attaint then is limited & appointed in thys present act. And if ỳ xviii. persons of the said xviii. persons swone in the same attaint, find ỳ the iurors named in the petie iurie, haue made & geuẽ an vntrue verdict, ỳ then the iudgement shalbe against the partie defendant in the same attaint as is vsed in attaint sued by writ at common law. And further more ỳ iudgement in ỳ same attaint shalbe against the petie iury, ỳ euery of the iurors of the same pety iury shal forfait & lose xx.li. or more, by the discretion of the Maior & aldermen of ỳ said citie, keeping the same hustings or any other husting of common plees to such vse & behoofe, as other issues & penalties ben forfait & lost in any action or plaint commenced before ỳ Maior & aldermen of the same citie, & his bodie to bee imprisoned there to remain wout baile or mainprise vi. moneths or lesse, by the discretion of ỳ Maior & aldermen of the same city for the time being, & to be disabled for euer to bee swone in any iurie before any temporall Judge. And ouer that be it enacted by the same authority, ỳ if it be founden by the graund iurie in the same attaint, that the petie iurie haue geuen a true verdict, that then the graund iurie shal haue authority and power to enquire if any of the petit iurie take or receiued any summe of money or other rewarde, or promise of money or other reward, of the named defẽdants or tenants in the same attaint, or of any other person or persons by the commaundement, couyn, or assent of any of them, to or for, the entent of their verdict geeuen, where vpon the same attaint is grounded. And after any such corruption by the saide graund iurie founded, ỳ then the iuror or iurors of the said petie iurie ỳ is found so defective in taking & perceyuing any summes of money, or other rewarde, or promise of rewarde, shall lose, forfaite, and pay to the plaintife or plaintifes named in the same attaint, x. tymes the value of the summe or other rewarde so taken, perceiued, or promised, in forme aboue saide, and to suffer imprisonment without baile or mainprise vi. monethes or lesse, by the discretion of the said Maior & aldermen, & to be disabled for euer to be swone in any iurie before any temporall Judge. And ouer that be it enacted, that such defendant or tenant, defendants or tenants in the same attaint, shal lose, forfait, and pay, to such vse and behoofe, as other penalties bene forfaited wõn ỳ same cities, x. times the value of the summe of money or other reward, by him or them so geuen to any of the said petie iurie. And the same defendant or tenant, defendants or tenants, to be imprisoned there to remaine without baile or mainprise, during vi. monethes or lesse, by the discretion of the said Maior and aldermen. And if any debts, and damages, or costes be recouered in action where vpon such attaint is grounded, and by the same attaint it bee founde that the petie iurie haue geeuen a false lerement, that then for the recouerie and restitution of the same debt and damages, and costes, the plaintife or plaintifes in euery attaint, shall and may sue an action of debt agaynst the same defendant or tenant, by writ, byll, or plaint in euery of the kinges courts, wherein the same defendant or tenant, and euerie of them, shall not be receyued to do his law. And ouer that bee it enacted that if any plaintife or plaintifes in any such attaynt commen-

Graund iurie
Vntrue verdict
Enquire
Reward
Money
Corruption
Fork.
x. Times
Imprison
Mainprise
Disabled
Defendant
Fork.
x. Times
Imprison
Debts
Damages
False lerement
Recouerie
Action of debt

Maior Aldermen Recorder Nonsuit Serement

commenced before the saide Maior and aldermen vpon any recorde remayninge within the same cities, and therein be nonsuit, or if the first serement therein bee affirmed, that then he or they shal haue imprisonment and make fine by the discretion of the Maior and Aldermen of the said citie for the time being, & that fine to be & go to the Maior and commonaltie of the said city. And if there be two or mo plaintifes in any such attaint ordeined by this statut, & any of them die, or be nonsuit, ỹ other by this act shalbe enhabled to sue for the proceding in the same attaint, & notwithstanding the death of the defendant or tenant, defendãts or tenants, or any of the petit iurie named in the same attaint, so ỹ there be ij. of ỹ same pety iury on liue ỹ same attaint shal not abate. And also be it ordeined by ỹ same auctoritie, ỹ if anie of the iurours of the same graunde iurie impanelled and summoned in fourme aforesaid at the summons make default, so that the attaint remayneth to bee taken for the default of iurors, that then euery of the same iurors so making default, lose and forfaite for the firste default xl. s. and at the second default v.li. and at euery default after that, x.li. and like proces to bee made and sued there against the grãd iurie and the petie iurie, and the partie & parties, as is to bee made and sued in attaint sued at the common law. And that the same proces be made returnable at euerie hustinges of common plées, & that thattaint remaine not to bee taken after the first summons returned, for or by ỹ default of the defendant or tenant, defendantes or tenants, or of any of the petye iurie named in ỹ same attaint by this act ordeined, and that the said issues or penalties forfaited by any of the said graunde iurie, be forfaited leuied and perceiued to the vse of the Maior and comminaltie of the said citie, and that no protection nor essoine bee allowed in this attaint by this act purueyed. Prouided alway that vpon all attaints hereafter to bee commenced within the citie vpon any recorde, wherein the trial and enquest was by half tong that the saide Maior and aldermen shall empanel the graund iurie in the same attaint, the one halfe of straungers of good fame, and of the substance of goods to the value of a C. pound and more, inhabiting within the same citie at large, and the residue of the same iurie to bee of like value and substance of goodes empanelled of citizens as is aforesaid. And ouer this bee it enacted by the said auctoritie, that no acte of attaint of the petye iurie made in this present Parliament, nor nothinge therein contained other then this present acte, nor none other penaltie or punishment in any other act then is before contained in this present act bee hurtfull, nor extend to any iurie or enquest hereafter to be taken before any Judge of & within the same city. An. 11. H. 7. cap. 21.

Maior Aldermen Recorder Nonsuit Serement Impzison Fine Enabled Defendants Graund iurie Default Forf. 2. Default Proces Graund iurie Petty iurie Cõmon law Returnable Sommons Illues Forf. Maior Protection Citie Record Trial, Medietie lingue Iurie

14 ¶ An. 11. H. 7. cap. 24. an act for attaintes was made to endure to the next parliament. And after An. 12. H. 7. ca. 2. it is continued to endure to the next parliament, And after An. 19. H. 7. cap. 3. it is continued to the next parliament. And after An. 1. H. 8. cap. 11. it is continued to the next parliament.

15 ¶ Vpon euerie vntrue verdict here after gæuen betwixt partie and partie, in any suit, plaint, or demaunde, before any Justices or Judges of record, where the thing in demaund and verdict there vpon gæuen, extendeth to the value of xl. li. & concerneth not the iopardy of mans life, the party græued by the same verdict shal haue a writ of attaint against euerie person hereafter so gæuing an vntrue verdict, and euerie of them, and against the partie which shall haue iudgement vpon the same verdict. And that in the same attaint there shalbee awarded against the petie iurie, the partie, and the graunde iurie, summons, resommons, and distres infinite, which graund iurie shalbe of like number as the graund iurie is now in attaint, and euery of them that shall passe in the same, shall haue lands and tenements to the value of xx. markes by the yeare of frœhold out of the auncient demeane. And vpon the distres which shalbe deliuered of record vpon the same, open Proclamation to be made in the court wher, the distres shalbee awarded more then xb. daies afore the retourne of the same dystresse, and euerie suche distresse shalbe made vpon the land of euery of the said graund iurie, as in other distresses is and hath bene vsed. And if the said partie defendant, or the petie iurours or any of them appeare not vpon the distresse, then the graunde iurie

Vntrue verdit Suit Justices Verdict xl. li. Attaint Sommons Resõmons Distres infinite xx. Markes Proclamation xb. Dayes Distres Dek. Petty iurour Graund iurie

Defaults

Assigne
False ſeremẽt

Writ
Proces
Returne
Assignement

Nonsute
Discontinue

Judgement
True ſeremẽt

Barre

Forf.

Moitie

Fine
Iuſtices

Diſabled

Barre

Judgement

Damages
Vitarie
Ecõmenge-
ment

Voyde

Proces
Day
Eſſoine
Protection

Diſtres
Defaults

iurie to be taken againſt them, & euery of them that ſhal ſo make default. And if any of the ſaid petie iurie appeare, then the partie complaynant in that behalfe ſhall alligne the falſe ſeremẽt of the firſt verdict vntruely geeuen, where vnto they of the petie iurie ſhal haue none aunſwere, if they be the ſame perſons, & the writte, proces, returne, and allignement good & lawfull, except ỳ the demaũdant or plaintife in the ſame attaint hath afore bene nonſuit or diſcontinued his ſuit of attaint taken for the ſame, or hath for the ſame verdict in a writ of attaint had iudgemẽt againſt the ſaid petit iurie, but onely that they made true ſerement, which iſſue ſhal be tried by xviij. of the ſaid graund iurie, & the partie ſhall plead, that they gaue true verdict, or any other matter, which ſhalbe a ſufficient barre of the ſaid attaint. And that plee notwithſtanding, the graund iurie to be taken without delay to enquire, whether the firſt iurie gaue true verdict or no. And if they find ỳ the ſame petty iurie gaue an vntrue verdict, then euerie of the ſaid petty iurie to forfait xx.li. whereof the one halfe ſhalbe to the king our ſouereine lord, & the other halfe to the party ỳ ſueth. And ouer that, that euery of the ſaid petty iurie ſhal ſeuerally make fine & raunſome by the diſcretion of the Iuſtices, before whom the ſaid falſe ſeremẽt ſhalbe found, after their ſeuerall offences, defaults and ſufficiency of euerie of the ſaid petie iurie. And after that, that thoſe of the ſaid pitit iurie ſo attainted, ſhall neuer after be in any credẽce, nor their othe excepted in any court. And if ſuch plees as the party pleadeth, which is a barre of the ſaide attaint bee found, or demed againſt him that ſo pleadeth, then the partie that ſo ſueth ſhal haue iudgement to be reſtored to that hee loſt, with his reaſonable coſtes and damages. Forſeene alway, that any vilary in action or cauſe perſonal, or ercõmengement pleaded or alleaged in ỳ party plaintife or demaundant, ſhalbe taken but as void plee, and to that he ſhal not be put to aunſwere. And that in al ỳ afore ſaid proces ſuch day ſhalbe geeuen as in a writ of dower, and none eſſoine or protection to lye nor to be allowed in the ſame. And if the ſaid graund iury appeare not vpon the firſt diſtres had againſt them, ſo that the iurie for their default do remayne, he that maketh default ſhall forfaite to the kinge xx. ſhillinges, and vpon the ſecond diſtres xl.s. And after making default for euery ſuch default v.li. And like penaltie & forfaitures to be againſt them & euerie of the that ſhalbe named in the Tales, as is afore expreſſed againſt euerie of the ſayde graund iurie afore ſaid. And that for and by the death of the partie or any of ỳ ſaid petie iurie, the ſaid attaint ſhal not abate nor be deferred againſt the remnant, as long as two of the ſaid petie iury be alue. And if hereafter any falſe verdict be geeuen in any action, ſuit, or demaunde afore anye Iuſtice or Iudge of record of any thinge perſonell, as debt, treſpaſſe, and other lyke, which ſhalbee vnder the value of xl. pounde, that then the partie greeued ſhall haue attaint with ſuch proceſſe and plees as is afore reherſed, and delaies to bee taken away as is afore remembred. Except that in this caſe of attaynt euery perſon of the graund iury that may diſpende fiue markes by the yere of freholde out of auncyent demeſne, or is worth an hundreth markes of goodes and cattels, ſhall be hable to paſſe in the ſame attaynt. And if the petit Jury be attaynted, that then they ſhall in this caſe of attaint euery of them to forfayt v.li. whereof one halfe ſhalbee to the kinge, and the other halfe to the party after ỳ forme afore reherſed, and ouer that to make fine and raunſome by the diſcretiõ of the Iuſtices, as is aforeſayd. And if there bee not perſones of ſuch ſufficyencye within the ſhire or place where any of the ſayed attaintes ſhall be taken as may paſſe in the ſame. Bee it ordeyned by auctorite aboue ſayd, that then one Tales ſhal be awarded into the ſhire next adioyning by the diſcretion of the Iuſtices, afore whom the ſame attaintes ſhalbee taken, which ſhalbee warned to appeare vpon like paines as is aforeſayd, and enabled to paſſe in ỳ ſaid attaints, as if they were dwelling in the ſhire where the ſame attaint ſhalbe taken. And ỳ the ſame lawes, actions and remedy ordeined by this preſent act, bee kept for and to all them that ſhalbee greeued by ſuch vntrue verdictes of any inheritaunce in diſcent, reuerſion, remaynder or of any freeholde in reuerſion or remainder. And if the party in attaynt geeuen by thys act bee nonſuit, or the

Forf.

Forf.

Tales

Debt
Treſpas

Proces

v.Marhes

C.marhes.

Forf.
Moitie

Fine

Sufficiency

Tales

Shire

Nonsuit
Discontinuāz
Fine

or the same discontynued, that then the same partie so nonsuite, or so discontinuing the said attaint, make fine and raunsome by the discretion of the Justices, afore whom the said attaint shalbee taken and depending. And that all attaints here after to be taken, shalbee taken before the king in his bench, or afore the Justices of the common place, & in none other courts.

K. bench
Cõmon plee

Nisi prius

And the Nisi prius shalbe graunted by the discretion of the Justices vpon ẏ distres, & cuerie of the said petit iury may appeare and aunswere by atturney in the said attaint. And that the moitie of the said forfaiture of the petit iurie shalbe leuied to ẏ vse of our soueraigne lord by Capias ad satisfaciendum, or Fieri facias, or Elegit, or by action of debt, against cuerie person of the petit iurie so forfaiting, & against hys executors & administrators, hauing then sufficient goods of their said testator not administred, & ẏ other moitie shal by like proces bee leuied to the vse of the party ẏ lueth any attaint giuẽ by this act against cuerie of the said petit iury & his executors or administrators, hauing then sufficiẽcy of goods as aforsaid not administred. And the iudgement of restitution to the partie grieued, suing this act and execution of ẏ same to bee had, & like iudgement for the partie defendant or tenants, to be discharged of restitution as afore this present act in case of a graund attaint, hath ben vsed. And if there be diuers plaintifes or demãdants in attaint, ẏ the nonsuit or release of any of thẽ shal not be in any wise hurtfull or preiudiciall to the residue, but that they & cuery of them in such cases may be summoned and severed, like as it is vsed when there be diuers demaundaunts in action real. Be it also ordeyned &c. that in euery writ of attaint hereafter to be takẽ by or vpon this act, the which shalbe such as other writs of attaint be, and after the Teste of the same writ shalbee written these wordes. Per Statut' continuat', vsq; annum vicesimum tercium, domini Henrici octaui dei gratia Angliæ & Francie regis fidei defensoris & domini Hibernĩ. And it is also enacted, that this acte shall take effect for verdicts hereafter to be giuen & to continue to the last day of ẏ next parliamẽt. Prouided alway that this act be not preiudicial to a Statut made in the xi. yere of the late king of famous memorie Henrie the seuenth (3. cap. 21. before 13.) for punishment of periurie in vntrue verdicts geuen in plaints sued in ẏ courts of the citie of London, but that it shalbe at the libertie of al persons, for & vpon anie vntrue verdict geuen in any courts of the same citie, to sue their attaint vppon this statute, or els vpon the said statute made in the said xi. yere at their owne pleasures & wills. 23. H. 8. ca. 3. This act is contynued 28. H. 8. ca. 9. 31. H. 8. ca. 7. 37. H. 8. ca. 23. 7. E. 6. ca. 11. 1. M. 2. Parl. ca. 13. 1. M. 2. Parl. ca. 12. & 1. & 2. P. & M. ca. 16. And after 2. & 3. P. & M. & 4. & 5. P. & M. ca. 9. it is continued to the last day of the next parl. And it is contynued 1. El. ca. 19. vnto thend of the next parl. which began 5. El. & ended 8. El. and this statut then discontinued was reuiued 13. El. ca. 25. & made perpetual.

Periurie

London

Reuiued

Atturney

Moitie

Capias
Fieri facias
Elegit
Action of debt
Forf.
Executors

Proces

Judgement

Restitution
Graund Attaint

Nonsuit
Release

Action real

Writs
Teste

Verdicts

16 ¶ Al and euery maner person & persons being citizens of your said citie (S. of London) and being in value of goods and cattels to the summe of cccc. markes may be empanelled & returned by ẏ sheriues of your said Citie in euery attaint hereafter to be brought by vertue of the said statute (S. of An. 23. H. 8. ca. 3) vpõ verdicts hereafter to be geuen by your said citizens, wt out any challenge for the sufficiencye of freehold of any of them, to be made by any of the said parties in any such attaint, vpon such verdicts hereafter to be geuen. And that the Justices for the time beinge shal sit onely at the guild hall of the same Citie or at some other conuenient place within the same citie, and there to swere the graund iury, & to take the verdictes in such attaints hereafter to bee taken. And that the said citizens hereafter be not cõpelled nor distraigned to appeare in any such attaint, herafter to be taken vpõ any vntrue verdict, geuen or hereafter to bee geuen in London, but onely within the limittes of the sayd citie, of & for the tryal of the same. The said former act, or any thing therein contayned to the contrarye in any wise not withstanding. An. 37. H. 8. ca. 5.

London
400. marks.
Sheriffes

Verdicts
Challenge
Insufficient

Justices
Guild hal

Sweare

London
Triall

¶ Attourney.

EVery freemanne whych dwelleth syxt to the county, tithinge, hundred, and wapen-

Freemẽ
County
Tithing
Hundred

Wapentake

wapentake, or to the Court of his Lord, may freely make hys Attourney to doe those suites for hym, Merton cap. 10. An. 20. H. 3.

2 ¶ Such as haue lande in dyuers shires, where the Justices make their circuit, and that haue land in shires, where ẏ Justicers make not their circuit, ẏ fear to be impleaded, & are ẏpleaded of other lãds in ẏ shire, where they haue no circuite, as before the Justicers at westminster, or in the kings bench, or before Justicers assigned to take assises, or in any Coũty before Shirifs, or in any Court baron, may make a general attourney to sue for them in al plœs in ẏ circuit of ẏ Justicers moued or to bee moued for them or against them, during the circuit, which attourney or attourneis shall haue full power in all plœs moued during the circuit vntill the plœ be determined, or that his master remoue him, yet shall they not bee excused thereby, if they shalbee put in iuries and assises before the same Justicers. W. 2. ca. 10. An. 13. E. 1.

Circuit

Impleaded

Kings bench

Shirifes
Court baron

Iuries
Assises

3 ¶ See Mortmaine 4. that attourneis may be made by writ out of the Chauncerie, and for vvhom & for vvhat things.

Chauncerie

4 ¶ An. 7. R. 2. ca. 14. It was enacted, that they that were gone ouer, might aunswere in Præmunire by their attourneis, and those persons, which from hence forth shall passe by the kings licence, & bee of good fame, that at their request ẏ Chãcelor, by the aduise of the Justices, maye graunt to them to make their general attourneis in the Chauncerie by the kinges patent before their passage, to aunswere aswel in the said writs of Præmunire facias, as in other writtes and plaints, in which case expresse mencion shalbe made at all times of the writts and plaintes of Præmunire facias. And hys patent so made, the said attourneis from henceforth in absence of their master, may aunswere for them & make other attourneis vnder them before any Iudge of the Realme, to do and receiue in the said cause as muche as in any other case or matter, notwithstanding any statute made to the contrarie heretofore. An. 7. R. 2. ca. 14.

Præmunire

Licence
Chauncelor
Iustices

Datum
Præmunire

Absence

5 ¶ For the sundrie mischiefes that haue happened to diuers by ẏ great multitude of ignorant and vnlearned attourneis more then heretofore. Be it &c. that all the attorneis shalbe examined by the Justices, and by their discretions theyr names to be put in the rolle, and they that be good and vertuous, & of good fame, shal be receiued and sworne wel and truely to serue in their offices, and especially ẏ they make no suit in a forein countie. And the other attorneis shalbe put out by the discretion of the said Justices, and that their masters, for whom they were attorneis be warned to take others in their places, so as in the meane time, no damage nor prejudice come to their said masters. And if any of the said attorneis do die or cease, the Justices for the time beinge, by their discretion, shall make one other in hys place, which is a vertuous man & learned and sworne, in the same maner as afore is said. And if any such attorney be hereafter notoriously found in any default of recorde, or other wise he shall forfeare the court, and neuer after be receiued to make any suite in any court of the kinge, & that this ordinance be holden in the Eschequer after the discretion of the Treasorer and of the Barons there. Anno 4. Hen. 4. cap. 18.

Examination Iustices

Good fame Sworne

Forein Countie

Dye

Iustices

Abiure

Eschequer Treasorer

6 ¶ No Stewarde, Bailife, nor Minister of Lordes of franchises, which haue returne of writs, bee attourney in anye plœ within the franchises or baily wicke, whereof he is or shalbee officer or minister in anye time to come. an. 4. Hen. 4. cap. 19.

Steward Bailife

7 ¶ Whereas many of the kynges lyege people bee outlawed, and manye wapned by erronious prœces and bee so impotent in theyr bodies by dyuers maladies and infirmities, that they maye not come in their proper persones before the kinge in hys Benche, there to make their suyte, to reuerse suche erronious processe. It is ordayned and stablyshed, that euerie Justice of the one Benche and of the other, and also the chiefe Baron of the Eschequer, shal haue power to exampne the same persones, hauing such maladies and diseases openlie knowen, and there vppon maye the same Justices and the Baron, and euery of them by their discretion, recorde their atturney in thys case. Prouided alwaies, that in the writte of Capias ad satisfaciendum, the common law shall holde place. An. 7. H. 4. ca. 13.

Outlawed

Impotent

Iust. of both benches

Examine

Capias ad satisfaciendum

8 ¶ An.

Hundzeds Wapentakes Court barons

8 ¶An.5.H.5. It was enacted, that all persons vntill the next Parliament, might make their atturneis in hundzeds, wapentakes, & court barons.

Abbots Religious Lancashire Yozkshire

9 ¶An.3.H.5.ca.2. It was enacted to endure to the next parliament, that all Abbots, and other religious, in Lancashire and Yozkshire, might make atturneis in wapentakes. And after An.9.H.6.ca.10. this acte was continued during the kings pleasure.

10 ¶An.2.H.6.ca.3. It was enacted that the Duke of Bedfozd, (then ouer the sea) might sue & be sued by his atturney.

11 An.15.H.6.ca.7. It was enacted to endure at the kings pleasure, that all Abbots and other religious might make Atturneys in Wapentakes in Yozkeshire.

Yozkshire

Abbot of Fountains

12 ¶An.33.H.6.ca.8. It was enacted, that the Abbot of Fountains & hys succesiozs might wage their law in court barons & wapentakes by atturney, & doe their law by a deputie.

13 ¶Whereas in times past there were but vi. oz viij. common atturneis in the city of Nozwich, & the shires of Nozfolke & Suffolk, & now there be moze thē 80. the greater part of them hauing nothing els to liue on, & being vnskilfull, and yet haunt faires & markets, & sturre men to suite foz trifling causes, triable in court barons, to the great disquiet of the countrey, Be it &c. that there shalbee but vi. common atturneis in the said countie of Nozfolke, and vi. common atturneys in the said countie of Suffolke, and two cōmon atturneis in the said city of Nozwiche, to be atturneis in courts of recozd. And that all ꝑ said xiiii. atturneis be elect and admitted by the said iij. chiefe Justices of our soueraigne lozd the king, foz ꝑ time being, of the most sufficient and best instructed by their discretions. And that the election and admission of all atturneys, which shalbe elect and admitted by ꝑ said Justices foz the time being, aboue the said number in the said counties, shalbe voide and of none auctozitie noz recozde. And if any person oz persōs vsurpe oz presume to be atturney in court of recozde, in the saide counties oz citie, otherwise then bezoze is specified, and that found by inquisition taken bezoze the Justices of peace in the said Citie oz counties, (which shall haue power by vertue of this ozdinance, to enquire thereof in their Sessions) oz in any other maner lawfully prooued: that then he oz they that so presume, if they bee thereof lawfully conuict, shall fozfait twentie poundes, as often as he oz they be so conuict, the one halfe thereof to bee taken to the kings vse, and the other halfe to hys vse which foz the same will sue. And he that thereof will sue, shall haue an action of debt against any such person which so presumeth to bee atturney. And such proces and recouerie in the same as lyeth in an action of debt, at the common lawe vpon an obligation. Prouided alwaies, that the saide ozdinaunce begin and first take effect at the feast of Easter next comming, & not bezoze, if the same ozdinance seeme reasonable to the Justices. An.33.H.6.ca.7.

Vi. Norfolke

vi. Suffolke

ii. Norwich

Thiefe Just.

Election

Words

Fozf.

Moitie

Action of debt

Proces

Common law

¶But it semeth that the Iustices thought it not reasonable, because it hath not ben put in vre.

Warres

14 ¶An.7.H.7.cap.2. It was enacted, that they that should goe with the kynge in hys warres in the voyage that then was towarde, should make general atturneis oz special atturneis.

¶Auditours.

Surueyors

ANno 33. H.8.cap.39. an acte was made, foz the erection of the Court of general Surueiozs of the kings lands, with diuers matters concerning the auditozs of those landes. And see thereof in Courts 2. diuers matters concerning the kinges auditours.

¶Auovvrie.

Lands

WHeresoeuer any maner landes, tenements, and other hereditaments bee holden by any maner person oz persons by rents, customes, oz seruices, that if the Lozde of whom any such manners, landes, tenementes, oz hereditaments bee so holden, distrayne vppon the same manours, landes, oz tenements, foz any such rentes, customes, oz seruices, and replevine thereof bee sued, that the Lozde of whom the same landes, tenementes, oz hereditaments, bee so holden, may auowe oz his Bayliffe oz seruaunt make cognisaunce, oz iustifie foz

Distreins

Repleuin

Auow

foꝛ takinge of the ſaide diſtres, vpon the ſame landes, tenements, oꝛ hereditamentes ſo holden, as in landes, oꝛ tenements within his fée oꝛ ſeignioꝛie, alleaging in the ſaid auowꝛie, cogniſance, and iuſtifkration, the ſame manours, landes, and tenements to be holden of him without naming of any perſon certaine to bée tenaunt of the ſame, and without making any auowꝛie, iuſtification, oꝛ cogniſance vpon any perſon certaine. And likewiſe the Lord, Bailie, oꝛ ſeruant to make auowꝛie, iuſtification, oꝛ cogniſance, in like maner and fourme vpon euerie writ ſued of Seconde deliuerance. And alſo bee it enacted by the ſaide auctheꝛitie, that euerie auowaunt, and euerie other perſone and perſons that make any ſuche auowrie, iuſtification, oꝛ cogniſance, as bailye oꝛ ſeruant to any perſon oꝛ perſons in any Replegiare, oꝛ Second deliuerance, foꝛ rents, cuſtomes, ſeruices, oꝛ foꝛ damage feaſant, oꝛ other rent oꝛ rents, vpon any diſtres taken in any lands oꝛ tenements, if the ſame auowꝛie, cogniſance, oꝛ iuſtification, bee found foꝛ them, oꝛ the plaintifes in the ſame be nonſuit oꝛ otherwiſe barred, that then they ſhall recouer their dammages and coſtes againſt the ſaide plaintifes, as the ſame plaintifes ſhould haue done oꝛ had if they had recouered in the Replegiare, oꝛ Seconde deliuerance found againſt the ſaide defendants. And bée it alſo oꝛdayned, that the ſaide playntifes and defendants in the ſaide writtes of Replegiare, oꝛ writts of Second deliuerance, and in euerie of them ſhall haue like plées and like ayde and prayers in all ſuch auowries, cogniſances, and iuſtification, (plées of diſclaime only except) as they might haue had befoꝛe the makinge of this acte, and as though the ſaide auowꝛie, cogniſance, oꝛ iuſtification had bene made after the due oꝛder of the common lawe. And it is further enacted by the ſaide auctheꝛitie, that al ſuch perſons, as by the oꝛder of the common law may lawfully ioine to the plaintifes oꝛ defendants in the ſaide writts of Replegiare, oꝛ Second deliuerance, as well without proces as by proces, ſhall from henceforth ioine vnto the ſaide plaintifes oꝛ defendants, as well without proces as by proces, and to haue like plées and like auantages in all thinges (diſclaime onely except) as they might haue done by the oꝛder of the common law befoꝛe the making of this act, An. 21. H. 8. ca. 19.

Tenant

Writ

Bailife

Cuſtomers
Seruices
Damage feaſant
Diſtres

Nonſuit

Damages
Coſtes

Writs

Ayde
Plees
Diſclaime

Auantages

¶ Auovvſon.

WHere as foꝛ auowſons of Churches, there bee but three oꝛiginall writs, that is to ſay, one writ of right, and two of poſſeſſions, which be Darrein preſentment, and Quare impedit, and hitherto it hath beene vſed in the Realme, that when any hauing no right to preſent had preſented to any Church whole clerk was admitted, hée that was verie patron could not recouer his auowſon, but onely by a writte of right, which ſhould bée tried by battell, oꝛ by great aſſiſe, whereby heires within age, either by fraude, oꝛ els by negligence of their wardens, and heires both of right and meane eſtate, either by negligence, oꝛ els by fraude of tenants by the curteſie, tenants in dower, oꝛ otherwiſe foꝛ terme of life, oꝛ foꝛ yeres oꝛ in fée taile, were many times diſherited of their auowſons, oꝛ at the leaſt (which was the better foꝛ them) were driuen to their writte of right, in which caſe hitherto they were without remedy: It is prouided, that ſuch preſentmentes ſhall not bee ſo preiudiciall to the ryght heires oꝛ to them, vnto whom ſuch auowſons ought to reuert after the death of other perſones. Foꝛ as often as any hauing no right doth preſent during the time ẏ ſuch heirs are in ward, oꝛ during ẏ eſtates of tenaunts in dower, by the curteſie, oꝛ otherwiſe foꝛ terme of lyfe, oꝛ of yeres, oꝛ in taple at the nert auoydance when the heire is come to full age, oꝛ when after the death of the tenauntes bée foꝛe named the auowſon ſhall reuert vnto the heire beinge of full age, hée ſhall haue ſuch actyon and recouerye by writte of auowſon poſſeſſoꝛye, as hys laſt auncеſtour ſhoulde haue had at the laſt auoydaunce, happeninge in hys tyme beinge of full age befoꝛe his death, oꝛ befoꝛe the demiſe was made foꝛ terme, oꝛ in fée taple, as befoꝛe is ſaid. The ſame ſhalbée obſerued in preſentmentes made vnto Churches, beinge of the inherytaunce of weomen, what tyme they ſhall bée vnder the power of their huſbandes which muſt bée ayded by thys eſtatute by the remedy afoꝛeſayd.

Writs

Darrein preſ.

Quare impedit

Preſent
Clerke
Patron
Writ of right
Battell
Graund aſſiſe

Infants
Couſtodion

Right

Preſentments

Tenants
Lyfe
Yeres
Auoydance
Action

Churches
weomen

Alſo

Religious

Ayde

Vacation

Paint

Iudgement

Errour
Aſſiſe
Quare impedit
Attaint

Darrein preſ.
Plenartie

vi. Monethes

Fine

Rolle

Diſturbe

Concord
Sheriffe

Warning

Alſo religious men, as Biſhops, Archdeacons, parſons of churches, and other ſpiritual men, ſhalbee ayded by this eſtatute, In caſe any hauing no right do preſent vnto churches belõging to prelacies, ſpiritual dignities, perſonages, or to houſes of religion, what time ſuche houſes, prelacies, ſpirituall dignities, or perſonages be vacant. Neither ſhal this act be ſo largely vnderſtanden that ſuch perſons, for whoſe remedy this ſtatut was ordeined, ſhal haue the recouerie aforeſaid, furmiſing the Gardeins of heires, tenaunts by ỹ curteſie, tenants in dower, for term of life, or for yeares, or huſbandes which faintly haue defended pleas moued by thẽ or againſt them, becauſe the iudgements gꝛeuen in the kings courts ſhould not bee annulled by this ſtatute, the iudgement ſhall ſtand in his force, vntil it be reuerſed in the court of the kinge, as erronious, if errour be found, or by aſſiſe of Darraine preſentment, or by enqueſt in Quare impedit, if it paſſed by attaint, or be annulled by certification, which ſhalbe freely grãted. And from henceforth one forme of pleading ſhalbe obſerued amongſt Iuſticers in writs of Darreine preſentment, & Quare impedit, ſo that where the defendant alleaged plenartie in the churche of his owne preſentation, the plea ſhall not fall by reaſon of the plenartie, ſo that the writ bee purchaſed within vi. monethes, though he cannot recouer his preſentation, vñin ỹ vi. monethes. And ſometimes where a fine is leuied betweene manye clayming one aduowſon, and inrolled before the Iuſticers in the rolle or fine, in this forme, that one ſhall preſent the firſt time, and at the next aduoidãce another, and the third time another, and ſo of many, in caſe there be many. And when one hath preſented for his turne, according to the fourme of their agrement, and fine, and at the next auoydaunce he to whom the ſecond preſentation belongeth, is diſturbed by any that was partie to the ſayd fine, or in his ſtede. It is prouided, that from henceforth hee that is ſo diſturbed, ſhall haue no neede to ſue a Quare impedit, but ſhall reſort to the rolle or fine. And if the ſaide concorde or agrement be found in the rolle or fine, then the ſherife ſhalbee commaunded, that he geue knowledge vnto the diſturbour, that hee be readie at ſome ſhort day, containynge the ſpace of xv. dayes, or three weekes (as the place happeneth to be neere or farre) for to ſhew if he can alleadge any thynge wherefore the partie that is diſturbed ought not to preſent. And if he come not or peraduenture doth come, and can nothinge alleage to barre the partie of hys preſentation, by reaſon of any dede made or written ſince the fine was made or inrolled, hee ſhall recouer his preſentation with hys damages. And where it chaunceth, that after the deathe of the anceſtor of him that preſented his clerk vnto a church, the ſame aduowſons is aſſigned in dower to any woman, or to tenant by the curteſy, which do preſent, and after the death of ſuch tenaunts, the verie heire is diſturbed to preſent, when the church is voide. It is prouided that from henceforth it ſhalbe in the election of the partie diſturbed, whether he will ſue a writ of Quare impedit, or of Darrein preſentment. The ſame ſhalbee obſerued in aduowſons dimiſed for terme of lyfe, or yeres or in fee taile. And from henceforth in writs of Quare impedit, and Darreine preſentment, damages ſhalbe awarded, that is to wite, if the time of ſix moneths paſſe, ſo that the biſhop do preſent and the very patrone leſeth his preſentation for ỹ time, damages ſhalbee awarded for two yeres value of the churche. And if the vi. monethes be not paſſed, and the preſentment be derained within the ſayd tyme, thẽ damages ſhalbe awarded to the halfe yeres value of the church. And if the diſtourbour haue not whereof he may recõpence dammages (in caſe where the biſhop preſenteth by laſe of time) he ſhalbe puniſhed by two yeres impriſonment. And if the aduowſon be deraigned within the halfe yere, yet the diſtourbour ſhal be puniſhed by the impriſonment of halfe a yere. And from henceforth writtes ſhal be graunted for chapels prebendes, vicarages, hoſpitals, abbaies, priories, and other houſes, which bee of the aduowſons of other men, that haue not ben vſed to be graunted before. And when the perſonne of any churche is diſtourbed to demaunde tithes in the next parithe by a writ of Indicauit, the patrone of the perſon ſo diſtourbed, ſhall haue a writte to demaunde the aduowſon of Tithes beinge in demaund,

xv. Dayes

Deede

Recouer Damages

Dower Woman

Heire Voyd

Damages

vi. monethes
Biſhop
Patron
Damages
ii. yeres

Halfe a yers value

Laps
Impriſ.

Writtes

Tithes
Indicauit

Spirituall court

mũnd ⁊ when it is deraigned thẽ ſhall ẏ plea paſſe in ẏ court chriſtien, as far forth as it is deraigned in the kings court, whẽ an aduowſon diſcendeth vnto parceners, though one preſent twice, ⁊ vſurpeth vpõ his coheire, yet he ẏ was negligent, ſhall not be clearely barred, but an other tyme ſhall haue his tourne to preſent when it falleth. W.2.ca.5. An.13.E.1.

Parceners

Turne

Vacant king

2 ¶Of churches being vacant the aduowſons wherof belõg to ẏ king, ⁊ other preſent to the ſame, whereuppon debate ariſeth betwene the king, and other, if the king by award of the court do recouer his preſentatiõ, though it be after the laps of ſixe monethes from the time of the auoidance, no time ſhal preiudice him, ſo ẏ he preſent within ẏ ſpace of ſixe monethes. Prerog.reg.ca.8. an.17.E.2.

Award Laps

vi. Mſonethis Prerogatiue

3 ¶An.14.E.3.pro cler' cap.2. It was enacted ẏ the king ſhould not preſent in anothers right, but within iii. yeres after the auoidance. But that act was after repealed by 25.E.3.pro cler'.cap.2.

King preſent

Repealed

4 ¶An.14.E.3.pro clero ca.2.& An. 25.E.3.pro cler' cap.1. It was enacted that the kinge nor hys heires ſhould not preſẽt by a title in anothers right in none of his progenitors time, ſauing to ẏ kĩg ⁊ his heires preſentments in other rights in time comming.

King preſent

5 ¶Whereas before this time our ſouereigne lorde the king hath taken tytle to preſent, at ẏ ſuggeſtion of many clerks where the title hath ben true, and by ſuch preſentments and iudgements thereupon geuen, the clerkes haue bene receiued by the ordynaries of the places, agaynſt God and good fayth, and in deprelſion of them which had thereof a good and true title to the ſaide beneſices, the kinge will and graunteth, that at what time he ſhal make collation or preſentmẽt, frõ henceforth to any beneſice in an others ryght, that the title, whereuppon he groundeth him ſelfe ſhalbe wel examined that it bee true. And at what time before iudgemẽt the title bee founde by good information vntrue or vniuſt, the collation or preſentment thereof made ſhalbe repealed. And the patron or the poſſeſſour, which ſhall ſhewe and prowe the falſe title, ſhall haue therupon writs out of ẏ Chaũcerye as many as to him ſhall be needeful. An. 25.E.3.cap.3. ſtat'.3.

Collation

Title Examine

Iudgement Vniuſt

Repealed

Writtes Chauncery

6 ¶When Archbiſhoppes, biſhops, or other ordinaries haue geuen a beneſice, of right deuolute to him by laps of time, ⁊ after the kynge preſenteth and taketh the ſuit agaynſt the patron, which percaſe will ſuffer that the kynge ſhall recouer without action tried, in decepte of the ordynary or the poſſeſſour of the ſaide beneſices, that in ſuch caſe, and al other caſes lyke, where the kynges ryght is not tried, the Archbiſhop or biſhop, ordinary or poſſeſſour, ſhalbee receiued to counterplede the title taken for the king, and to haue his aunſwere and to ſhewe and defend his right vpon the matter, although that hee clayme nought in the patronage in the caſe aforeſaide. An.25.E.3.cap.7. pro cler' ſtat'.3.

Laps

Collusion

Title

¶Bankes.

NO towne nor free man ſhalbee diſtrained to make bridges nor bankes, but ſuch as of olde time and of right haue bene accuſtomed to make them in ẏ time of king Henry our graundfather. Magna Car.ca.15. An.9.H.3.ca. 44.

Towne Freeman Duties

2 ¶No bankes ſhalbee defended from henceforth, but ſuch as were in defence in ẏ time of king Henry our graundfather, by ẏ ſame places ⁊ ẏ ſãe boundes, as they were wont to be in his time. Mag.char. ca.16. An.9.H.3.

¶Bankerupts.

WHere diuers and ſundrie perſons craftelye obteyning into their handes great ſubſtance of other mens goods, do ſodaynely flee to parties vnknowen, or keepe their houſes, not minding to pay or reſtore to any their creditours, their debt and duties, but at their owne willes and pleaſure, conſume the ſubſtaunce obtayned by credite of other men, for their owne pleaſures, and delycate lyuing, agaynſt al reaſon, equitie and good conſcyence. Bee it therefore enacted by auctoritie of this preſent parliament, that the Lorde Chauncelour of England, or Keeper of the great ſeale, The Lorde Treaſorer, the Lorde Preſident, Lorde Priuie ſeale, and other of the kynges moſte honorable priuie counſaile, and the chiefe Juſtice of eyther benche for the tyme being,

Chancelor L. Keeper L. Treaſorer L. Preſident L. Priuy ſeale Chiefe Juſt. of both. B.

being, or three of them at the least, whereof the Lord Chaunceler, or keper of the great seale, Lorde treasorer, Lorde Presydent, or the Lorde Priuye seale to bee one, vpon euery complaint made to them in writynge by any parties greeued concerning the premisses, shall haue power and authoritie by vertue of this acte, to take by their wisedome and discretions such orders and directions, as well with the bodies of suche offenders aforesayde, whersoeuer they may be had, as well in their houses as els where, by imprisonment of their bodies, or otherwise, as also with their lands, tenementes, fees, annuities, & offices, which they haue in fee simple, fee taile, terme of life, terme of yeres, or in the right of their wiues, as much as the interest, right, and title of the same offendors shall extende or bee, and may then lawfully be departed with, by ỹ sayd offendour, and also with their money, goods, cattels, wares, marchandises, and debts wheresoeuer they may bee found or knowen. And to cause their saide landes, tenemẽts, fees, annuities, offices, goods, cattels, wares, marchandises and debts, to be searched, viewed, rẽted, and appraised, and to make sale of the saide landes, tenementes, fees, annuities, and offices, as much as the same offender may then lawfully geeue, graunt or depart with, or otherwise to order the same for true satisfaction and payment of the sayde creditours, that is to say, to euery of the sayde creditours a porcion, rate and rate lyke, according to the quantitie of their debts. And that euery direction, order, bargain, sale, and other thinges done by the sayde lordes authorised as is aforesayd, in writting signed with their hands, by authoritie of this acte, shalbee good and effectuall in the lawe to all entents, constructions and purposes, against the saide offenders, their heires and executors for euer, as though the same order, direction, bargaine, and sale, had bene made by the said offender or offẽders at his or their owne free will and libertie by writtinge indented, inrolled in any the kinges courtes of record. And be it &c. that if after any such acte or offence committed and complaint thereof made to the sayde lordes as is aforesaide, any partie greeued concerning the premisses, knowinge, suppesinge or suspectinge, any of the goodes, cattelles, wares, marchandises, or debtes of such offendour or offendours to be in custodie, vse, occupying, keping or possession of any person or persons, or ane person or persones to bee indebted to any such offendour or offendours, do make relation thereof to the saide lordes to whom authoritie is geeuen by this present acte as is aforesaide, that then the sayde lordes shall by vertue hereof, haue full power and authoritie to sende for, and comment afore them by suche proces, wayes or meanes, as they shall thinke conuenyent by their discretyons, all and euerye suche person and personnes so knowen, suppesed or suspected, to haue anye such goodes, cattelles, wares, marchaundyses, or debts, in his or their custodye, vse, occupatyon, keepynge or possession or suppesed or suspected, to bee indebted to such offender or offenders, and vpon their apparaunce to examine them and euery of them as well by their othes as otherwise, by suche wayes and meanes as the said lords by their discretyons shal thinke meete and conuenient, for and vppon the specialtie, certayntie, true declaratyon and knowledge of all and singuler suche goodes, cattelles, wares, marchaundyses and debtes of anye suche offendours as bee suppesed or suspected to bee in hys or their custodie, vse, occupation or possession, and of all such debtes as by them or anye of them shalbee suppesed or suspected to bee owing to anye suche offendour. And if anye suche person or personnes vpon suche examination doe not disclose, plainelye declare, and shewe the whole trueth of suche things as bee or they shall bee examined of, concerning the premysses, then euery suche person or persons so examined, and not declaring ỹ plaine and whole trueth, concerninge the premisses vppon due proofe thereof to bee made, before the saide lordes therefore authorised as is aforesaid, by witnesse, examinatyon, or otherwise, as to the same lords shal seeme sufficient in that behalfe, shall lose and forfayt double the value of all suche goodes, cattels, wares, marchandises, and debts, by them or any of them so concealed & not wholly & plainly declared & shewed, which forfaiture shalbe leuyed & recouered by ỹ said lords hauing authoritie

as is

Complaint
Power
Orders
Impris.
Landes Annuities Offices
Money Goods Debts
Sale
Payment
Rate like
Order
Effectual
Complaint
keeping
Relation
Power
Proces
Examine
Othes
Specialtie
Proofe
Forf.

as is afozesaid, by suche waies & meanes as to them shall seeme requisite and conuenient. And ẏ same forfeiture to be dystributed and imployed to and for the satisfactiõ & payment of ẏ debts of the sayd creditour or creditors in such lyke maner, rate, & fourme as is afore declared, cõcerning ẏ ordering of ẏ goods & cattels of the saide offendours, keeping their houses, or fleing to places vnknowẽ as is afozesaid. And be it &c. ẏ if after anye such person or persones shall keepe his or their houses or flee to parties vnknowen as is afozesaid, any person or persons do fraudulently by couin or collusion, claime or demaunde any debt, dutie or other thing by writinge or otherwise, of any suche offender or offenders, other then such as he or they can & do prone to be due by right & conscience, in fozme afozesaid, before the saide lozdes hauing authozitie by this present acte as as is afozesaid, & the same to proceede bona fide, without fraude or couin: that then euery such person & persons, so craftelye demaunding or claymyng any suche debt, dutie or other thing, as is afozesaide, shall forfait & lose double as much as he or they shal so claime or demaund. And the same forfeiture to bee leuyed, recouered & employed in maner & fourme as is afozesaid. And be it &c. ẏ if any such person or persons, which shal kepe his or their houses, or flee to parties vnknowen, as is afozesaid, of entent to delay or defraude their creditours deceiptfully by couin or collusion, suffer or cause any other person or persons to recouer against him or them ante debts, goods, cattels, wares or marchandises, wõut iust cause & title so to do, proceedinge bona fide, without fraude or couin, that then vpon complaynt thereof made to the said lozdes hauing authozytie by this present act, as is afozesaid, the same lozds shall haue power and authoritie by vertue hereof to conuent and call before them the said recouerer, or recouerers, and after such fraude, disceipt, couine or collusion shall plainely appeare, or bee duly proued, before the said lozdes authorised as is afozesaid, al ẏ said goods & cattels of the said offẽder so recouered, shalbe chargeable employed, ordered & deliuered toward the payment of true and due debts of the said creditor, after the maner, fozme & rate as is afore specified, by the discretiõ of the said lozds hauing authoby this present act, the afozesaid false and fained recouerie notwithstanding, so that alwaies such false and fayned recoueries shall not be in force or any executiõ therby had, of or vpon any goods, cattels, lãds, or tenements or any such offender or offenders, vntill such time as al his or their true and due debts and duties, shalbe fully satisfied, cõtented & paid to hys or their creditours. And neuertheless after ẏ the said true debts & duties shalbe fully satisfied & paied, as is afozesaid, as wel ẏ body of the saide offender, as his landes, tenements, goods & cattalles shalbe charged & liable to the execution of the said recouery according to the tenor, force and effect, of the same. And be it &c. that if anye person or persons wich shalbe endebted, do withdrawe himselfe out of thys realme, and other the kings dominions, into any forreine realme or coũtrey, to thintent there to abide & remaine, in defraude of his creditours: that then vpõ complaint in writing concernynge the premisses thereof made to ẏ said lozds, hauing authoritie, as is afozesaid, ẏ sãe lozds shall by vertue & authority of this present act, haue power and authoritie to awarde proclamations to be made in such places as to them shalbe thought méete and conuenient, cõmaunding by the same such offendour in the king our soueraigne lozdes name, to retourne with all conuenient speede into this realme, & to yelde his body before the said lozds hauing authoritie as is afozesaid or one of them. And if the said person within three moneths next after hee shall haue knowledge of such proclamation or as sone after as he conueniently may, do not repaire and yeld his body as is afozesaid, that then the body of all & euery such offendour and offẽdours shalbe adiudged taken and deemed to all intents and purposes out of the kinges protection, & that also all goods, cattels, lands, tenementes and debtes of euerie such offendour shall be by the ozder and discretion of the sayde lozds, imployed and distributed, amongst his creditours equally and indifferently, rate for rate, in like maner and fozme as is afoze declared. And that also euery person and persons that shal willingly helpe to ayde, imbesil, or conuey any suche person or persõs, their goods, cattels, wares, or marchandises out of this realme, and

other the kinges dominions, into any forreine realme or place knowing the sayde person or persons to depart or withdraw themselues or conuey their saide goodes, cattels, wares, and marchaundyses for the cause and intent aforesaide, shall suffer such paines by imprisonment of their bodyes or pay such fine to our Soueraigne lorde the kynge his heires or successours as to the saide lordes hauing authoritye by vertue of this present acte shall seeme meete & conuenient for their said offence or offences. Prouyded alwayes and be it &c. that if ỹ creditors of any such offendor or offendours, which shall kepe hys or their house or houses, or which shall absent or withdrawe themselues into places vnknowen for the causes aforesayde, bee not fully satisfyed and payd or otherwise contented for their debtes & duties, by the wayes and meanes afore specified & declared, that then the sayde creditour & creditours, and euerie of them shall and may haue their remedy for the recouerie & leuying of ỹ residue of their said debtes or duties whereof they shall not be fully satisfyed & paied, or otherwyse contented in forme aforesaid, against the said offendour or offendors, in lyke maner & forme as they should or might haue had before the making of this act. And that the sayd creditour and creditours, & euery of them shalbe onely barred and excluded by vertue of this act, of and for al and euery such part & portions of the saide debts & duties as shalbee payde, satisfied, distributed or deliuered vnto him or them by the sayde lordes hauing authoritie as aforesaide, & of no more portion or parcel there, anye thing herein specifyed, that may be taken or construed to the contrarie notwithstãding. An. 34. H. 8. ca. 4.

Imprisonment

Creditors

Excluded

2 ¶ Be it enacted that if any merchãt or other persõ vsing or exercising ỹ trade of merchaundise by way of bargayninge, exchange, rechange, bartry, cheuisance or otherwise, in grosse or by retaile, or seeking his or their trade of liuing by buying and selling, and being subiect borne of this realme, or of any of the Quenes dominions or denizen, sithen the first day of this parliament hath or at any time hereafter shal depart the realme or begin to kepe his or her house or houses, or otherwyse to absent him or her selfe, or take sanctuary or suffer him or her selfe willingly to be arrested, for any debt or other thing not growen or due for money deliuered, wares sold, or any other iust or lawful cause or good consideration or purposes, hath or will suffer him or her selfe to be outlawed, or yelde him or her selfe to prison, or depart from his or her dwelling house or houses, to ỹ intent or purpose to defraude or hinder any of his or her creditours, beinge also a subiect borne, as is aforesaid, of the iust debt or duties of hir the creditour or creditours, shal be reputed, deemed, & taken for a bankrupt.

Merchant

Denizen

Sanctuary

Arrest

Outlawed

Defraude

And be it enacted by the authoritie aforesaid, that the Lorde Chauncellour of England, or lorde Keeper of ỹ great seale of England for the time being, vpon euerie complaint made to him in writing against any such person or persons beinge bankrupt, as is before defined, shall haue full power and authoritie by commissiõ vnder ỹ great seale of Englãd, to name, assigne, & appoint such wise & honest discrete persons, as to him shall seeme good, who or the most part of them, by vertue of this act and of suche commission, shall haue full power & authoritie, to take by their discretions, such order & directiõ vnto the body & bodies of such person, where soeuer he or she may be had, either in his or her house or houses, sãctuary or els where aswel by imprisonment of hys or her bodye or bodies, as also with all his or her lands, tenementes, hereditamentes, aswel copy of customarie hold, as free hold, which hee or shee shall haue in his or her owne right, before he or she became bãkrupt, and also with all such landes, tenementes, and hereditaments, as such person shall haue purchased, or obteyned for money, or other recompẽce iointly with his wife, children, or childe, to the onely vse of such offendour or offendours, or of or for such vse, interest, right, or title, as such offendour or offendors thẽ shall haue in the same, which he or she may lawfully depart vnto, or with any person or persons of trust to any secrete vse of such offendour or offendours, and also with hys or their money, goods, cattelles, wares, merchandises, & debts, wheresoeuer they may be founde, or known, and cause the said landes, tenements, fees, annuities, offices, goodes, cattels, wares, merchandizes,

Power

Chauncelor L. Keeper

Complaint

Power Commission

Power

Sanctuary Imprison

Lands

Ioint

Vse

Money Goods Marchandyes Fees Annuities Offices

dizes and debts, to bée ſearched, viewed, rétted & prailed to ỹ beſt value they may, and by dœde indented, inrolled in one of the Quéenes Maieſties courts of record, to make ſale of the ſaid lands, tenemẽts, and hereditamentes, and of all dœdes, writinges, and euidences, touching only the ſame, belonging to ſuch offendour or offendours, debtour or debtours, and alſo of all fées, annuities, offices, goods, and cattels, or otherwiſe to order ỹ ſame for true ſatisfaction and payment of the ſayd creditours: that is to ſay, To euerie of ỹ ſayde creditours a portion, rate and rate like, accordinge to the quantitie of his or their debts: and that euery directiõ, order bargaine, ſale and other thynges done by the ſayde perſons ſo auctorized as is aforeſaid, in forme aforeſaide, ſhalbée good and effectuall in the lawe, to all intentes, conſtructions, and purpoſes, agaynſt the ſaid offendour or offendours, debtour or debtors, his or their wife or wiues, heire and heires, childe and children, and ſuche perſon and perſons, as by ſuch ioynt purchaſe with the ſaid offendour or offẽdors as is aforeſaid, haue and ſhall haue anye eſtate or intereſt in the premiſſes, and againſt all other perſon and perſons, clayming by, from, or vnder ſuche offendour or offendours, debtor or debtors by anye act or acts, had, made, or done, after anie ſuch perſon ſhall become bankrupt as is aforeſaid, and alſo againſt the lordes of ỹ manours whereof the ſaide coppholde or cuſtomary lands bene holdẽ, their heires, ſucceſſors, & aſſignes, & euery of thẽ.

Prailed Deede indented

Sale

Rate like

Heires

Lordes of manours

Prouided alwaies and be it enacted by the auctoritie aforeſaid, that all and euery perſon or perſons to whom any ſuche ſale of coppholde, or cuſtomary landes, or tenementes, ſhalbe made, ſhall before ſuch time as they or any of them ſhal enter or take any profit of the ſame landes, or tenements, agrée & cõpoũd wt ỹ lordes of ỹ manors of whõ ỹ ſame ſhalbe holdẽ, for ſuche fines or incomes, as heretofore hath bene moſt vſual & accuſtomed to bée yelded or payed therefore: and that vpon euery ſuch agreement or compoſition, the ſaid lordes for the time being, at the next court to bée holden at or for the ſaide manors, ſhal not onely graunt vnto the ſaid vendee or vendees vpon requeſt, ỹ ſame copy or cuſtomary lands, or tenementes by copy of Court rolle of the ſame manours, for ſuch eſtate or intereſt as to thẽ ſhalbe ſo ſolde, and reſeruing the auncient rẽts, cuſtomes, & ſeruices: but alſo in the ſame court admit them tenauntes of the ſame copy or cuſtomary lands, as other copyholders of the ſame manours haue bene wont to be admitted, and to receiue their fealtie accordingly. Prouided alwaies, & be it enacted by thauctoritie aforeſaid ỹ ſuch of the ſaide Cõmiſſioners as ſhal put the ſaide Commiſſion in execution, ſhall vpon lawful requeſt to them made by ỹ ſayd bankrupt, not only make a true declaration to the ſame bankrupts of the imploying and beſtowing of their ſaid lands, tenements, offices, fées, goods, cattels, and debts ſo payd and ſatiſfyed, to their ſaid creditours, but alſo make payment of the ouerplus of the ſame (if anie ſuch ſhalbe) to the ſaide bankruptes, their executours, adminiſtrers, or aſſignes.

Sale

Compounde

Fines

Vendee

Rents

Fealty

Cõmiſſion

Declaration

Ouerplus

And be it further enacted by auctoritie aforeſaid, that if after any ſuch acte or offence committed, and complaint thereof made to the ſaid cõmiſſioners ſo to bée appointed, as is aforeſaid, or ỹ more part of thẽ, by any partie gréeued, as is aforeſaid, concerning the premiſſes, knowing, ſuppoſing, or ſuſpecting any of the goods, cattels, wares, marchandizes, or debts of ſuch offendour or offendours, debtour or debtours, to be in cuſtody, vſe, occupying, kéeping or poſſeſſiõ of any perſon or perſons, or any perſon or perſones indebted to any ſuch offendour or offendours, do make relation thereof to the ſaid Cõmiſſioners ſo to bée appoynted, or the more part of them: that then the ſaid Cõmyſſioners, or the moſt part of them, ſhal by vertue hereof and of the ſaid commiſſion, haue full power & auctoritie to ſende for, & cal before them, by ſuch proceſſe, waies or meanes, as they ſhal thinke conuenyent by their diſcretions, al and euery ſuch perſon and perſons ſo known, ſuſpected or ſuppoſed to haue any ſuche goodes, cattels, wares, marchandiſes, or debtes, in his or their cuſtody, vſe, occupation, kéeping or poſſeſſiõ, or ſuppoſed, or ſuſpected to bée indebted to ſuch offendour or offendours, and vpon their appearance to examine them and euery of them, aſwell by their othes, as otherwiſe, by ſuch waies and meanes as the ſaide commiſſioners,

Power

Waies

Examine

Othes

or the more part of them, by their discretion shall thynke mete and conuenient, for and vpon the specialtie, certeintie true declaration and knowledge of al and singuler such goods, cattels, wares, marchãdizes, and debts of any such offendour or offendours, as be supposed or suspected to be in his or their custody, vse, occupation or possession, and all suche debtes as by them or any of them, shalbe supposed, or suspected to be owing to any such offẽdor or offẽdors. And if any such persõ or persons vpon such examination, do not dysclose and plainely declare, and shewe the whole trueth of such things as he or they shal be examined of, concerning ỳ premisses, to his knowledge, or deny to sweare: thẽ euery such person or persons so denying to sweare, or being examined do not declare ỳ plain & whole trueth cõcerning ỳ premisses, vpõ due proofe thereof to bee made before the said Cõmissioners or the more part of them so to be appointed, as is aforesaid by witnesse, examination or other wise, as to ỳ same Cõmissioners or the more part of thẽ shal seeme sufficient in ỳ behalfe, shal lose & forfait double the value of all such goodes, cattelles, wares, marchandises & debts, by them or any of them so concealed, & not wholly & plainly declared & shewed: which forfeiture shalbe leuyed by the saide Commissioners or the more part of them, of the lands, tenements, hereditamẽts, goods and cattels, of suche person so denyinge to sweare, or not disclosing ỳ whole trueth as is aforesaide, by suche waies and meanes and in such maner and forme, as is before limitted and appointed, for the principal offẽdour or offendours, debtor or debtors, & ỳ same forfaiture or forfaitures to be distributed or imployed to & for the satisfaction & payment of the debts of the sayde creditor or creditors, in such like maner, rate, & forme, as is aboue declared concerning ỳ ordering of ỳ lands, & tenements, offices, fees, goods & cattels of such offendor or offendors, debtor or debtors, as is aforesaid.

Vse

Denie

Forf.

Offices
Fees
Goods

And be it further enacted, ỳ if at anye time before or after ỳ any such person or persõs departeth the realme, or shal kepe his or their house or houses, or otherwise absent him or thẽselues, to take sanctuarie, or suffer him or themselues to bee arrested, outlawed, or yelde his or their bodies to prison, as is aforesaid: any person or persons do fraudulẽtly by coun or collusion, claime, demaund, recouer, possesse, or deteine any debtes, duties, goods, cattels, landes or tenementes, by writyng, trust, or otherwise, which were or shalbe due, belõging or appertaining to any such offẽder or offẽders other then such as hee or they can & do proue to be due by right & conscience in forme aforesaid, for money paied, wares deliuered, or other iust cõsideration or cause reasonable, to the iust value thereof, before ỳ said cõmissioners so to be appointed, or ỳ more part of thẽ, as is aforesaid, & ỳ same to proceede (bona fide) wout fraude or coun: ỳ then euerie such person or persons, so craftely demaũding, claiming, hauing, possessing, or detaining any suche debte, dutie, or other thing as is aforesaid, shal forfait and lose double asmuch as he or they shal so claim, demaũd, detain, or possesse which said forfaiture shalbe leuied, recouered, & imploied in maner & forme as is afore rehersed.

Sanctuary
Arrested

Outlawed
Imprison

Collusion

Commissioners

Forf.
double value

Prouided also & be it enacted by auctoritie aforesaid, ỳ if it shal fortune ỳ creditors of any such bãkrupt, as is aforesaid, to be satisfied & payed of their debts & duties, of or wth the proper lãds, tenements, goods, cattels, & debts of ỳ said bankrupts, or of or wth ỳ same & some part of ỳ forfaitures of the said double values to bee forfaited as is aforesaid, and ỳ there shal remaine an ouerplus of ỳ said forfaiture of the said double values: that then the one moitie of the said ouerplus of the said forfaitures of ỳ double value so remayninge, shalbe by the saide cõmissioners so executing the said commission, wtn conuenient time after the leuying thereof, payd vnto ỳ Quenes Maiestie, hir heires & successours, & thother moitie thereof shalbee by the said Commissioners imployed & dystributed to and amongst the poore within the hospitals in euery citie, towne, or coũtie where any such bankrupt shal happen to be, any thing in this act to the contrary thereof not wtstanding. And bee it further enacted by auctoritie aforesaid, ỳ if any such person or psons which is or shal be indebted, do of purpose wdraw him or thẽselues out or from his or their vsuall mansiõ house or houses: that then vpõ cõplaint therof made to ỳ sayd cõmissioners hauing

Ouerplus

Moitie

Hospitals

hauinge auctho*r*itie as is afo*r*esaide, the
Commissio-ners
saime Commissioners o*r* the mo*r*e parte
o*r* them, shall by vertue and auctho*r*itie
of this p*r*esent act, haue full power & auc-
tho*r*itie to awarde fiue p*r*oclamations to
Proclamati-ons
be made in the Quenes name, vpō fiue
sundry market dates in such places neare
the place where such bankrupt hath most
commonly dwelled o*r* made his abode,
commaunding him o*r* them by the same
p*r*oclamations in the Quenes name, to
Retorne
retorne wᵗ al conuenient spēde, & to yelde
his o*r* their body before the said cōmissy-
oners, hauing auctho*r*itie as is afo*r*esaid,
o*r* one of them, at such time & place as by
the said p*r*oclamation shalbe appointed: &
if the said person do not accordīg to such
p*r*oclamation, repaire & yelde his o*r* their
booy, as is afo*r*esaid, ẏ then the body of al
& euery such offendour o*r* offendo*r*s shal-
be adiudged, taken & deemed to all intents
Out of pro-tection
& purpoles, out of the Quenes p*r*otecti-
on: and that also euerye person & persons
ẏ shal willingly & wittingly helpe to hide
o*r* conuey, o*r* shal willingly and witting-
Detetne
ly rece ue, detaine, o*r* kēepe secretlye anie
person o*r* persons so demaunded by p*r*o-
clamation, as is afo*r*esaid, shal suffer such
Imprison-ment
Fine
paynes by imp*r*isonment of hys o*r* their
bodies, o*r* pay such fine to our soueraigne
Lady the Quenes Maiestie, her heires
Chauncellor
& succesſo*r*s, as to the said lo*r*d Chauncel-
lour o*r* lo*r*de Kēeper of the great seale (be-
ing info*r*med therof) by the Commissio-
ners so to be appointed as is afo*r*esaid, o*r*
ẏ mo*r*e part of thē, shal sēme meete & cō-
uenīēt fo*r* their said offence o*r* offences.

Creditors
Prouided alwaies, and be it further e-
nacted, ẏ if the creditors of any suche of-
fender o*r* offenders, debto*r* o*r* debtours,
which so do depart the realme, kēepe hys
o*r* their house o*r* houses o*r* other wise ab-
sent o*r* withdraw him o*r* themselues into
Sanctuary
Outlawed
places vnknowen, o*r* take sanctuarye, o*r*
will suffer him o*r* them selues to bē ar-
rested o*r* outlawed, o*r* yeld his o*r* their bo-
dies into prisō purposely, & fo*r* the causes
afo*r*esaid, bē not fully satisfyed, o*r* other-
wise contented fo*r* their debts & duties by
the waies and meanes before specifyed
& declared: that then the sayd credito*r* o*r*
creditors, & euery of thē, shal & may haue
their remedy fo*r* the recouerie & leuyinge
of ẏ residue of their saide debtes o*r* duties
wherein they shall not bē fully satisfied,
paied o*r* otherwise contented in fo*r*me a-
fo*r*esaid, against ẏ said offendour o*r* offē-
dours in like maner and fo*r*me as they
should & myght haue had before the ma-
king of this act. And that the said credy-
to*r* o*r* creditors, & euerye of them, shalbē
Barred
onely barred & excluded by vertue of this
act, of & fo*r* euery such part & po*r*cion of ẏ
said debts & duties as shalbe paied, satisfi-
ed, distributed o*r* delyuered vnto hym o*r*
thē by o*r*der of ẏ said persons as is afo*r*e-
said, & of no mo*r*e po*r*cion o*r* parcel there-
of: any thinge herein specified that may
be taken o*r* construed to the cōtrary not-
withstanding. Prouided alwaies & bē it
also enacted by auctho*r*itie afo*r*esaid, ẏ if
any person o*r* persons, which is o*r* shalbe
published & declared to bē a bankrupt, by
vertue of this act, shall at any time after,
Purchase
purchase any lands, tenements, hereditā-
ments, frē o*r* copy, o*r* offices, fēes, gwds,
o*r* cattels: o*r* that any lands, tenements,
hereditamēts, frē o*r* coppe, offices, fēes,
Descend
gwds o*r* cattels, shal discēd, reuert, o*r* by
any meanes come to any such person o*r*
persons being bankrupts, as is afo*r*esaid,
before suche tyme as their debtes due to
their creditors shalbe fully satisfied & paid
o*r* otherwise agreed fo*r*: that then the said
lands, tenements, hereditamēts, as well
frē as copie, offices, fēes, gwds & cattels,
shal by vertue of this act, be by the sayde
Commissioners to be appointed as is a-
fo*r*esaide, o*r* the mo*r*e part of them, bar-
gained, solde, extēded, delinered, & vsed fo*r*
& towards ẏ payment of ẏ said creditors
in such like maner and fo*r*me as other the
lands, tenements, hereditaments, frē o*r*
copy, offices, fēes, gwds & cattels of ẏ said
bankruptes, which they had when they
were declared first to be bānkrupts should
o*r* might haue bene bargained, solde, dys-
posed o*r* vsed by vertue of this act.

Lands assu-red before
Prouided alwaies that thys acte shall
not extende to any landes, tenements o*r*
hereditaments, frē o*r* copy holde, which
heretofo*r*e hath bene assured by any suche
bankrupt, o*r* hereafter shalbē assured by
any bankrupt before he become bānkrupt,
Bona fide
so alwaies ẏ such assurāce be made bona
fide, & not to ẏ vse of ẏ bankrupt himselfe
onely o*r* of his heires, & ẏ the parties to
whose vse such assurance hath o*r* shall bē
made, be not at o*r* before ẏ makīg of such
assurance, priuy o*r* consenting to ẏ frau-

dulent purpose of any such bãkrupt to deceme his creditors. An. 13. El. ca. 7.

¶ Bastardie.

Inherite

TO the kings writ of Bastardy, whether one being borne afore matrimony may inherite in like maner as he ẏ is borne after matrimony, al the bishoppes aunswered, ẏ they would not, nor coulde not aunswere to it, because it was directly against the common order of ẏ church. And al the byshops instaunted the lords, ẏ they would consent, ẏ all such as were borne afore matrimony, should be legitimate as well as they ẏ bee borne within matrimony, as to the succession of inheritãce for so much as the church accepteth suche as be legittimate. And all the Earles and Barõs with one voice aunswered ẏ they would not chãge ẏ lawes of ẏ realme, which hitherto haue bẽ vsed & approued Merton ca. 9. An. 20. H. 3.

Mulier Certificat

2 ¶ If the sayde Alianour the wife of James be certifyed mulier in any court before this time, that no manner certyficat heretofore made for the saide Alyanor wife of James, shall in any wise bee put to prẽiudice in dãmage nor conclude any person or persõs but him or his heirs that was partye to the plee. And ẏ from henceforth all Judges of or in the courts,

Judges

where any plee is or shalbe depending, taken or moued in which plees so depending, taken or moued, bastardie is or shal be alleaged against any person partye to

Jllue

ẏ saie plee, & therupõ an issue ioined, which by ẏ law ought to be certified by ẏ ordynary, ẏ ẏ Judges or one Judge of or in ẏ courtes, where ẏ said plee is or shalbe depẽding, takẽ or moued, before the time ẏ

Writ

any writ of certificat passe out of ẏ same court to ẏ ordinary, to certifie vpõ ẏ issue so ioined or to bee ioined, shall make a remẽbrãce vnder ẏ seales or hys seale, at ẏ

Seale

suit of ẏ demaũdant or tenant playntife, or defendant in the plee, in which ẏ bastardy is or shalbe alleaged, reciting ẏ issue that is ioyned in ẏ saie plee of bastardye, &

Chauncelor

certifying to the Chauncelor of ẏ king of England for ẏ time beyng, to ẏ intent ẏ

Proclamatiõ

thereupon proclamation bee made in the said Chãcery by iij. monethes once, in euery moneth, ẏ al persons pretẽding anie interest to object against the party, which pretendeth him selfe to bee mulier, ẏ they sue to ẏ ordinary to whõ the writ of Certificat is or shalbe directed, to make their allegations & obiections against ẏ party, which pretendeth him to be mulier, as ẏ law of holy church requireth. And ẏ sayd Chaũceler hauing notice of ẏ said remẽbrance & issue ioined, & required by ẏ sayd

Mulier Certificat

Demaũdant

demaũdant or tenant plaintife or defendant hauing ẏ said remẽbrance, to make ẏ said proclamation as afore is said, ẏ sãe Chaũceler for ẏ time being shal do make proclamation in ẏ forme aforesaid. And the proclamation so made, shal certifie in ẏ court, where the said plee, in which the bastardy is alleaged an other time shalbe depending. And ẏ the Judges of or in the court, where ẏ sãe plee is or shalbe depending, taken or moued, before any proclamatiõ so to be made in ẏ Chãcery, make one time such proclamatiõ opẽly in ẏ sãe court. And also an other time whẽ ẏ proclamatiõ shalbe certified by ẏ Chaũceler of Englãd, & made in ẏ forme above rehearsed. And thẽ ẏ said Judge shal award

Ordinaris

ẏ said writ of Certificat to ẏ ordinary, to certify vpõ ẏ issue so ioined or to be ioined. And if any writ of Certificat be made or graunted before ẏ all ẏ proclamations in the fourme aforesaid, be made & certified, ẏ then the said writ Certificat & the certificat of ẏ ordinarye thereupon made or to

Voide

bee made, shall bee voide in lawe and of none effect, & if any writ before this time be directed to any ordinary to certifie, if ẏ said Alianor wife of James be bastard or not, & at this time not certified, if it be certified hereafter by vertue of ẏ said writ ẏ the same certificat of ẏ sayd ordinary so made be void & of none effect. An. 9. H. 6 ca. 11.

¶ Bathe & Welles.

AN. 34. H. 8. cap. 15. an acte is made concerning graunts and writings to be made by ẏ byshop of Bathe & Wels, to be confirmed by the deane and chapter of Welles.

¶ Battell & graund Assise.

Othe Champion

TO wiching the othes of champions it is this prouided because it seldom happened, but ẏ the champion of the demãdaunt is forsworne, in that hee sweareth,

that

that he or his father saw the seasō of hys Lord or his aunceſter, and that his father commaunded him to deraygne ẏ right, ẏ from hēceforth the champion of ẏ demaū dant shal not be compelled so to swere, neuertheles his oth shalbee kept in al other points W.I.ca.40.An.3.E.I.

¶Beappleader.

IT is prouided also, that from hēceforth, neither in the circuite of Iusticers, nor in counties, courtes, hundredes, and court barons, any fines shalbe taken of any mā for faire pleading, nor so that any occasion shalbe. And it is to be knowen that by this act certayne fines or ionys assessed since the time that our soueraigne Lord the king first passed into Britayne are not taken away. Marlebridge c.11. Anno 52.H.3..

Iustices
Countries
Courts
Hundredes
Court
Barons
Fines

2 ¶That nothinge be taken for faire pleading, which hath ben prohibited heretofore in ẏ time of king Henry father to our soueraigne Lord that now is, W.I. ca.8.An.3.E.I.

3 ¶Where as some of ẏ realme haue greeuously complained, that they be greeued by sheriffes, naming them selues the kings appropoures, which take mony by extorcion for beawpleder: The king will ẏ the statut of Marlebridge shalbe obserued and kept in thys poynt. Anno. I.E. 3.statute 2.

Sheriffes
Extoytion

¶Barwicke.

ALL marchauntes, which shall carie or bring any marchaundise out of Scotland or the yles of the same, into this Realme of England or in Irelād or Wales, first shal bring the same merchaundise to the said towne of Berwike: And ẏ none of the kinges leige people, nor none other person vnder the kinges obeisaunce, shall buy any merchādise brought out of Scotland, and cary the same or cause to be caried into this realme of England, or any other place vnder the kinges obeysaunce, but that the same merchandise be bought sold, and customed at his sayd Towne of Berwike, except to the Citie of Barleyle, & the portes or creekes perteynynge to the west marches. And that no manner merchaunt denyzen nor straunger vnder the kinges obeysaunce, shall cary or conuey to sell any manner merchaundyse beeinge within Englande, Irelande, or Wales, into Scotlande, or the yles of the same, which bee not vnder the kings obeisance. And that none vnder the kings lyegeance and obeissaunce, sel any maner merchaundise of Englande, Ireland or Wales, to any of the inhabitauntes of Scotlande or yles of the same, in any place wīn England, Ireland, or Wales, sauing only to ẏ said towne of Barwike and Barleile aforesaid. And that no merchandise shalbe shipped in any creke or other place betwixt Tinmoth and the said towne of Berwike, but only in the port or hauen of the said towne of Berwike. And that no maner person or persons, sauinge the burgesses and freemen of the sayde towne of Berwik, shal cause any salmon to be sold, which shalbe taken in the water of Twede. And if any persō or persōs offende or do wīth any maner merchandise aforesaid cōtrary to any of the sayd ordynaunces, the same person or persons shal forfayt al the said merchandise. And that it shalbe lawful to any of the kings leyge subiectes to sease al such marchaundise so forfait, or else to pursue in his owne name an action of debt against the same person or persons, which so shall forfayt containyng ẏ summe of the value of ẏ said goods. And in the same action to haue like pleces iudgement and execution, as is vsed in other actions of debt by the course of the kings lawes. And that in none of the suites and actions any protectiō or essoine of the kinges seruice be allowed, nor any defendaunt admitted to do his lawe. And our soueraigne Lord the king to haue alwel the one halfe of all such merchandyse forfait and seysed, as the one halfe of all such summes of money which shalbe recouered by actiō in the fourme aforesaid, to pursue for the value of any such goodes so forfait. And ẏ person or persons, which shal seise & pursue in the forme aforesayd, to haue the other halfe of the same. And by the said auctoritie it is ordeyned and enacted, that the merchauntes and freemen of the sayd towne, may of the grace of our soueraigne Lord the kinge, haue to ferme, al waters roial & fishing places, wīn ẏ said town of Berwike & seigniory of ẏ sāe, paying for ẏ same as much as any other

Merchants
Scotland
Ireland
Wales
Merchandise
Customed
Barlile
West
Marches
Denizen
Iles
Creke
Tinmouth
Bargelles
Salmon
Twede
Foyl.
Pleces
Protection
Essoine
Moitie
Ferme
Fishing

other person wil do. And ẏ the same merchaunts and frē men and euery of them may from henceforth haue occuppe and enioy to them their heires & successours for euer, al liberties, franchises, & custōs, which at any time before pertained to the said towne. And that they may shippe all maner goods & marchandises there, & carye them to what place or places, port or ports, that they wil, and there discharge, & the same recharge with corne or any other victayle or marchandises, & bring the same to ẏ said towne of Berwike for by-tayling therof. Prouided alwaies ẏ thys act, nor nōe other act made or to be made in the said parliament do not extende nor be prejudicial to William Bishop of Durhā, nor to his successors, in or for any maner thing pertening or in any wise belōging to him. An. 22. E. 4. ca. 8.

Liberties
Shipping
Corne
Bishop of Durham

¶ Bishoppe & Bishopricks.

BEcause before this time in the time of king Edward father to the kinge that now is, he by euill councellours caused to be seased into his hands the temporalties of diuers bishops, wt al their goods & cattels therin foūd, without any cause, & the same holde in his hands by a long season, & continually therof take ẏ profites, to ẏ great damage of the same bishops, wastes and distructions of al their cattels, manners, parkes, & woods. The kinge will & graunteth ẏ frō henceforth it shal not bee done. An. 1. E. 3. ca. 2. sta. 2.

Temporalties
Goods

2 ¶ We will and graunt for vs & for our heires, that from henceforth wee nor our heires shal not take, nor do to bee taken into our hāds ẏ temporalties of archbishops, bishops, abbots, priours, or other of what estate or condition they be wout a frewe and iust cause according to the law of the land, & ingement therupon geuen Anno 14. Edvvardi 3. pro clero stat. 3.

Temporalties

3 ¶ That no archbishop nor bishoppe shalbe impeached before our Justices because of cryme, vnles we specially do cōmaunde them, til other remedy be therefore ordeined An. 18. E. 3. pro clero Ca. 1. statute 3.

Crime

4 ¶ Where as the temporalties of archbishoppes, & bishops haue ben oftentimes taken into the kings hands, for cōtempt done to him vpon writts of Quare non admisit, & for diuers other causes, wherof the said prelates haue prayed the king, that no such taking shal from hence forth be made, sithe they bee piers of the land: The king wil & graunteth in ẏ same Parliament, that all Justices, wheych from henceforth shall geue iudgement against any prelate of the land in such case or like, that they in such case may freely receyue and from henceforth shal receiue for the contempt so iudged, a reasonable fyne of the party so condempned, according to the quantity of the trespas, & after the qualitie of the contempt, incontinently at the time of the iudgement, if ẏ party offer the same, or otherwise after the iugement, at what time the partie wil offer him selfe: And if it nede, ẏ Chauncellour & the treasorer, shalbe called to ẏ reseit of the said fines An. 25. Ed. 3. pro clero ca. 6. statute 1.

Quare non admisit
Temporalties
Justices
Fine
Contempt
Chauncellor Treasorer

5 ¶ Albeit that sithen the beginninge of this present parliamente, good & honorable ordinances and statutes haue beno made and established, for elections, presētations, consecrations and inuestinge of archbishops and bishops of this realme, and in al other the kings dominiōs, with all ceremonyes appertayninge vnto the same, as by sundry Statutes therof made more at large is specyfied: yet neuertheless no prouisiō hitherto hath bene made for suffragans, which haue ben accustomed to be had within this Realme for the more speedye administratyon of Sacramentes and other good holsome and deuoute thinges, and lawdable ceremonies, to the increase of Gods honour, and for the comodytie of good and deuout people. Be it therefore enacted by authoritie of this present parlyament that the townes of Thetford, Ippeswich, Glocester, Douer, Gilford, Southhampton, Tawnton, Shaftsbury, Polton, Maleborough, Bedford, Leicester, Glouncester, Shrewsbury, Bristow, Penreth, Brigewater, Notingham, Granthā, Hul, Hūtington, Cambridge, & the townes of Pereth, & Berwicke, Saint Germaines in Cornewal, and the Isle of wight, shalbee taken and accepted for Sees of Bishops suffragans to bee made in this Realme, and in Wales, and the Bishoppes of such Sees shalbee called Suffragans of this

Thetford Ipswich
Barwicke Isle of Wight
Sees Suffragans

this Realme. And that euery Archbiſhop and Biſhop of this Realme, & of Wales and els where within the kings dominyons beeing diſpoſed to haue any ſuffragan, ſhall & may at their liberties name and elect, that is to ſay, euery of them for their peculier Dyoces, two honeſt & diſcrete Spiritual perſons, beinge learned and of good conuerſation, and thoſe two perſones ſo by them to bee named, ſhall Preſent preſent to the kinges highneſſe by their writinge vnder their Seales makinge humble requeſt to his maieſtie, to geeue to one ſuch of the ſayd two perſons, as ſhal pleaſe his maieſtie, ſuch title, name, ſtyle, and dignity of Biſhop of ſuch of the ſayd Sees aboue ſpecyfied as the kinges highnes ſhal thinke moſt conuenient for the ſame. And that the kinges Maieſtye Preſentatiõ vppon euery ſuch preſentation, ſhall haue ful power and auctoritie to geue to one of thoſe two perſons ſo to his hyghneſſe to be preſented, the ſtyle, title, and name of a Biſhoppe, of ſuch of the Sees afore ſayd, as to his Maieſtie ſhalbee thought moſt conuenyent and expedient, ſo it bee within the ſame Prouince, whereof the Biſhop that doth name him is. And that euery ſuch perſon to whom the kinges highnes ſhall geeue any ſuch ſtile and tytle of any of the Sees afore named, ſhall Biſhop ſuffragan be called Biſhoppe ſuffragan of the ſame See whereunto he ſhalbee named. And after ſuch tytle, ſtyle and name ſo geeuen as is afore ſayd, the kinges maieſty Letters Patentes Great ſeale ſhall preſent euery ſuch perſon by his letters patentes vnder hys great Seale to the Archbiſhop of Cantorbury, if the Towne whereof hee hath hys title bee within the prouince of Cãterbury. And likewiſe to the archbiſhop of Yorke, if the Towne whereof hee hath hys tytle bee within the prouince of Yorke, ſignifiyng and declaring by the ſame letters patents the name of the perſon preſented, and the ſtyle and title of dignitie of Biſhoprycke, whereunto he ſhalbe nominated, requiring the ſame archbiſhop to whom ſuch letters patents ſhalbe directed to conſecrate Conſecrate the ſame perſon ſo nomynated and preſented to the ſame name, title, ſtile & dignitie of Biſhoppe, that he ſhalbe nomynated and preſẽted vnto, and to geue him al ſuch conſecrations, benedictions, & ceremonies, as to the degree and office of a Biſhops ſuffragan, ſhalbe requiſite. And be it alſo enacted by auctoryty afore ſaid, that al & euery ſuch perſon & perſons, as ſhalbe nominated, elected, preſented, and cõſecrated, as is afore ſaid, ſhalbe take, accepted & reputed in al degrees & places according to the ſtile, title, name & dignity ẏ he ſhalbe ſo preſented vnto, & haue ſuch capacitie, power & auctority, honor, preheminence & reputation, in as large & amble maner, in & concerning the execution of ſuch commiſſion, as by any of the ſayd archbiſhops or biſhops within their dyoces ſhalbe geuen to the ſaid ſuffragans, as to ſuffragans of this Realme heretofore hath bene vſed and accuſtomed. And be it further enacted by auctoritie afore ſaid, ẏ euery archbiſhop of this Realme to whom any the kings letters patentes in ẏ caſes afore reherſed, ſhalbee directed hauing no lawful impediment, ſhal performe and accompliſh the effectes & contents of this act within the time of three monethes next after ſuch letters patentes iii. monethes ſhal come to their handes, any vſage cuſtomes, forein lawes, priuileges, preſcriptitions, or other thing or things herefore vſed had or done to ẏ contrary herof notwithſtãding. Prouided alwais, ẏ no ſuch ſuffragãs which ſhalbe made & conſecrate by vertue and auctoritie of this act, ſhall take or perceiue any maner of profites of Profites the places & Sees, wherof they ſhalbe named, nor vſe, haue or execute any iuriſdiction or epiſcopal power or auctoritie wͭin their ſaid Sees, nor within any dioces or place of this realme or els where within the kinges dominions, but onely ſuch profites iuriſdictions, power and auctoritie, as ſhalbe lycenced and lymitted to them to take do and execute by any archbiſhoppe or biſhop of this Realme within their dioceſſe, to whom they ſhalbe ſuffragans by their commiſſion, vnder their ſeales. And that euery archbiſhoppe and biſhoppe of this Realme, for their owne peculier dioces, may and ſhall geue ſuch commiſſion or commiſſions to euery ſuch Biſhoppe ſuffragan, as ſhalbee ſo conſecrated by auctoritie of this act as hath bene accuſtomed for ſuffragans heretofore to haue, or els ſuch commiſſion as by them ſhalbe thought requiſite reaſonable and conuenient. And that no ſuch ſuffragan ſhall vſe any iuriſdiction ordinarye or epiſ-

5

or episcopal power otherwyse nor longer tyme the shalbe limitted by such cõmissiõ to him to be giuen as is aforesayd, vpon payne to incurre into the peynes, losses, forfaitures, and penalties mencioned in the statute of prouisions, made in the sixtene yere of kinge Richarde the seconde. Prouided alwais that the Byshoppe that shal nominate the suffragan to the kings highnes, or the suffragan hym selfe that shalbe nominate, shal prouide two Byshops or suffraganes to consecrate him vnto the archebishop, and shal beare there reasonable costes. Prouided also that the residence of him that shalbe suffragan ouer the dioceſſe, where he shal haue commyssion, shall serue him for his residence as sufficiently, as if he were resident vppon any other his benifice, any act heretofore made to the contrary notwithstandinge. Be it further enacted, that all such suffragans, as shall hereafter exercise the offyces aforesayd, by the commission of the Bishoppe for the better mayntenance of his dignitie, may haue two benefices vnto cure, any former act made to the contrary notwithstandinge. Anno 26 H.8. cap. 14. Thys act was repealed by 1. & 2. P. and M. and renued by Elyzabeth cap. 1.

Forfaitures

Cõmission

6 ¶Anno 31. H. 8. Cap. 9. an act was made, authorisinge the kinge to make bishops, and translations of bishops by his letters patents. But it is repealed by 1. & 2. P. & M. ca. 8. as appereth in Rome 4.

Repealed

7 An. 33. H. 8. ca. 31. an act was made, dissolueing the Bishopricke of Chester & Man, from ỳ iurisdiction of Chaũterbury to ỳ iurisdiction of Yorke.

Chester Man

8 ¶An. 37. H. 8. cap. 16. an act was made concerning exchange betwene the king & the archebishopps of Caunterbury and Yorke, & the bishop of Londõ for certein lands.

Exchange

9 ¶An. 1. E. 6. ca. 2. was an act that ỳ bishops should be made by the kings letters patents, & not by ỳ electiõ of ỳ deane & chapter, & that they shoulde make their proces & writings in the kinges name, & not vnder their owne names, & that their selues shoulde be the kinges armes. But after, this act is repealed in An. 1. M. 1. parliamento ca. 2. Sess. 2.

Patents

Proces

10 An. 3. Ed. 6. ca. 2. it was enacted ỳ such forme of making & consecratinge of bishops and priestes, as by sire prelates and sire other to be appointed by the king should be deuised and set forth vnder the great seale, should be vsed, & none other. And after a booke was printed of such maner of consecrating & making of priestes. But after this act was repealed by 1. M. 1. parl. ca. 2.

Seales

Repealed

11 ¶An. 1. & 2. P. & M. ca. 8. al bishoprickes bee confirmed as appeareth in Rome 4.

12 ¶Be it now declared & enacted by the authority of this present parliament that the said act & statut made in the first yere of the raigne of our said soueraigne lady the Queens maiesty, wherby ỳ sayd booke of cõmon prayer, & the administration of Sacraments, with other rites & ceremonies, is authorised & allowed to bee vsed, shal stãd & remaine good & perfect to al respects & purpoſes: And that such order & forme for the consecrating of archbishops & bishops, and for the making of priests, deacons, & ministers, as was set forth in the time of the said late king Edward the first, and added to the said booke of comon prayer, & authorised by Parlyment, in the fift and sixth yere of the said late king, shal stand, and be in ful force & effect, and shal from henceforth be vsed & obserued in all places within thys Realme, and other the Queenes maiesties dominions and Countries. And that all actes and thinges heretofore had, made or done by any person or persons, in or about any consecration, confirmation, or inuesting of any person or persons elected to the office or dignitye of any archebishop or bishop within this Realme, or within any other the Queens Maiesties dominions or countries, by vertue of the Queens Maiesties letters patents or cõmission, sithence the beginning of her maiesties raigne, be & shalbee by authoritye of this present parliament declared, iudged and deemed, at and from euery of the seuerall times of the doinge thereof, good and perfect to al respects & purpoſes, Any matter or thing ỳ can or may be obiected to ỳ cõtrary therof in any wise not withstanding. And that al persons ỳ haue ben or shal be made, ordred, or consecrate archbishops, bishops, priestes, ministers of Gods holy worde and Sacramentes,

Seruice Sacraments

or

or Deacons after the forme & order prescribed in the sayd order and forme, howe Archebishops, Bishopps, Priestes, Deacons and ministers, should be consecrated made, and ordred, be in very deede, and also by auctoritie hereof declared & enacted to be, & shalbe archbishops, Bishops, Priestes, ministers, & deacons, & rightly made, or decred, & cõsecrated: Any statut, law, canon, or any other thing to the contrary notwithstanding.

Prouided alwaies, and nevertheless be it enacted by the auctoritie aforesayd, that no person or persones, shall at any time hereafter, be impeached or molested, in bodye, landes, lyuinges or goodes, by occasion or meane of any certificat by any Archbishop, or Bishoppe heretofore made, or before the last day of this presẽt session of parliament to be made, by vertue of any act made in ẏ first sessiõ of this present parliament, touching or concerning ẏ refusall of the othe, declared & set forth by act of parliament, in the first yere of ẏ raigne of our soueraigne lady Queen Elizab. any thinge in this act or statute heretofore made to the contrary notwtstãding. And ẏ al tenders of the said othe made by any archebishop or bishop aforesaid, or before the last day of this present session to be made, by auctoritye of any act established in the first Session of this present parliament, & all refusalles of the same othe so tendred, or before the last day of this present Session to be tendred by any archbishop, or bishop, by auctority of any act, established in the first session of this present Parlyament shalbe void & of none effect or validite in ẏ lawe. An. 8. El. ca. 1.

Othe

¶Bouchers.

A Butcher that selleth swins flesh mesled, or flesh dead of the morine, after he shalbe connict therof, for the first time he shalbe greuously amerced, the seconde tyme, he shal suffer iudgement of the pillory, and the third tyme he shalbe imprisoned and make fyne. And ẏ fourth time he shal abiure the towne. And in this maner shal it be done of al that offend in like case. Statut of Bakers and Bruers cap. 7. 31. E. 1.

Amercement
Pillory
Imprison
Abiure

2 ¶No butcher nor his seruaunt shall slea no maner beast within the said house called the scaldinge house, or within the wall of London, vppon payne to forfayte for euery Ore twelue pence, and euery Cowe, and for euery other beast 8. pence thone halfe thereof to the kinge our soueraigne lord, & the other halfe to the kinges lieges that wil sue for the same by action of debt. And no protection nor essoine be allowed to any of the defendants against whom any such action shalbe executed. And that in that same action of debt, such proces bee made as in other actions of debt sued in the common lawe. And ouer this it is ẏt. that the same ordinance act & law extend & bee obserued & kept in euery citie, borough & towne walled within this Realme of England & in the Towne of Cambrige, (the townes of Barwike and Carlile) only except and forprised. An. 4. H. 7. cap. 3.

Fort.
Mortie
Protection
Cambridge
Barwicke
Carlile

3 ¶An. 24. H. 8. ca. 3. an act was made for Beefe, Mutton, Porke & Veale, to be solde by weight and the prices appointed there. And after An. 25. H. 8. ca. 1. other clauses were enacted for selling of Beefe, Mutton, Porke and Veale, by weight, & that graziers & other sellers of quicke cattel should sel their cattel to such as should sel their flesh by retaile by weight, at reasonable prices, or at prices to be taxed by certeine persons appointed in the act of 25. H. 8. ca. 1. And that the kinge by proclamation might appoint other prices of the flesh to be solde by retaile, and licence folke to sell flesh without weight, & after An. 27. H. 8. ca. 9. it was enacted that till 24. Aprill an. 1540. flesh might be solde as it was before the makinge of the sayd statut of 24. H. 8. ca. 3. & 25. H. 8. ca. 1. and after Anno 33. H. 8. cap. 11. the sayd acts made An. 24. H. 8. ca. 3. & 25. H. 8. ca 1. be repelled, and that from thencefoorth it is lawfull to sell vitailes in like manner & forme as they might haue done before ẏ making of any of the said Statuts.

Weight
Proclamation
Repealed

¶Bookes & Images.

THe sayd prouiso, made the first yere of the said king Richarde the third (s. ca. 9. cõcerning bookes (which is in Aliens 2.) from the feast of the natyuitie of our Lord God next comming shalbe void and of none effect. And further bee it ẏt. that

Aliens

that no person or persons resiant or inhabitant within this Realme after the sayd feast of Christmas next cõming, shal buy to sel againe any printed bookes brought from any parts out of the kings obeisãce, ready boũden in bordes, leather, or perchment, vpon peine to lose and forfait for euery booke bound out of ỹ said kings obeisãce, & brought into this realme, & bought by any person or persons within the same to sel againe, contrary to this act, six shillinges eyght pence. And be it further &c. that no person or persons inhabitaunt or resiaunt within this realme, after the said feast of Christmas, shal buy within thys realme, of any straunger borne out of the kings obeysaunce other then of denizens, any maner of printed bookes, brought frõ any the parties beyond the sea, except only by engrosse & not by retaile, vpon paine of forfaiture of vj.s.viij.d. for euery booke so bought by retaile cõtrary to ỹ fourme and effect of this estatut, ỹ said forfaiture, to be alwayes leuyed of ỹ buyers of any such bookes contrary to this act. The one halfe of al the said forfeitures to bee to the vse of our soueraigne Lord the kinge, and the other moitie to be to the partie, ỹ will seale or sue for the same in any of ỹ kings courts, be it by bil, plaint or informacion, wherein the defendaunt shall not be admitted to wage his law or protection, ne essoine shalbe to him allowed. Prouided al way and be it &c. that if any of the sayd Printers or sellers of printed bookes, inhabitting within this realme, at any tyme hereafter happen in such wise to enhaũce & encrease the prices of any such printed bookes in sale of binding, at to hygh & vnreasonable prises, in such wise as cõplaint be made thereof vnto the kings highnes, or vnto the lord Chauncellour, lord Treasorer, or any of the chiefe Justices of the one benche or of the other, that then the sãe lord Chauncellor, lord treasorer, & two chiefe Justices, or two of any of thẽ, shall haue power & authoritie to enquire therof as wel by the othes of xii. honest & discrete persons, as other wise by due examination by their discretions. And after the same enhaunching & encreasing, of ỹ said prises of ỹ said bookes and binding, shalbe koũd so by the said xii. men or other wyse by examination of the said lord Chauncellour, lord treasorer, and Justices or ii. of them, ỹ then the same lorde chauncellor, lord treasorer and Justices, or two of thẽ at the least from time to tyme, shal haue power & authoritie to reforme & redresse such enhauncinge of the prices of prynted bookes from time to time by their discretions, & to limit prices as wel of the bokes as for the binding of them, and ouer that the offender or offenders therof being cõuicted by the examinatiõ of the same lord chaũceller, lord treasorer & two iustices, or two of them: or otherwyse, shall lose and forfeit for euery booke by thẽ solde, wherof the price shalbe enhaũced, for the booke, or binding therof iii.s.iiij.d. the one halfe therof shall be to the kinges highnesse, and thother halfe vnto the parties greeued, that wil complaine vpon the same, in maner & forme before rehersed. An. 25. H.8. cap. 15.

Printed bookes
Foyl.
Denizens
Engrosse Foyl.
Moitie
Printers
L. chaũcellor
L. treasorer
Chiefe Just.
Examinatiõ
Prices
Binding
Foyl.
Moitie

2 ¶An. 34. H.8. ca. 1. was an act against reading of ỹ Bible in English, & other English bookes of doctrine, & against playes, songes, & rymes, and against preaching & teaching of doctrine, but ỹ statute was repealed by 1. E.6. ca. 12. Repealed

3 ¶An. 3. E.6. ca. 10. it was enacted that al bookes of the seruice of ỹ church in latin, & Images of Saints ỹ were or had ben in any such church or chappel, shoulde be abolished & destroyd, & the bookes burned. But this act was after in An. 1. M. 1. parl. ca. 2. repelled.

Moyer

¶Bovves & Bovvestaues.

FOr the remedy of the great scarsitie & excessiue price of Bowstaues, wherby archery is decayed. Be it &c. That euery merchaunt straunger, and euery or some one of their factours, attourneis, or seruauntes, which at any tyme after the feast of Saint Michael the archangell next comming, shal bring send or conuey into this land, any merchaundise in carracke, galey, or shippe of the citie or countrey of Venise, or of any other city, towne or countrey, from whence any such bowstaues haue ben before this time brought, sent, or conueyed, into this land, at euery tyme of their bringinge, sendinge or conueyinge of any such merchaundises into this realme, shal bring send or conuey into this Realme with the sayd merchaundises in the same carracke, galey, or shipp, wherein

Merchant straunger
Foyl.
Moitie
Venice

wherein any such marchaundises shalbe hereafter brought sent or conueyed, for euery tunne weyght of such merchandises, which hereafter shalbe coteyned in euery carracke galey or ship iiii. bowstaues, vpon peyne of forfaiture to the kinge for euery defaut of bringinge of euery such bowestaffe vi.s. viii.d. And also that the sayd bowstaues to be brought sent or conueied by the said merchauntes, their factours, attourneis, or seruants into this realme, be serched & surueyed by the mayor, sherifes, bailifes or chiefe gouernours of such Cities or Townes within this Realme, where any such carracke, galey or shippe shal hereafter come to safe port. And the said maires, sherifes, bailifes or chiefe gouernours shal assigne ij. men most expert to serch the said staues. And the said two men shall be sworne by the said maiors, sherifes, bailifes, or chiefe gouernors, to thentent that they shall truely and indifferently marke the staues that be notgood and sufficient, after the manner as such staues in tymes past were wont to bee marked, to thyntent that all the kinges leige people may haue knowledge of the without fraude. Anno 12.E.4.ca.2. See this statut in somepart inlarged by 13.El. ca.14.after 8.

Tonne Weyght 4.bowestaues Forf.

Serch Maior Sherifes Bailifes

Sworne

2 No bowier nor other person vsinge to sel or put to sale, or which hereafter shall vse sel or put to sale, any long bowe or bowes of ewe, shal sel any of the same bowes to any of the kinges leyge people aboue ỳ prise of iij. shillīgs iiii.d. a bowe. And longe bowes of ewe vnder the value of the same prise, as the seller and the buyer thereof may reasonably agree and accorde, vppon paine to forfayt for euery longe bow of ewe other wise sold aboue ỳ said prise of iii.s.iiii.d.rr.s. The one halfe thereof to our soueraigne lorde the kinge, and the other halfe to any of his leyge people that wil therefore pursue and proue ỳ sayd forfaiture, by action or actyons of debt, wherin like procesle iudgement and executiō shal be had as is cōmonly vsed in actions of debt sued at ỳ comon law. And that no defendaunt in any such action or actions shalbee admytted to wage hys lawe. Anno. 22. Edw. 4. cap.4. This is repealed as you may see after 7.

Buyer

Prise m.g.iiii.

Forf.

Moitie

Proces

*

3 ¶ For the remedye of the excessiue price and badnesse of Bowstaues, which partely is growen because the merchants will not suffer any garbelinge (or sorting) of them to bee made. Be it enacted &c. That no merchaunt of Uenise nor other, which vseth to repayre into this Realme with merchandises of those parties, shall bringe nor conuey into this Realme any merchaundises, vnlesse the same merchants do bring with euery butte of malueise, & with euery butt of Tire.ten bowstaues, of good & able stuffe, vpon paine of forfaiture of viii.s. iiii.d. for euery butt of the said wines so brought and conueyed & not the said number of bowstaues with ỳ same Butt. The one halfe of the same forfaiture to be to our soueraygne Lorde the kinge, and the other halfe to the partie which will therefore sue. And that no such bowstaues be solde vngarbeled, & but onely to such person or persons which is or shal be borne vnder the kinges obeysaunce. Thys act to begynne and to take effect at the feast of Saint Michael next cōming. An. 1.R.3.ca.11. See Playes 2. *

Merchant

Butt of malueise 10 bowes Forf.

Moitie

4 ¶ That if any person or persons after the feast of the purification of our Lady next commynge, sell any longe bowes ouer the price of iii. shillinges and iiii.d. then the seller or sellers of such bowes shall forfayt for euery bowe so solde ouer the sayd price, fourtye shillinges to the kinge, hee that will sue for the same may haue an action of debt therefore against such seller, or make information in the kinges Eschequer thereof, the kinge to haue execution of the moitie therof, & he ỳ sueth the other moytie, and that in such action of debt the defendaunt haue no essoyne ne protection for him allowed, and bee not admitted to wage his lawe. An. 3.H.7.ca.13. this statut is repealed as you may see after 7.

Forf.

Moitie

Eschequer

5 ¶ That no custome be payed after the making of this act for any sufficient bowstaffe or bowstaues contepninge the length of fiue fote and a halfe or aboue, that shalbe brought into thys your Realme by any merchaunt straunger or other betwene this and the nert parliamēt But that al maner merchantes for bringing into this your realme of any sufficient bowstaues of the length of fiue fote & a halfe or aboue, be discharged of al custōs for ỳ same bowstaues during ỳ said tyme An. 19.H.7.ca.2.

Custome

Length

Discharge

6 An.

6 ¶An.6.H.8.cap.11. Englishe men were by this act discharged of ẏ act of 1. R.3.ca.11. of bringing in of bowstaues w̄ maluesayes, tyll the next parliament.

7 ¶At the humble sut of the Bowyers within the Citye of London, and the suburbes of the same, for as much as no bowes of other wood then Ewe be vsed there. And the prices of Bowstaues haue diuers waies ben greatly raised. Be it enacted &c. that the said estatuts of king Ed. the 4. (before 2.) and king Henry the seuenth (before 4.) concerning the prices of bowes, & al ẏ braunches conteyned in ẏ said statut of king Henry the 8. (after in Playes 2.) so farre forth as the same extendeth to the price of bowes therein expressed, only from the first day of this present parliament, & so for euer be thereby clerely repealed and made void and frustrate, to al entents, constructions, & purposes, and also al and euery clause and sentence of the said statute of king H. the 8. before recyted, tending to the making of the bowes of Elme, Witchehasel Ashe, and other wood, besides Ewes before rehersed, or any penaltie therein contayned for any the sayd last rehersed premisses, from henceforth for euer shal not be extẽded, construed, or taken, to extende to any bowyer now dwelling or inhabitinge, or which hereafter shall happen to dwel or inhabite within the Cyties of London and Westminster, or the suburbes of any of them, or in the Borough of Southwarke in the Countie of Surrey: The sayd statuts or any thing in them, or any of them conteined in any wise to the contrary notwithstandinge. And be it further enacted by the auctoritie aforesayd, that all and euery the sayd Bowyers w̄in the sayd Cities and suburbes of London and Westminster, and Borough of Southwarke, shal from henceforth from time to time and at all tymes hereafter, prouide and haue in his or their custody, the number of fifty good and able bowes of Elme, Witchhasel, or Ashe, at ẏ least wel and substãtially made and wrought, vpon paine that euery of ẏ said bowyers, which by the space of xx. dayes, shall not haue in his custody such number of ẏ said bowes of Witchhasel, Elme, or Ashe, ready made, and mete to be solde and vsed as aforesayd, shal hereafter for euery bowe lacking of the number aforesaid, for fait x.s. the one moity of which forfaiture shalbe to our soueraigne Lady ẏ Queens maiestie, and the other moitie therof shalbe to him or them, vsinge the art of an Armorer, or Fletcher, or maker of bowstrings, that will sue for the same by action of debt, bill, plaint, or otherwise in any court of record, in which action and suit, no protection, or wager of lawe, shall in any wise bee admitted or allowed for the defendaunt.

Repeale

Elme Bowes

London Westminst. Southwark

Forf. Quene

Bowstrings

Prouided alwaies and be it enacted by the auctoritie aforesaid, that if any Bowyer, after the first day of May next comminge, do sell any bowe mete for mens shooting, being outlandish Ewe, and of ẏ best sort, ouer and aboue the price of sixe shylings eyght pence, or do sel any bowe mete for mens shootinge beinge of the seconde sort, ouer and aboue the price of three shillinges sower pence, or shall sell any bowes mete for men, as is aforesayd, being of the course sort called lyuere bowes, for and aboue the prise of two shillinges a peece, or that shall after the sayd first day of May, sell any Bowes beinge Englishe Ewe, ouer and aboue the price of two shillinges the peece: that then the seller or sellers of such Bowes, shall forfayt for euery Bowe so solde ouer and aboue the price aforesayd fourty shillinges, the one moitie thereof to the Quenes maiestie, her heires and successours, and the other moytie to the partye vsyng the art of an Armourer, Fletcher, or maker of Bowestringes, that wil sue for the same in any court of Recorde, by action of debt, byll, playnt, or otherwise, wherin no wager of lawe, essoigne, or protection shalbe admytted, or allowed. Any thinge in this act or in any other act, conteyned to the contrary in any wise notwithstandinge. This act to continue vntil the last day of the first session of the next parliament. An. 8. El. ca. 10. This statute was continued 13. El. ca. 22. vntill the end of the next parliament. & 14. El. ca. 11. vntill the end of the next parliament after that.

Price

Liuery Bowes

Forf.

Moitie Armorer Fletcher Bowstring maker

8 Because the vse of Archery, a singuler defence of this Realme is greatly decayed by the excessyue price of Bowstaues, and the scarcytie of them. Be it enacted that all the statutes made in 12.

☞ E.4.cap.2.((before 1.) concerning bringing in of certaine numbers of Bowstaues, according to the weight or value of other wares to bee brought into thys realme shall from henceforth bee duely put in execution. And bee it enacted and declared by this present statute, that al marchaunt straungers bring to bring wares into this realme from the East parts alwel as from ỹ lxxij. hanse townes, be cõprised and meant vnder the name of, and bound as the marchants mencioned, and bound by the said statut to bring in bowstaues, vpon like paines and forfaitures as by the saide statutes are appointed. And where the greatest cause of not putting the said statute in execution hath ben that the forfaitures thereby ymitted are by the saide statute onelye gæuen to the Quæenes maiestie, her heires or successours without any rewarde to the person that shall sue for the same, bee it enacted that from henceforth all the forfaytures appointed by the said statutes shal be imploied in forme following, that is to say, the one halfe thereof to the Quæenes maiestie, her heires and successors, the other halfe to such person as shal sue for ỹ same in any court of record, wherin no essoine, protection nor wager of lawe for the defendant shalbe admitted or allowed. And it may please the Quæenes most excellẽt maiestie that it bee on her byghnes part straightly charged and cõmaunded that al the statutes now remayninge in force for repressing of vnlawful games and for the maintenance and vse of archery, shal be duely put in execution for euer, vnder the paines in the said statutes contained. Anno 13.El. cap.14.

Merchants of the east partes

Mottie

Archerie

¶ Brasse, Latten, Copper and Bell mettall.

ANno 21. Henrici octaui cap.10. An act was made agaynst carrynge of Brasse, Latten, & such mettall, to endure vnto the next parliament. And after An. 28. Henrici octaui cap.8. it was continued. And after 31.H.8.cap.7. it was continued to endure to the ende of the next parliament, and then it expired.

Expired

2 ¶ No person nor persons frõ hẽceforth shall carry or conuey by water or other wise, any brasse, copper, latten, bell mettall, panne mettall, gunne mettall, nor shrowse mettall, whether it be cleane or mixt (Tinne and Lead only excepted) into any parts beyõd the sea, or into any outward realme, or dominion whatsoeuer it bee, vppon payne to forfait the double value of the same mettal so caryed or conueyed, the one halfe thereof to bee to the kyng our soueraigne lorde, and the other to the partie that will sue for ỹ same by writte, bill, playnt, or information, in the which no essoygne or protection shall be allowed. And further bee it &c. for the true meaning of this statute that the arriual, discharge and deliuerie of the saide mettalles in anie parties beyond the sea, or in any other foreine realme or dompnion, shalbe tryed and determyned within this realme, in suche countie or place where the sayd mettall, or mettalles, were shipped or first carried, wyth lyke proces and determynatyons as all other informatyons or actions bee tryed and iudged within this Realme, or as the same fact had bene done within this Realme and dominion. And be it further &c. that no person or persons at any time hereafter, shal shippe or carrie any of the sayd mettalles afore rehersed to carie or dyscharge the same in any part of thys Realme, vnlesse such person or persones before the shippinge thereof, do declare and manyfest vnto the customer of such port or creeke where the same metal shal be shipped, the true weight of al such mettal as shalbe shipped, and also shall make a sufficyent obligatyon in the lawe, in the which he shall be bounden to the said customer to the kings vse, in such summe as shall amount to the double value of the said mettal so declared and manyfest, with condition that the same shalbe dyscharged at some port or creeke wỹn thys realme & none other place, vpon peine to forfayt the same, in maner & forme aboue rehersed. And that euery such person or persons that shal shippe such mettals, and be and shall be bounden as is aforesayed, shal within eight moneths next after the shipping therof bringe a true certificat frõ the customer to the port, creeke, or place where he or they shal happen to discharge the same mettal, testifiyng that the same mettall so shipped, and the true weight thereof is there dyscharged, which certificat the

Proces

Mottie

Shipping

Customs

Obligation

Forf.

Certificat

eat the customer of such place, where the said mettall shalbée discharged, shall vpon the discharge thereof make and deliver to the partie so discharging, or to his factor wout any delay: And bée it further enacted that if any customer or his deputie by couin or by anye other vndue meane do make anye false or vntrue certificat concerning the sayd discharging of such mettall contrary to the true meaning of this act, that then such customer, so falselye or vntruely certifying as is aforesaide, shall lose his office, & also the value of the goods so concealed out of ỳ said certificat. Provided alway, ỳ if ỳ sayd mettall by tempest of weather be drowned, or by enemies or pirats robbed & spoiled, and ỳ sufficiently proued wout fraude or couin before ỳ customer & cõptroller, or their sufficient deputies, in ỳ port where ỳ party or parties so shipped ỳ mettals aforesaid, or anie of thẽ, by the sayde partie or parties or their executors, that then he or they so bringig such sufficient prowfe, shall haue his obligation to him delyuered or els hée & hys executors therof to be acquited and clerely discharged, anye thing in this act to the contrary contained, not withstanding &c. An. 33. H. 8. cap. 7.

Office forf.

Pirats

3 ¶ No person or persons shall cary or conuey or ship, to ỳ intent to cary or conuey any brasse, copper, latten, bell metal, panne metal, gunne metal, or shrowfe metal, whether it be cleare or mixed (Tin & lead only excepted) into any part beyond ỳ sea, or into any outward realme or dominion whatsoeuer it be, vppon paine to forfait the double value thereof, and x. li. for euerye thousande weyght of the same metal so caried and conueied or shipped to the entent to bée caryed, or conueyed, the trial whereof shalbée in like manner and fourme, as in the saide former act (S. An. 33. H. 8. cap. 7.) is expressed. And bée it further enacted that no person or persons after the said feast shal ship or carie anye of the said metals prohibited by this statute to cary or discharge the same in anie part of this realme, vnlesse suche person or persons before the shipping therof, do declare and manyfest to the customer of such port or créeke where the same mettall shal bée shipped, the true weight of al suche mettall as shal bée shipped and shal also before the shyppyng thereof, make a sufficient obligation in the law, in which he shalbe boũden to the saide customer to the kinges vse in such summe as shall amount to the double value & x. li. for euery thousand weight so declared & manyfested with condition as in the saide statute (S. 33. H. 8. cap. 7.) is appoynted & enacted, and shall make certificat of the dyscharge therof in like maner as in the said estatute is further ordeyned and enacted. And be it further enacted that if any customer, comptroller, or his or their deputie or deputies, by couin or by anye other vndue meane wil suffer any person after ỳ the metal is shipped or caried contrarie to ỳ meaning of this act, to make obligatiõ or obligatiõs, wout dates for the dyscharge & certificat of their metal, as is aforesaid, ỳ then such customer so suffering or receiuing such obligatiõs shall lose hys office, & the value of ỳ mettall so shipped or caried. And be it further enacted that if any maister owner, purser, or botelswain of any ship, do willingly permit or suffer any of the mettalles abouesaid to be shipped contrary to the tenour of this act, or els perceiuing any such mettall to be shipped, do not disclose the same within three dates after knowledge had, to ỳ customer or controller of the same port, to hys or their deputie or deputies, where the same is shypped, that then euery such owner, master, purser, or botelswaine so willingly putting the same mettall to be shipped or concealinge the same when he perceyueth it to be shipped, shal forfayt the double value of the same mettall so shypped or caried. And if any customer or sercher do willingiye suffer any of the mettals aforesaid to bee shipped contrary to the meaninge of this act, or els hauinge knowledge ỳ it is secretly shipped or caried, do not seale ỳ same to ỳ kings vse, thẽ euery customer or sercher so offendinge shall lose his office and the value of the mettal so shipped or caried. And be it further enacted that no person or persones shal after the said feast, lade, ship, or cary into any part beyonde the sea, any of the mettals aforesaid, but only out of such port or créeke where the customer or his deputie is resident & dwelling, vppon paine of forfaiture of the said mettal, & x. li. for euery thousande weight so shipped or caryed, the moitye of all which forfaytures shal

Shippe

Lead

Forf.

Triall

Shipping Customer

Obligacion

Comptroller

Office forf.

Disclose

Concealing Forf.

Office forf.

Forf.

Moity

shalbe to our soueraigne lord the king, & the other moitie to him or them that wil sue for the same by bill, plaint, informacion, action of debt, or otherwise, in anye of the kings courts, in which no essoine, or protections, or wager of law shalbe admitted or allowed. And be it further enacted, that the said estatute made in the said 33. yeare of the raigne of the said late king Henry the eight. (s.33.H.8.cap.7.) and euery article and prouiso, being not altered by this estatut, shalbe good & effectuall. An.2.E.6.ca.37.

¶Breakers of leagues & truce.

FOr asmuch as before this time diuers people, comprised within ỳ truce, made aswell by our soueraigne Lord the kinge, which now is, as by his noble father, and also diuers other people hauinge safeconditis, aswell of our soueraigne lorde the king that now is, as of his noble father haue beene, slaine, robbed, and spoyled, by the kings liege people and subiects, as well vppon the maine sea, as within the ports and coastes of the sea of Englande, Irelande, and of Wales, whereby the said truce & safeconduits haue ben broken and offended, to the great dishonor and slaunder of the kinge and against his dignitie. And the said manslears, robbers, spoilers, and offenders of the said truce & the kings safeconduits, as is afore declared, haue ben by diuers of the kings liege people & subiects within the coastes of diuers cõtries receiued, abbetted, procured, concealed, hyered, sustayned, & maintayned. Our soueraigne lord the king, by the aduise of and assent aforesaid, and at the prayer of the said commons, hath ordeyned & declared, that such manslaughter, robberie, spoyling, breaking of truce, and safeconduits, and voluntarie receit, abbettement, procurement, concealing, hyering, sustayning, & maintayning of such persons, to be done in time to come by any of the kings liege people and subiects within ỳ realme of Englande, Irelande, and Wales, or vpon the maine sea, shalbe adiudged and determined for high Treason done against the kings crowne & his dignitie. And in euery port of the sea be made and assigned from henceforth by the king, by his letters patents, one lawfull man called a Conseruatour of the truce, and the kinges safeconduits, which shall haue xl. pounde of land by yeare at the leaste. And that the said conseruator haue power and auctoritie by the said letters patents, and also by commission of the Admirall of Englande, to enquire of all such treasõs & offences to be done against the truce & ỳ kings safeconduits vppon the maine sea, out of the bodye of the Countie, and out of the fraunchises of the v. ports of the king, as the admirals of the kings of England before this time reasonably after the olde custome and law vpon the main sea vsed, haue done or vsed. And also ỳ the said conseruatour, haue like and the same power, to punish all them, which be or shalbe indicted or accused before him, as wel at the kings suit as at the parties, of any thinge to be done against the truce & the kynges safeconduits vpon the maine sea, out of ỳ bodye of the counties and libertes of the Realme of England, and out of the sayde fraunchise of the v. Ports, by such proces, examination, prooues, determination, iudgement, & execution, as ỳ admirals of the kinges of England before this tyme reasonably according to the old custome & law vpon the maine sea vsed, haue done or vsed: Except that the determination of the death of a man in this behalfe, & the execution of the same, shalbe alwayes reserued to the said Admirall, or to his generall lieutenant, out of the fraunchises of the said v. ports. And that the said conseruatour haue full power and auctoritie to enquire, aswell within the liberties and fraunchises as without, by men enhabitinge within the bodie of the countie and libertie where the said port is, of all such treasons and offences to be done against the truce, and the kinges safeconduits, with in the bodie of the countie and libertie where the saide port is, and to make against those persons before hym so endicted, such proces as here followeth, that is to saye, by Capias and exigend, whych shal as well go into the counties of which such men so endicted be supposed to be, as into the counties where such endictments be taken, which Capias and Exigend aforesaide, in both counties shalbe returned at one daye, and that the first Capias in both counties haue day of returns by a moneth at the leaste. And in

Safeconduits

Robbed

Ports

Ireland

Wales

Robberie

Abbettors

Sea Treason

Letters patents

Conseruator

xl.li. land

Commission Admiral

v. Ports

Punish Indict

Safeconduit

Proces Examination

Execution

Admiral Lieutenant

Enquire

Treasons

Capias Exigent

Addition

1. Lawyers

Associat

Gaole deliuerie

Determine

Swoyne

No reward

Resident

xl.li. Swoyne

Relation

Admiral Fol. b. Ports

Letters patents

Penalty

Warden Fol.

Proclamation

taſe, that the Capias and Erigend bee awarded in this behalfe, that the names and ſurnames of ſuch perſons ſo endicted, and the towne, and the countie and myſterie whereof they be, ſhalbe ſpecified and declared in the indictments and proceſſes of the ſame. And that the ſaide conſeruatour, haue full power to heare at euerie mans ſuite, which will complaine before him ſelfe, or his lieutenant, of any offence done to the partie againſt the ſaide truce and ſafeconduites. And that two men learned in the law bee named and aſſociat in euerie commiſſion of our ſoueraigne lord the kinge, to bee made to ſuch conſeruatour, and that the ſaide conſeruator, and the ſaid men learned in the lawe, in the commiſſion to him aſſociat and aſſigned, haue full power & authorize to make deliuerance, according to the lawe and vſage of the land, of ſuch men ſo endicted before the ſaide conſeruatour, of things ſo to be done within the bodie of the countie or libertie where the ſaide port is, againſt the ſaide truce, and the kings ſafeconduits, and to determyne ſuch ſuytes commenced at any mans ſuit, which will complaine before the ſaid conſeruatour, of any offence to him done againſt the ſayd truce and ſafeconduites, and thereof to make due redreſſe and remedie. And that the ſaid two men to the ſaid conſeruatour ſo aſſociat, bee aſſiſting and attending to the ſaid conſeruatour, to make the deliuerances and determination in the maner and fourme aforeſaide, when they bee by the ſaid conſeruatour reaſonably required. And that the ſaid conſeruatour, and ẏ ſaid two men of law, be ſworne, that they nor none of them ſhal take fee, gift, hyer, wages, reward, or brocage, of any other then of the king in any wiſe in this behalfe, to the let of due execution and puniſhment of ſuch trayto⁊ and offenders aforeſayde. And that the ſaid conſeruato⁊ ſhalbe reſiant in the port and places where he ſhall be conſeruatour aſſigned as is aforeſaide. And euery conſeruatour ſhal take yearely for the ſaid office xl.li. of the kinge at the leaſt, and that they be ſworne, that if any perſon, of what eſtate or condition ſo euer he be, procure, recite, or abet to doe any thinge contrarie to this ordinaunce and the aforeſaide, that euery of them ſhall make due relation to our ſoueraigne lord the kinge, or to the Chauncellour of England for the time being, as ſpedely as he well may, without concealment in any point, vpon payne of imp⁊iſonment, and to make fine and raunſome at the kinges pleaſure. And that the ſaide conſeruatour haue a ſeale of our ſoueraygne lord the kinge ordeyned for the ſaid office. And that the Maſter of the ſhippe, barge, or balyngar, or other veſſells in the ſayde port, be ſworne, and the owner alſo (if hee be preſent) before the ſaid conſeruatour, before ẏ he paſſe out of the ſaide port, ẏ he ſhall not attempt to do any thing againſt the ſaid truce and the kings ſafeconduits. And alſo that the ſaide conſeruatour ſhall do to be enrolled of record before him, as wel the names of ſuch owners and maſters, as the names of their ſhip, barge, balingar, or other veſſell together with the number of the mariners in the ſame being. And if they take anye thinge of the kings enemies, or of any other, they ſhal do to be brought ſuch thinges taken into the port, and thereof make full informa-tion to the ſaid conſeruatour, before that they thereof make diſcharge or ſale. Except that by force of wynd, tempeſt, or of enemies, or ſome other reaſonable cauſe, ſuch ſhippe, barge, balingar, or other veſſell ſhall enter into an other port for the ſaluation of the ſame veſſel, or other cauſe reaſonable, and that then they ſhall make full information to the ſaid conſeruatour, or to the conſeruatour of ẏ port, in which the ſaid veſſels ſhall arriue or enter, of the ſaid taking, and of the quantitie of ẏ ſame taking, a letter teſtimontall vnder the ſaid ſeale of the aforeſaid conſeruatour, by the which the conſeruatour of the ſaide port, whereof the veſſel or veſſells ſhall go out, may haue notice of the quantitie, and alſo of the valne of the goods and cattels ſo taken. And if any owner or maſter of any ſhip or other veſſell go out of any port of the realme of England, or diſcharge hys ſhip or veſſell againſt the fourme of thys ordinance, that ſuch ſhippe or veſſell together with the thing taken in the ſame duely made, bee forfaited to the kynge, and the body of the owner or maſter of ſuch ſhippe or veſſell committed to priſon, there to remayne vntyll hee hath made fyne and raunſome to the kynge. Prouided allwayes, that no owner of ſhippes

Chauncelor

Imprison

Fine

Seale

Shipmaster

Sworne

Enrolle

Informe

Price

Testimonial

Value

Fol.

Imprison

Fine

going

going oute of any port shal make no fine nor raunsome nor haue imprisonmēt of bodye, if the same owners be not in the same ship at the time of the offence done against this ordinance. And the saide admirall shal haue the forfaitures in all cases out of ỳ sayd fraunchise of the v. ports aforesaide, as he hath had & hath bene accustomed of right to the office of the admirall of England, before the making of this ordinance. And that all suche conservators to be made within ỳ said v. ports, haue ỳ same auctoritie & power by the kinges letters patents & cōmission of the wardē of the same ports for the time being, to enquire of such offences to be done vpon ỳ maine sea wtin ỳ fraunchises of ỳ fiue portes out of the bodies of the counties, & to punish all them so ēdicted or accused, which shalbe before the said conservatour of the same offences by lyke proces, examination, proues, determination, iugement, & execution, as the said admirals reasonably accordinge to the olde customs and law vpon the sea vsed, haue done & vsed out of the said fraunchise of ỳ fiue portes, except that the determination of the death of a man in this behalfe, and the execution of the same, bee within the same fraunchise of the v. portes reserued to the said warden, or to his general lieutenant there. And that the same wardein haue al ỳ forfaitures there, in all such cases as hee hath had & haue bene accustomed of right to the office of wardein of ỳ fiue ports aforesaid before this time. And ỳ the saide conseruatours and euerie of them, haue power to make full executiō of this ordinance in the forme aforesayd. And this ordinaunce shal holde place and force, for things to bee done or attempted against this same ordinaunce, after the proclamation of this ordinaunce and declaration made. An. 2. H. 5. ca. 6. And after An. 14. H. 6. cap. 8. This statut was put in suspence for seuen yeres. And further Anno 26. H. 6. capitulo 11. this statute was put in suspence til the next parliament.

Admiral Fork. v. Ports

Letters patents

Punish

Warden Fork.

Proclamation

2 ¶ Of all attemptes made by hys enemies vppon any of his faythfull liege people, against the tenor of any truce, take before this time, wherin is no expresse mencion made, that al Marques & reprisals shal cease, ỳ same our soueraign lord the king wil graunt marque to al them ỳ feeleth them selfe in thys case greeued in due forme. And our said soueraigne lorde the kinge will do likewise to all his liege people ỳ feele them greeued, against the tenour of any truce, which betwixt hym and any of his enemies, shalbe newly take hereafter. And to the greater comfort of his said faythfull liege people, to the intent that they maye the more redily, and without long delay, haue remedy in thys case. The same our soueraygne lorde the king, will, that if he or they that feele thē greeued, against the tenour and fourme of such truce within the realme of England, out of the said marches of Scotlād, or vpō the sea, or in the parties beyond ỳ sea, shall complayne to the keeper of the prime seale, which for the time shal bee, who after such complaint heard and perceiued thereof shal make to the partie cōplainant (if he the same require) letters of request, vnder the priuye Seale, in a due fourme, and yf after such request made the partie required, do not make within a conuenyent tyme due restitution and satisfaction to the party greeued, then the Chauncellour of Englande for the tyme beinge, shall do to be made to such partye greeued (if he it demaund) letters of marque vnder the great seale, in a due forme. And as for remedy to be ordeyned for the kings leige people and subiects, that feele them greeued in the realme of Scotland or in Englande, or the marches toyninge to Scotlande, against the fourme of such truce, as afore is sayd, our soueraigne lord the king shall geue power by commission to the Wardeins, aswel of the Eastmarches, as of the westmarches, towardes Scotlande, and to euery of them to heare the complaintes of al them his leyge people and subiects, which be or shalbe greeued, and to do therupon to be made request by letters, to bee deliuered to him, which hath done or shall do such greeuāce, or to the ỳ wardēs of ỳ Marches, or conseruatour of ỳ truce, of ỳ parties of Scotland, if he may ỳ sāe wel do, or other wise to make proclamatiō in open places, vpon the Marches, that he or they, whych haue done such greeuaunces against the truce, shal make due restitutiō or satisfaction to the partie greeued. And if they do not within a conuenient time, that at the

Marque

Marches Scotland

Letters request

Chauncelour

Letters of marque

Scotland

Cōmission Wardens Eastmarch Westmarch

Proclamation

Restitution

instance of euery of the kinges liege people and subiects, which thereof feleth, or shall fele him selfe greued in suche case, letters of Marque be geuē in due forme, vnder the seales of ỳ saide wardēs, or vnder his seale to whō the complaint shalbe made in this case, wout any difficultie. An. 4. H. 5. ca. 7.

Letters of Marque

3 ¶ An. 29. H. 6. ca. 2. ỳ stat of An. 2. H. 5. ca. 6. is confirmed, & it is in the sayd statute of 29. H. 6. further enacted that ỳ Chauncellour & one of the chiefe of Justices should execute ỳ stat of 2. H. 5. cap. 6. of breking of truce vnder a certain forme there expressed in the saide statute of Anno 29. Henrici sexti, to endure for fyue yeares.

4 ¶ All statutes & ordinances made before ỳ xiij. day of March, in ỳ first yere of his raigne by auctoritie of any parliament not repealed, against the offēders and breakers of amities, truce, leagues & safecōduits aforesaid, be & shalbe in their full force and effect. And that euery of the same statutes and ordynāces bee put in due execution in all thinges before the Judge or Judges, person or persones, or deigned by the same statute and ordinā ces or any of them accordinge to the tenures and effects of euery of them. Anie graunt or confirmation by act of parliament or otherwise, bee or coll onne made, had, or vsed to the cōtrarye notwithstanding. Prouided alwaies ỳ this act extend not to any act or ordinance made for the punishment of any such offenders in the second yere of kyng Henry the fift, late in deede & not of right king of Englād. An. 14. E. 4. cap. 4.

Execution of Statutes

¶ Bridges.

The Justices of peace in euery shire of this realme, franchise, citye, or borough, or tower of them at ỳ least, wherof one to bee of the Quorū, shall haue power & auctoritie to enquire & determine in ỳ kings general sessions of ỳ peace, of all maner of anoyances of bryages broken in the high wayes, to ỳ dāmage of ỳ kings liege people, & to make such proces and paines vpon euery presentmēt afore them, for the reformation of the same against such as owen to be charged for the making or amending of such bryges, as the kings Justices of his bench vse commonly to do, or as it shall seeme by their discretion to be necessary & conuenient for ỳ speedy amendment of such bryges. And where in many partes of thys realme it cānot be knowen & proued what hūdred, ryding, wapentake, citye, borough, town or parish, nor what persō certain, or body politike ought of right to make such bridges decayed, by reasō wherof such decayed bridges for lacke of knowledge of such as owen to make them, for the moste part lien long without any amendmentes, to the great anoiance of the kings subiects. For the remedye therof bee it enacted ỳ in euery such case the saide bridges, if they bee without citie or towne corporat, shall be made by the inhabitants of the shire or riding, within ỳ which the sayde bridges decayed shall happen to bee. And if it bee within any citie or towne corporate then by the inhabitauntes of euery such Cytie or Towne corporate wherein such bridges shall happen to be. And if parte of any such bridges so decayed happen to bee in one shire riding, citie or towne corporat, and the other parte thereof in an other shire, ryding, citie or towne corporat, or if part be within the limittes of any citie, or towne corporate, and parte without, or parte within one ridinge, and part within an other, that then in euery such case the inhabitauntes of the shires, rydinges, Cities, or townes corporat, shalbe charged & chargeable to amende, make and repaire such parte and portion of such bridges so decayed, as shall lye and bee within ỳ limittes of the Shire, rydinge Citie or Towne corporate wherein they bee inhabitaunts, at the tyme of the same decayes. And be it further enacted, that in euery such case where it cannot bee knowen and proued, what persones, landes, tenementes, and bodies politike owen to make and repaire such bridges, that for speedye reformatyon and amendinge of such bridges, the iustices of peace within the Shires or rydinges wherein such decayed bridges beene out of the Cities and Townes corporate, and yf it bee wythin Cities or Townes corporate, then the Justices of peace within euery such Cytie or Towne corporate, or iiij. of the said Justices at the least, whereof one to be of the Quorum, shall haue power, and auctoritie

Discretion

Inhabitants Shire Riding Citie Towne Corporate

Just. of peas

Just. of peas

Just. of p.

One of the Quorum Determine Sessions Nuisance

Porers

thozitie within the limits of their seuerall commissions and auctho̅zities, to call before them the Constables of euery towne and parish being within the shire, ryding, citie, o̅r towne co̅zporat, as wel within liberties as without, wherein such bridges o̅r any parcel thereof shal happen to be, o̅r els two of the most honest inhabitaunts within euery such towne o̅r parish within the same shire, ryding, citie o̅r towne co̅zporat, by the discretion of the said Justices of peace, o̅r iiii. of them at the least, whereof one to bee of the quorum. And at, and vpon the apparances of such Constables o̅r inhabitants, the said Justices of peace, o̅r iiii. of them, whereof one to bee of the quorum, with the assent of the said Constables o̅r inhabitants, shall haue power and auctho̅zitie to taxe and set euery inhabitant in any such citie, towne, o̅r parish within the limittes of their commissions and auctho̅zities, to such reasonable aide and summe of money, as they shall thinke by their discretions conuenient and sufficient fo̅r the repayring, re̅edifying, and amendement of such bridges, and after such taxation made, the said Justices shal cause the names and summes of euerie particuler person so by them taxed, to bee written in a rolle indented. And shall also haue power and auctho̅zitie to make two Collectors of euery hundred, fo̅r collection of all such summes of money by them set and taxed, which Collectours receyuinge the one part of the said rolle indented vnder the seales of the saide Justices, shall haue power and auctho̅zitie to collect and receiue all the particuler summes of money therein contained, and to distreine euerie such inhabitant as shalbe taxed and refuse payment therof, in his lands, goods and cattells, and to sell such distres, and of the sale thereof, reteine and perceiue al the money taxed, and the residue (if the distres be better) to deliuer to the owner thereof. And that the same Justices o̅r iiii. of them within the limittes of theyr commissions and auctho̅zities, shall also haue power and auctho̅zitie, to name and appoint two Surueyors, which shall se̅ euery such decayed bridge repayred and amended from time to time, as often as ne̅ede shall require, to whose handes the said Collectours shall pay the said su̅mes of money taxed, and by them receyued, and that the Collectours and Surueyors and euerie of them, and their executours and administratours, and the executours and administratours of them, and euery of them, from tyme to time shall make a true declaration and accompt to the Justices of peace, of the shire, riding, citie o̅r towne co̅zporat, wherein they shalbe appointed collectours o̅r surueyors, o̅r to iii. of the same Justices, whereof one to bee of the Quorum, of the receipts, paiments and expences of the said summes of money. And if they o̅r any of them refuse ẏ to do, that the same Justices of peace, o̅r iiii. of them from time to time by their discretions, shall haue power and auctho̅zitie to make proces against the said collectors and surueyors, and euery of them, their executors & administratours & the executors & administratours of euery of them by attachements vnder their seals, retournable at the general sessiō of peace. And if they appeare, the̅ to compell them to accompt as is afo̅resaid, o̅r els if they o̅r any of them refuse that to do, then to committe such of them as shall refuse, to warde, there to remaine without bayle o̅r mainprise till the said declaration and accompt be truely made. And where any bridge o̅r bridges lyinge in one shire o̅r ryding, and such persons, inhabytantes, bodies politike, landes o̅r tenementes, which owen to bee charged to the making and amending of such bridges, lyen and abyden in another shire o̅r ryding, o̅r where such Bridges bene within any citie o̅r towne co̅zporate, and the persons, inhabitaunts, bodies, politike, landes o̅r tenements, that owen to make o̅r repaire any such bridges lien and bene out of the said cities o̅r towns Co̅zporate. Be it enacted, that in euery such case, ẏ iustices of peace of the shire, citie o̅r towne co̅zporat wi̅n the which such decayed bridges o̅r any part therof, shal happe̅ to be, shal haue power to enquire beare and determine al such annoyaunces, beinge within the limits of their cōmissions o̅r auctho̅zities. And if the annoyaunce be presented, then to make processe into euery shire wythin this realme, against such as owe̅ to make o̅r amend any such bridges so presented before them, to bee decayed to the annoyaunce and let of the passage of the kinges subiectes, and to do further in euery bee̅-

Constables

2. Inhabitāts

Discretion

Taxes

Discretion

Repayring

Rolle

Collectors

Distraine

Surueiors

Execut̄ors Administratours

Accompt

Refuse

Just. of peace

Discretion Proces

Attachment

Sessions of p.

Refuse

Imprison Mainprise

Just. of p.

Determin Nuisance

Proces

halfe in euerie ſuch caſe, as they might do by auctho᷑itie of this act, in caſe that the perſons o᷑ bodies politike, landes o᷑ tenements which ought to bee charged to the amendinge o᷑ making of ſuch b᷑idges o᷑ any part therof, within the ſame ſhire, ryding, citie, o᷑ towne co᷑po᷑at, where any ſuch annoiſance ſhall happen to bee. And that all Sheriffes and Bailifes of liberties and fraunchiſes, ſhall truely ſerue and execute ſuch p᷑oceſſe, as ſhall come to their handes from the ſaid Juſtices of peace afo᷑e whom any p᷑eſentment ſhalbe had, fo᷑ any ſuch annoiſance, acco᷑ding to the tenou᷑ and effect of the ſaid p᷑oces to them directed, without fauour, affection, o᷑ co᷑ruption, vppon paine to make ſuch fine as ſhalbe ſet vppon them, o᷑ any of them, by the diſcretion of the ſaid Juſtices. P᷑ouided alway, that this acte no᷑ any thing therein contained, bee not p᷑eiudiciall to the liberties of the v. P᷑o᷑ts o᷑ members of the ſame. And fo᷑ refo᷑mation of anoiſances of b᷑idges within the ſaid po᷑ts & members. Be it &c. that the Wardens, Maio᷑, and Bailifes elected, & iurates of the ſame po᷑tes, and euery of them haue power & auctho᷑ity, to enquire heare and determin, al maner of common anoiſances of B᷑idges within the ſame po᷑ts and members, & to make ſuch p᷑oces, paines, tarations, and al other things within the ſame po᷑ts & members, as ỹ Juſtices of peace may do in other ſhires o᷑ places out of the ſame po᷑ts by ve᷑tue & auctho᷑itie of this p᷑eſent acte in euerie behalfe. And be it &c. that the Juſtices of peace, o᷑ iij. of them ſhal haue ful power & auctho᷑ity, to allow ſuch reaſonable coſts and charges to the ſaid ſuruciors & collecto᷑s, as by their diſcretion ſhalbe thought conuenient. Fo᷑aſmuch that albeit b᷑idges decaied were amended & repaired, acco᷑ding to the teno᷑ of this act, yet neuertheleſſe if ſpe᷑dy remedy fo᷑ the amendement of the walles next adioyning to euery of the endes of ſuch B᷑idges ſhould not be had and made, the kinges ſubiectes ſhould take littel o᷑ none auaile o᷑ cõmoditie in many parts of this realme by the making of the b᷑idges. In conſideration whereof bee it &c. that ſuch part and po᷑tion of the highe waies in euery part of this Realme, as wel within fraunchiſe as ỹout, as lye next adioyning to any endes of any b᷑idges within this Realme, diſtant from any of the ſaid ends, by ỹ ſpace of CCC. fo᷑te, be made, repaired, & amended as often as nede ſhall require. And ỹ the Juſtices of the peace in euery ſhire of this Realme, franchiſe, citie, o᷑ bo᷑ough, o᷑ fower of them at the leaſt, whereof one to be of the Quorum, within the limits of their commiſſions and auctho᷑ities, ſhall haue power and auctho᷑itie to enquire, heare, and determine in the kinges generall ſeſſions of peace, al maner of anoiſances, of and in ſuch high waies, ſo being & lying next adioyning to any endes of b᷑idges within this realme, diſtant from any of the endes of ſuch B᷑idges CCC. fo᷑te and to do in euery thing & things concerning the makinge, repayring, and amending of ſuch high waies and euery of the, in as large and ample manner, as they mought and may do, to and fo᷑ the making, repay᷑ing, and amending of B᷑idges, by ve᷑tue and auctho᷑itie of this p᷑eſent acte. An. 22. H. 8. ca. 5.

2 ¶ Fo᷑ the good repaire and perpetuall mauntenance of Rocheſter B᷑idge in Kent, and fo᷑ the good o᷑der of ỹ rents and reuenues, al well of the landes geuen fo᷑ the maintenance of the ſaide B᷑idge, as of the landes of auncient time contributo᷑ie to the repaire of the ſame b᷑idge. Be it o᷑deined and enacted by the auctho᷑itie of this p᷑eſent parliament, that on the mo᷑ow after the general quarter ſeſſions of the peace holden in the ſaid countie of Kent, next after the feaſt of Eaſter next comming, the Wardens and cominaltie of the lands contributo᷑ie to the ſaid Rocheſter b᷑idge, o᷑ as many of the as conueniently may, ſhal aſſemble them ſelues at the Caſtel of Rocheſter, néere to the ſaid Rocheſter b᷑idge, & there by the moſt number of their voices then p᷑eſent, to make an election of two perſons of the ſame cominaltie to be the Wardens of ỹ ſaid Rocheſter b᷑idge, ſuch as then ſhalbee moſt commonly reſident and houſe kéeping within the ſaid countie of Kent, and then not knowen to bee of any ſuch debilitie o᷑ ſickneſs, but that they may execute the ſame office, and of twelue perſons of the ſaid cominaltie to be aſſiſtants to the ſaid two Wardens, fo᷑ one whole yeare after the firſt day of Pentecoſt then next enſuing, and ſo from thence fo᷑th fo᷑ euer, at

Shirifes Bailifes Execute

Fine Diſcretion P᷑ouiſo

v. Po᷑ts

Wardens Maio᷑s Bailifes Iurats Determin

Nuſance

P᷑oces

Juſt. of p.

4. Juſt. of p.

Coſtes Surueio᷑s Collecto᷑s

Walles

High waies

300. Foote

Juſt. of peace

Nuſance

*

Rocheſter Bridge

Wardens

Aſſiſtants

Election

at the ſaid day and place yerely election to be made of two Wardens for the ſayde bridge, and of twelue aſſiſtants. And the two Wardens ſo choſen (for that yeare wherein they are to ſerue as Wardens) ſhal do their diligent endeuour, for the benefite of the ſaid Bridge, at or after ỹ ſaid prefixed day for election of the ſaide two Wardens, and twelue aſſiſtants, al other

Officers Stipends

officers needefull concerninge the ſayde Bridge, and their ſtipendes and wages alſo from time to time ſhalbe appoynted by the diſcretion of the ſaid two elected Wardens. And that euery yeare on the Thurſday in the Whitſon weeke, the ii. former Wardens of the ſaide bridge for the yere ending at the feaſt of Pentecoſt then laſt paſt, their executours or adminiſtratours, ſhall in preſence of the new and laſt choſen Wardens, or of one of them, and before ſuch fower of the ſayde aſſiſtants, as ſhalbe choſen and aſſygned for Auditours by the ſaide Wardens and Cominaltie at the ſaid prefixed day for election of Wardens then laſt paſt, or the more part of them, yelde vp a true accompt in writing, in the houſe called the Crowne Inne in Rocheſter, neere to the ſaid Bridge, and parcel of the poſſeſſions of the ſaid Bridge, or at ſome other place conuenient, at the ſame prefixed daye of election to bee limitted, of all their receipts, payments, and doyngs, concerninge the ſaide Bridge, and the arrerages vppon them founde, ouer and aboue ſuch allowaunces, as by ſuche accomptaunts ſhall bee demaunded vppon hys othe, ſhall paye in ſuch fourme as ſhall bee to them lymitted by the ſaide new Wardens, and Auditours, or the more part of them. And further, that none of the ſaide aſſiſtants or Auditours choſen and aſſigned in fourme aforeſaid, ſhall vppon reaſonable notice and requeſt, refuſe to come and accompliſh that which by the intent and meaninge of this act is limited for him to do, vppon like payne and forfeiture to all intents and purpoſes, as vppon the Wardens elected and refuſing to become bounde, as is before limitted.

Executors Adminiſtratours

Auditours

Accompt Crowne Inne

Arrerages

Othe

Refuſe

Foyl.

And for the good order of the ſaid lands belonging to the ſayde Bridge, be it ordeyned and enacted by authoritie of this preſent Parliament, that no leaſe hereafter to bee made by the ſayde Wardens and Cominaltie, ſhalbee made of any the landes and tenementes aſſured for the maintenaunce of the ſaide Bridge, but both the Wardens choſen as aforeſayde, and the ſaid twelue aſſiſtants, or the more part of the ſame aſſiſtaunts, ſhall firſt conſent, and alſo ſubſcribe to the ſame leaſe, after it is engroſſed, and before it ſhalbee enſealed, and the conſent and ſubſcribing of the two Wardens, and of ſuch number of aſſiſtaunts, ſhalbee in law the conſent of the whole Wardens and Cominaltie aforeſayde. And euery ſuche leaſe to bee entred and regiſtred in a Regiſter booke, to bee kept by the Wardens for the time being in a Cheſt, wyth the common ſeale and euidences of the lands, of the ſaid bridge, in ſome place conuenient. And after ſuch leaſe aſſented vnto engroſſed, and ſubſcribed as aforeſayde, then it to bee ſealed by the common ſeale of the ſaide Wardens and Comminaltie, and delyuered for a ſufficient leaſe in lawe.

Leaſe

Conſent

Regiſter

Common Seale

Prouided alwayes, that no leaſe of any of the ſaide landes belonging to the bridge ſhal hereafter bee made but of ſuch forme and effect as tenant in taile is warranted lawfully to make by the ſtatute made in the xxviii. yeare of the raigne of kynge Henry the eight, ſauing for houſes not hauing aboue three acres of land belonging to them, whereof leaſes may be made by the aſſents afore mencioned for terme of fifty yeares or vnder.

Leaſes

Prouided alſo that the leaſes of the premiſſes, ſhal not be made for any fines or incomes, but for rents reaſonably to bee aduanced for the profite of the ſaid bridge. And that by the tenor of euery ſuch leaſe at the end of euery ſeuenth yeare a true terror of all the lands and rents ſo demiſed, ſhalbee brought and delaucred to the Wardens for that time being, and that the ſaide Wardens ſhall haue authoritie by inquiſition of Jurpes from time to time, to ſuruey and finde out the particulers and contents, not onely of the lands properly belonging to the ſaid bridge, but alſo of the ſaide other landes contributorie to the ſaide bridge.

Leaſe

Incomes

Terror

Wardens

Suruey

Prouided furthermore, that ſuch as bee the preſent Fermors of any of the ſaide landes proper belonginge to the bridge, ſhal

Fermours

shall haue the preferment in taking new leases, so as they will geeue for the profite of the saide bridge as much as any other Bona fide will. And moreouer, that if any present Fermour, not lyking to geeue as another will, shal not take a new lease, but another shal fortune to haue the same new lease, that then the old fermor shall for his bettering or buyldings, haue such recompence, as shalbe thought reasonable by agreement betweene the sayde Wardens & assistants, and the said Fermour, and in default of agreément betweene them, then such recompence as shalbe thought méete by the lord Chauncelor, or the lord Treasorer of Englande for the time beeing. Prouided also, that this acte, or any thing therein contained extend not to alter any thing, but that in actions and suits, touching the landes or rents, or other interests and duities concerning the said Bridge, the Wardens alone, without the assistants, or any of the Comminaltie, be and shalbe able to sue & be sued, according to the meaning of the statute in that behalfe made in the xx. yere of the raigne of kinge Henry the fyfth. Prouided alwaies, and be it enacted by ỹ auctoritie aforesaide, that none of the owners or tenants of any the landes or tenements of auncient time contributory to the repaire or maintenance of the sayd Bridge, hereafter bee tared, assessed, or otherwise compelled to pay any contrybution, money, or other duity, towardes the repaire or maintenance of the sayde bridge, but in default, and at such time & times only, as the rents or other profitts of the lands, proper and belonging to the said bridge, from time to time due & payable to the Wardens and Comminaltie of the said bridge, shall not be sufficient to accomplish the repaire and maintenance of the said bridge, any thing to the contrarie notwithstanding. An. 18. Eliz. ca. 17.

Bona fide

Recompence

Chauncelor
Treasorer

Actions

Tared

Rents

3 ¶ Albeit one acte of Parliament was made in the xvij. yere of the raigne of our late soueraigne lord of famous memorie kinge Henry the eight, entituled, An act concerning repairing and amending of Bridges in high wales (before 1) in which act amongst other things it is enacted, that if part of any decaied bridge, happen to bee in one shire, ridinge, citie, or Towne corporat, and the other part thereof in another shire, ryding, citie, or Towne corporate, or if part bee wythin any limittes of any citie or towne corporate and part wythout, or part wythin one ryding, and part within another, that then in euerie suche case the inhabytaunts of the shires, rydinges, cities, or townes corporate, shalbee charged and chargeable to amende, make, and repaire such part and portion of such Bridges so decayed, as shall lye and be within the limits of the shire, riding, or towne corporat, wherein they bee inhabited, at the time of the said decayes as by the sayde acte (amongst other thinges) more plainly doth and may appeare. Yet for that at the tyme of the makinge of the saide statute, the foresaid parishes of Tiddenham and towne of Chepstowe, were not as then vnited and annexed to the said counties of Gloucester and Monmouth, but sithence in the xxvij. yeare of the sayde late king Henry the eight, by force of one act, entituled, an act for lawes and iustice to bée ministred in Wales, in lyke forme as it is in this Realme, and now by reason of certaine wordes contayned in the saide last acte, as also by reason of great pouertie of the inhabytaunts of the foresaide Towne of Chepstowe, diuers questions and doubtes haue arysen how, and by what meanes the foresayde Bridge shalbe repaired, amended or newe made. For declaration and explanation whereof, and for remedie in the premisses. Be it enacted &c. that the shire or countie of Gloucester, and the shire or countie of Monmouth, shall stande for euermore chargeable for the maintenaunce, repairinge, amendinge, and newe makynge of the foresaide Bridge, when and as often as neede shall require, videlicet, euerie of them for such part and moitie as lyeth to the middel of the streame of the foresaide water of Wye, on the sides of the foresaide Lordshippes of Chepstowe and Tyddenham aforesayde, and that for the assessment, rating, collection, gathering, and imploying of the moneis thereupon to be spent, such forme and order shalbee obserued, as is appointed by the foresaide acte made in the xxvij. yeare of the sayde kinge Henry the eight.

Tiddenham
Chepstow

Wye

And for the more speedy performance of the premisses. Bée it enacted by the auctho-

Iust. of peace

Default

Fyne.

Oxforde

Yard land

Cart
Plough
Wayne

Bridges

Highwayes

Cart

Houſholder

One labourer

auctho͛ity afo͛eſaide, that if the Juſtices of peace of the afo͛eſaid ſhires of Glouceſter o͛ Monmouth o͛ any of them, doe make any default in not appointing, executing, and obſeruing the o͛der appoynted by the ſaid act fo͛ the aſſeſſement, collection, and imployment of the moneys ſo to bee collected, acco͛ding to the meaning of the ſaid acte, by the ſpace of thr̃e monethes next after this p͛eſent ſeſſyon of parliament, that then they and euerie of them beeing reſident, and inhabyting in the ſaid ſhires, ſhall fo͛fait fo͛ ſuch default, the ſumme of x. poũde a peece, to be recouered befo͛e the Quẽnes maieſtyes Counſell, in the Marches of Wales, by info͛mation, to bee imployed to and fo͛ the vſe and reparation of the fo͛eſayde b͛idge. An. 18. Eliz. cap. 18.

4 ¶ Euery perſon and perſons, reſiant, dwellinge o͛ inhabitinge wit͛in the compaſſe, circuyte, o͛ p͛ecinct of fyue myles of your highnes Vniuerſitie and Citie of Oxforde, o͛ fraunchyſes of the ſame, haunynge in his o͛ their handes o͛ occupation, to the vſe of hym ſelfe o͛ any other, the quantitie of one yarde lande o͛ vpwarde, in tillage, paſture, o͛ other grounde, o͛ haunynge, kee͛ping, vſing, o͛ occupying a d͛aught, cart, plough, o͛ waine, at hys and their owne p͛oper coſtes and charges, ſhall finde and ſend, o͛ cauſe to bee founde and ſent, fo͛ and to the mending, repairing, and vp buyldinge of the decayed B͛idges, wayes, and paſſages, ſcituate, lyinge, and beeinge within one mile of the ſaide Citie of Oxforde, fo͛ euerie yarde land, one Wayne, o͛ d͛aught cart, furniſhed after the cuſtome of the Countrey, with oxen, ho͛ſe, o͛ other cattell, with all other neceſſaries meete and conuenient to carrie thinges fo͛ ſuch maner of purpoſe, with able men to lode and vnlode the ſame d͛aught, cart, o͛ wayne. And euery other houſholder, cottager, o͛ labourer, dwellinge o͛ inhabitting wythin the fo͛eſaid compaſſe, p͛ecinct, o͛ circuite, (being no hy͛ed ſeruant) ſhall by hys o͛ their ſelues, o͛ other ſufficient labourer, having with them ſufficient toles at their lyke p͛oper coſtes and charges, ſynde and ſende, in, and to the mendinge, repayringe, and vp buylding of the decayed b͛idges, wayes, cauſſes, and paſſages, one ſufficient man o͛ labourer, to wo͛ke and labour in and vpon the afo͛eſayd decayed p͛emiſſes. And that euerie perſon o͛ perſons, that by the meaninge of thys acte, is chargeable wyth cart, carryage, wo͛ke, o͛ labour, ſhal by the cõmaundement o͛ cõmaundemẽts of certein ſuperuiſours hereafter to be appointed & nominated by ẏ Vicechauncelo͛, & Maio͛, w̃ o͛ other Juſtices of the Vniuerſitie & citie of Oxforde fo͛ the time beeing, by the ſpace of fiue whole dayes, ſhall do their caryages, kee͛pe their wo͛ke, fetch their caryages, and do their labour, at ſuch place and places, and in ſuch wo͛kes, as to them o͛ any of them ſhalbee nominated and appoynted. And vpon peine that euery perſon o͛ perſons makinge default aboueſaide, fo͛ euery dayes default, o͛ any part thereof ſhall loſe and fo͛fayt v. s. to be leuyed & imployed onely to the mendinge of the ſayd B͛idges and cauſies.

Superuiſors Vicechauncelo͛ & Maio͛

vi. Dayes

Fo͛f. v. s.

And that it ſhalbe lawful to & fo͛ the afo͛eſaid ſuperuiſors fo͛ the tyme beinge, fo͛ the mo͛e ſpeedie amendement of the afo͛eſaid decaies, in ſuch place and places, as by the diſcretion of the Vicechauncellour, Maio͛, o͛ ſuperuiſours, ſhalbee thought neceſſarie, to digge, o͛ cauſe to be digged, with in the ſeuerall grounde of any perſonne o͛ perſones, fo͛ grauell, ſand rubbiſhſtone, o͛ finder, and other thinges, acco͛ding to the ſtatute made in the ſeconde and thirde yere of king Philipe and Quẽne Marie fo͛ high wayes. (This ſeemeth to bee miſtaken for this auctho͛itie is geuen by 5. El. ca. 13. as you may ſee in Highvvaies 4. & 5.) And that the afo͛eſayd fiue dayes cariages, wo͛kes, o͛ labours, acco͛ding to ẏ true meaninge intent and purpo͛t of thys p͛eſent act ſhall be done, finiſhed, and perfourmed, by all manner of perſonne o͛ perſonnes by this act chargeable, betwene the feaſt of ſaint John Baptyſt next after thys p͛eſent Seſſion of Parlyament and the feaſt of all Saintes next after that, and vppon twelue dayes warning gẽuen, o͛ ſent in writing from the Vicechauncellour and Maio͛ of the Citye of Oxforde fo͛ the tyme being, o͛ from either of thẽ, to the Conſtable o͛ other officer of any bo͛ough Pariſhe, head officer, o͛ gouernour of euery other place whatſoeuer, ẏ by this act ought to ſerue.

Seuerall grounds

xii. Dayes Warning

Conſtable

And fo͛ the perfo͛mance of this act, be it enacted,

Default

enacted, ẏ if any person or persons, shall make any default as is aforesaid, hauyng not made any maner of reasonable composition or agreement for the same fault, that then it shalbee lawful for the Vyce-chauncelor, & the Maior of the city of Oxford for the time being, or other their officers appointed, to distreine wtin any the boroughes, towns, parishes, or other places, wher such person or persons dwelleth ẏ maketh default or refuseth. And ẏ same distres to lead, dryue, & carrie away, & the same to with hold, till they & euery of thē haue, or shal pay ẏ forfeitures limited & appointed in this present act, as also ẏ charges of keeping of such distresse so taken. Prouided alwaies & be it enacted, ẏ thys act shall endure for ẏ space of vij. yeares next ensuing the end of this present parliament then next following & no longer. An. 18. Eliz. cap. 20.

Distreine

Endure vii. yeres

5 ¶ Whereas the bridge lately standing vppon the ryuer of Toffe, neere the towne of Cardiffe, being an auncient borough in the Comty of Glamorgan in Southwales, & the only chief shire towne of the same countie, is presently in vtter ruyne & decay: The poore estate of the said towne of Cardife beeing considered, & the vnhabilitie therof to performe so great a charge, though of right the buylding of the saide bridge had properly belonged vnto thē, wbout al doubt or controuersie, though there hath ben some question moued there vpon, & vpon the words of ẏ statut of 22. H. 8. ca. 5. (before 1.) Be it &c. for ẏ auoyding of further controuersies, that the said towne & cōty shal iointly together, after the rate & proportion herein specified, procede to the rædifiyng of ẏ said bridge, (ẏ is to say) that ẏ countie shall alwaies beare vnto vi. parts of the charges therunto belonging, & ẏ towne of Cardife one part, & so for euery vi. pounds paiable by the cōty by this act, the towne of Cardife & liberties of ẏ same, shal alwaies stand charged with xx. s. vntil the whole summe be defrayed, & the bridge newly rædified & builded. And to the intent, ẏ ouer long delay may not be vsed in setting forwards of so necessarie & charitable a worke, & also that the countie may haue al necessarie & conuenient assistance in that behalfe. Be it likewise enacted by like authority, ẏ the said bridge shalbe wholly builded & finyshed within the space of ii. yeres next after the end, dissolution, or prorogation of this present session of parliament, vppon peine of forfeiture of the summe of C. li. for euery yere, after the said ii. yeres that ẏ said work or bridge shal happen to be behinde vnfinished & vnperformed, wherof the countie shall alwaies lose & pay lxxx. li. and the corporation or towne of Cardife xx. pownd. The moitie whereof shall be to the Quæenes maiestie, her heires & successours, the other moitie to him that will sue for the same, in any the Quæenes maiesties Courts of recorde, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of lawe shalbe admitted or allowed. And that all other boroughes, corporations, and liberties within the said cōtie of Glamorgan (the towne of Cardiffe & liberties of the same onely excepted) shalbe contributors, & beare the ratable & reasonable portions towards the same, iointly & together with the countrey or whole county of Glamorgan. And for the spēdy leuying of al such summes of money, as shalbe necessarie & requisite in this behalfe. Be it hereby enacted by the auctority aforesaid, that the Justices of peace of the countie aforesaid, or any fower, three, or two of them, wher of one to be of the Quorum, out of the liberties of the said towne of Cardiffe, and the Maior & Bailifes, or any two of them wtin the said town, iurisdiction & liberties of the same, shal hereby haue ful power & auctoritie at al times hereafter, & from time to time, as oftē as nede shal require, vntil ẏ said bridge shalbe fully rædified, to rate & assesse ẏ countie aforesaid, wt the seuerall hundreds, & euery towne corporat, parish, village, & hamlet wtin the same, & euery inhabitant & dweller within euerie & any of them, to such reasonable summe & summes of moneys, as to them shalbee thought meete & conuenient, in due & proportionable maner, accordinge as rates, taskes, & tallages, haue bē afore this time vsed to be there rated & leuied, or as neere there vnto as they can. And ẏ such person & persons as they shal appoint for the gathering, leuying, or ratig therof shal haue hereby ful power & auctoritie by way of distres, vpon denial, refusall, or non paymēt to leuy ẏ same, & to make sale of such distresses, according to ẏ statut of the xvij.

Cardiffe Bridge

Repaire

By the towne and countrey

Built

ii. yeres

Forf.

Corporation

Rebels

Iust. of peas

Iuysdictions

Quorum

Maior

Bailifes

Iust. of peace

Rate

Negligent

Collectors

Distreine

Sell

Forf.

of

of king H.8. aforesaid. And ỳ same moneis so leuied, to be deliuered ouer and payed, so much thereof as shalbee leuied within the county aforesaid, out of ỳ liberties of ỳ towne of Cardife aforesaid, to ỳ said Justices, or to two of them, wherof one to be of the Quorum, or to such person as they shal appoint, & so much as shalbe leuied wᵗ in the liberties of ỳ said towne of Cardif, to be deliuered ouer to the said Maior and Bailifs, or any to be appointed by ỳ consent of thē, or any ij. of thē, who shall imploy the same wᵗ as much spæd as conueniently may be, for the purpose aforesaid. And if any wᵗin the county or liberties aforesaid, who shalbe taxed or rated to pay any summe or sūmes of money in forme aforesaid, do refuse the paiment thereof, or otherwise wᵗstand their distresses, or if any other ỳ shalbe charged to taske, rate, gather, leuy, or pay ouer any the moneys aforesaid, shal refuse, withstand, denie, or impugne to accomplish ỳ cōmaundemēt in ỳ behalfe, to further ỳ spædy executing, paying, & doing ỳ shalbe to them appointed in maner aforesaid: Then euery such person & persons, if they be out of the liberties of ỳ said towne of Cardife, shalbe imprisoned wᵗout baile or mainprise, by the discretion of ỳ said Justices, or any two of thē, whereof the one to be of the Quorū, if wᵗin the said liberties, then by ỳ discretion of the said Maior & bailifes, or any ij. of thē, vntil such time as they shalbe conformable to abide ỳ order of the said Justices, Maior, & bailifs for their said offices. And moreouer be it enacted by ỳ authority aforesaid, if ỳ said Justices, Maior, & Bailifs, or any one of them wᵗin their seueral limits, not being letted by sickness, or sōe other true & reasonable excuse, shall be negligēt, or do not by al waies & means they can, procure ỳ executing hereof by the space of ij. yeres next after the end or prorogation of this present parliamēt, or hauing receiued any sūme or summs of money aforesaid, towards the rædifying of ỳ said bridge, do detain the same, or any part therof in his or their hands, or do not imploy ỳ same there vpon wᵗ al conuenyent spede, & wᵗout any delay, but shal dise ỳ sāe to his or their owne priuat profits, cōmodities or behoues, to ỳ hinderāce of ỳ said worke: ỳ then euery such Justice, Maior, & bailifes for euery default, shall forf. & lose the summe of xl.li. One moitie whereof shalbe imployed towards ỳ building of ỳ said bridge, & ỳ other moity to him ỳ shal sue for ỳ same in any of ỳ Quēns courts of record, by action of debt, bil, or information, wherin no essoin, protection, or wager of lawe shalbe admitted or allowed. And for asmuch as ỳ buylding & rædifying of the said bridge, shall or may stand to smal purpose, if prouision for repairing & mainteining thereof frō time to time, & as often as nēed shal require, be not foreseene & duely considered. Be it therefore hereby enacted by auctoritie aforesaid, ỳ both the towne of Cardife & whole coūty of Glamorgā, shal iointly together from time to time, & as often as nēede shall require, defray al such charges as shalbe necessary in ỳ behalfe, in maner & forme, & in like porporton as is beforesaid, vpon ỳ like pain aforesaid, if material default bē made by ỳ space aforsaid. an. 23. Eli. ca. 11.

Mouie

Ioine hereafter

*

¶ Britons.

ANno 3. H. 5. cap. 3. it was enacted that al Brittons should auoide the realme vpon payne of death.

¶ Broderers.

ANno 4. H. 7. cap. 22. an act was made to endure to the next parliament concerning Broderers for Uenice, Florence & Jane golde to keepe a weight, and to be as good wᵗin as the outward shew is.

¶ Burning of Cartes, and vvood, and cutting of dammes, heades of pondes & conduits, and pipes, tongues & eares, and barking of Trees.

IF any person or persons, maliciously, wilfully, and vnlawfully cut, or cause to be cut of ỳ head or heads, dāme, or dāmes of any pondes, powles, mwtes, slewes, or other seueral waters, or ỳ head or heads, pipe, or pipes, of any conduit or conduits, of any person or persons, or maliciously, willingly & vnlawfully, after ỳ said first day of May, burne, or cause to be burned, any traine or waines, cart, or carts, laden or to be laden wyth coales, or any other gwds or marchandises of any other persone or persons, or maliciously, wyllingly, and vnlawfully after the same first

Dammes

Pipes Conduits

Burne Waines Cart Coales

Woods

Billets Talwood

Tongues

Eares Chaunce medley

Warne appell trees

Forf. ‡ Damages

Forf.

first day of May, do burne or cause to bee burned, any heap or heapes of wood of any other person or persons, prepared, cut and felled, or to be prepared, cut, or felled, for the making of coale, billets, or talwood, or maliciously, vnlawfully, and willingly after the said first day of May, cut or cause to be cut out, the tonge or tonges of any tame beast, or beasts, of any other person or persons, the said beast then beinge in life, or maliciously, willingly, or vnlawfully after the said first day of May, cut, or cause to be cut of, the eare or eares of any of the kinges subiects, otherwise then by auctority of the law, chaunce medley sodeine affray, or aduenture, or after the said day, maliciously, willingly, or vnlawfully, barke any appel trees, peare trees, or other fruit trees of any other person or persons, that then euery such offendour and offendours, shall not onely lose and forfait vnto the partie greeued treble damages for suche offence or offences, the same to be recouered by action of trespas to be taken at the common law, but also shall lose and forfait to the kinges maiestie and his heires for euery such offence x. li. sterlinge in the name of a fine. An. 37. H.8. cap. 6.

¶Butler of the king.

Steward Treasorer

Maior Bailifes

Impriſ.

Iuſtices

THat the Steward of the kings house, & Treasorer of ỹ wardrope, shal send to all the ports of England where wines be to be taken to the kings vse, the certein number, which the Butler shall take in euery part, so that nothing be taken ouer that number. And that the Maior and Bailifes of the said ports, certifie the saide Steward & Treasorer of ỹ number of all the tunnes so taken by the Butler or hys lieutenant, vnder the seale of ỹ said Maior & Bailifes by endentures made betwyxt them & the takers of the said wines. And in case ỹ it bee found, that the Butler or his lieutenant take more, or take reward of any, or delay any by any colour of hys office, as by arrest, he shall make gree to the partie of the double, & shalbe put out of his office, & shal haue imprisonment, & all so be ransomed at the kings will. And ỹ kinge shall assigne his Iustices, when it shall please him, to enquire vppon these things. And the Butler shal answere as well for his deputyes, as for him selfe, where they be not sufficient. An. 25. E. 3. ca. 21. stat' 5.

2 ¶The kings Butler, nor none of his lieutenãts, shal buy embrace, nor take by colour of their office, nor in other maner to their proper vse nor of others, more wines for the house & expences of ỹ king, then they haue in commaundemẽt, vpon pein of imprisonment of their bodies, & to be ransomed at ỹ kings wil, & as much as they shal take by force of the said warrãt, shalbe taken wtin x. daies, & (that done) the merchants of the said wines may, and it shalbe lawfull to them, of the remnant of the said wines to make their profit, notwithstanding any arrest made vpon such wines by the Butler or any of his lieutenants aforesaid. An. 43. E. 3. ca. 3.

Impriſon

Merchants

Arreſt

¶Butter and Cheese.

Staple Chauncelor

Licence

Customes Subsidies

Retaile

Forf.

Moitie

BEcause Butter and Cheese haue beene made marchãdise of the Staple, which be so tender marchandise, that they may not tarry their marchantes. Be it &c. that hée that will bring butter and cheese to anye other parties then to the saide Staple, shall sue to the Chauncelor of Englãd for the time being, to haue licence in thys partie. And ỹ the same Chauncelor haue power to make to him such licences vnder the kings great seale, if it like him so to do by his discretion. An. 3. H. 6. ca. 4.

2 ¶That the kings liege people may bring and cary out of this realme, to whõ it shal please them, of the kings amitye, cheese & butter without any licence to bée pursued in any wise, paying the customes & subsidies therof due from time to time, any statut made to the contrarie notwithstanding. Prouided that the kinge may restrayne the same, when it shall please him. An. 18. H. 6. ca. 3.

3 ¶No person nor persons after the feast of the Annunciation of our Ladie next comming, shall buy to sel again, any butter or cheese, vnles he or they sell the same againe by retaile, in open shop, faire or market, & not in grosse, vpon paine of forfaiture of ỹ double value of ỹ same butter & cheese so sold, contrary to the tenour of this present acte, the one moitie of all which forf. to be to our soueraigne lord the kinge, his heires & successors, & the other

moitie

Retaile

Prouiso

Inholder Victailes

moitie to him or them ỹ will sue &c. where in &c. Prouided alwaies & be it &c. that ỹ said word of (Retaile) mencioned in thys act, shalbe expoũded, declared, & taken only where a weigh of cheese, or a barrell of butter, or of lesse quãtity & not aboue shal be sold at one time to any person or persons in open shop, fayre, or market, & that to be done wout fraude or coyn. Prouyded alway, ỹ this act or any thing therein contained, shall not extend to any Inholder or victapler, for such butter or cheese as shalbe spẽt or vttered by retaile, in any of their houses, any thing contained in thys act to the contrarie notwithstãding. This act to endure to the nert parliament. An. 3. E. 6. cap. 21. This Statute vvas continued by diuers parliaments, vntil 8. Eliz. and then vvas discontinued, and after reuiued 13. Eliz. ca. 25. And last of al continued 14. Eliz. ca. 11. to the end of the next parliament then ensuyng. Conferre this Statut vvith the statut of Engrossers 5. Ed. 6. ca. 14. after in Forstallers.

Continued

Expired.

¶ Cabels, Halters, & Ropes.

ANno 21. H. 8. cap. 12, An acte was made for true making of cables, halters & ropes in Bwport, & within v. miles thereof, to endure to the nert parliament. And after it was continued An. 28. H. 8. ca. 8. An. 31. H. 8. ca. 7. An. 33. H. 8. ca. 17. An. 37. H. 8. ca. 23. An. 5. E. 6. ca. 17. An. 7. E. 6. ca. 1. & An. 1. M. 1. parl' cap. 13. to endure to the end of the next parliament, & then it expired.

¶ Caleis.

Shippes

Stones Beakens

Treasorer

Peine li. s.

Paradise

ALl maner of shippes accustomed to come to the said port (s. of Caleis) out of the countrey of Englande (fisher boats al onely except) shal bringe with them all their lastage of good stones conuenient for the stuffing of ỹ said beakeyns, in making their reasonable deliuerance from time to time at their comming thither to ỹ Treasorer which for the time shalbe there, or to other ministers thereto by him ordeined, vpon the peine of ij. s. for the weight of euery tonne, & as much as the said ships be of portage. And that all maner of shippes entring at the said place of paradise there to rest, shal pay at euery their entre there xliij. s. sterling, and there vpon it shalbee lawful to them if they wil there tarry for viii. dayes with as many nights, thẽ nert ensuing, without paying thereof more for their said entre. And also in case that the aforesaid shippes or boates, tarie ouer the viii. daies and nights aforesaid, then they shall pay for euery day and night a penie, and for the day alone a halfe penye, and for the nyght alone a halfe penye. And moreouer it is ordeyned, that no maner of person shal presume to tye any maner of shippe nor boate by cable, corde, nor other wise to the timber nor stones of the sayde beakins nor paradise, nor also of the new keye otherwise called the wharfe at the side of the said port of the Towne of Caleis, vpon peyne of xl. pence to bee leuied of the shippe, or boate, which so shall be found tyed. And also ỹ the Treasorer, which there for the tyme shall bee, shal haue full power for him and for his deputies, to leuye and receyue the money of the peynes aforesaid incurred and risinge, and thereof to make payment according as shal be needful in his sayd office, by ỹ vertue & controlement of the kinges controllour there. An. 21. R. 2. ca. 18. And after An. 1. H. 4. ca. 3. this act was repealed. And after An. 10. H. 6. ca. 5. it was enacted that that act of 21. R. 2. cap. 18. should be effectual and kept and put in execution for euer, accordinge to the tenour thereof.

Fallen

Repealed

Letters Patents

2 An. 1. H. 5. ca. 9. al letters patents graunted of the reuenues of Caleis were reuoked & these reuenues resumed into ỹ kings hands.

Merchants

Wools Woolfells Leather Leade Tynne

3 ¶ No merchaunte contynually in habitinge within the sayd Towne of Caleys shalbee suffred to buy beyond the Sea any manner of woolles, woolfelles, leather, leade or tynne, nor other marchaundyse perteyninge to the staple vpon peyne of forfayture of the same as oft as it may be proued. An. 8. H. 6. ca. 20.

Treasorer Victaylers

Fort. Mourte

4 ¶ The treasorer & victailers of Caleys shal accompt euery second yere for ỹ yere precedẽt, vp õ pein of C. li. wherof he that wil sue shal haue the moitie. An. 31. H. 6. at the Parliament holden at Readinge: This statute is not in the printed booke of the statutes, but in the kinges treasory.

Freehold

5 ¶ Who that hath any freehold with in

in the towne of Caleis, out of the which any yerely charge is going for ỳ sure kæping of the said towne for watch or other wise that hereafter cesses in doing of the said charge by the space of a yere & a day, ỳ then the saide fræholde bee seised unto the kings hands, he to haue it to him and hys heires, & during ỳ time it be in the hãds of ỳ kings highnes, the Treasorer of Caleis shall take the profites thereof to ỳ kinges vse, & beare the charges yerely going out of the said fræholde, towardes the sayde kæping of the said towne, as before that time it was accustomed to beare, if ỳ said fræholde will beare the said charge. And in like wise be charged the kinges committées, or his patentées, for the kæpyng of the said towne as afore is said. And for default of the doinge of the same by the space of a yere and a day ne paied, ỳ same tenements estsons to bee seised as afore-said, & so from time as oft as ỳ said charge is not content by the said time, & during ỳ time the said tenements be in the handes of the kings highnes. And if ỳ said Treasorer of Caleis pay not the said charge wõ in a yere & a day, that then the said Treasorer forfait the double value of the same to the kinges highnes, if the reuennes bee able to finde the saide watche. Anno 11. H.7.cap.16.

Treasorer

Forf.

6 ¶An.27.H.8.ca.24.a long act was made concerning diuers good orders and lawes for Caleis, & the marches thereof.

¶Calues, Kine, Oxen, Sheepe, Steeres, & Heyghfers.

For the more increase of cattell, be it enacted &c. that no maner of person or persons, being bouchers or other, inhabyting within this Realme, Wales, or the marches of the same, shall from the first day of Januarie nert comming, during iij. whole yeares from thence forth next ensuing, kyll, or cause to bee killed, any maner yong sucking calfe or calues, to be sold or put to sale to any person or persons, whole or by retaile, which calfe or calues hereafter to be killed, shal happen to fal or to be calued betwene the said first day of Januarie, & the first day of May in any of the saide two whole yeres, vpon payn of forfaiture of vi.s. viii. d. for euery calfe fallen or calued betwene the said dayes, and killed and put to sale contrary to thys act, to be paied & forfaited by euery such butcher or butchers, or any other person or persons, which shall kill or cause to bee killed and put to sale any such calfe or calues so falling, and to be calued betwene ỳ said first day of Januarie, & the said first day of May, duringe the said two whole yeares. The one halfe of euery such forfaiture to be to ỳ vse of our said soueraign lord the kinge, and the other halfe to the partie that will sue for the same, by byll, action of debt, or information in any of ỳ kinges courts, wherein no wager of law, essoine, nor protection shalbee allowed. Prouided alwaies, ỳ euery lord Marcher haue ỳ forfeits, profits, & aduãtages only of euery such offendor & offendors against the purueyinge of this act, wythin their signories liberties and fraunchises royal. Be it also enacted that the Justices of peace of euery of the shires of thys Realme within the limits of their commissions shal haue ful power and auctority by force and vertue of this act, at euery their generall Sessions hereafter to bee holden and kept, to enquire here and determine the premisses, as wel by information and presentment, as by byll or plaint, wherein no wager of law, essoine or protection for the defendaunt as is aforesayd shalbe admitted or allowed. An. 24.H.8.ca.7. This act is by 14.Elz.ca. 11. made to be in force and effect vntill the end of the next parliament.

Moitie

Prouiso Lord marche

Iust. of peace

Generall Sessions Determine

2 ¶For the greater plentie of beeues, Be it &c. That no maner of person or persons being bouchers or other, inhabitinge within this realme, Wales or the marches of the same, shall from ỳ feast of the natiuitie of saint John Baptist nert cõming kil or cause to bee killed any maner of weinlings, bullocke, steere, or heighfer being vnder the age of two yeres to the intent to make sale thereof to any person or persons, whole or by retaile, vpon pain of vi.s. viii.d. for euery of the said weinlinges, bullockes steres or heifers, beinge vnder the age of two yeres, killed & put to sale contrary to this act, to be paied & forfaited by euery such boucher and bouchers, & other, which shal kill or cause to be killed & put to sale contrary to this act, any such weinling, bullock, steere or heighfer vnder the age aforesayd, from & after the

Bouchers Wales

Kill Weinlings ii. yeres

Forf.

Forf.

the said feast of ỳ Natiuitie of saint John ỳ Baptist next ensuing as is afozesaide. The one halfe of euery such fozfayture to be to ỳ vse of our said souereigne lozd the king, & ỳ other halfe to ỳ party ỳ will sue &c. wherein no wager of law &c. Pzouyded alwaies ỳ euery lozd marcher haue ỳ fozfaitures, pzofits, & auaũtages onely of euery such offendoz oz offendozs, against the purueying of this act, wỉn their seignyozies, liberties, & franchises roial. Be it &c. that the Justices of peace of euery of ỳ shires of this realme, wỉn the limits of their commissions, shal haue ful power & aucthozitie by fozce & vertue of this act at euery of their generall sessions hereafter to be holden & kept, to enquire, heare, and determine the pzemisses, as wel by infozmatiõ & pzesentment, as by bil, oz plaint, wherein no wager of law &c. This acte to endure to ỳ nert parliamẽt. An. 24. H. 8. ca. 9. This act was continued vntill 8. El. and then was discontinued, & 13. El. cap. 25. reuiued againe. And 14. El. ca. 11. continued vntil the end of the nert parliament.

Mortie

Pzouiso Lord Marcher

Just. of p.

Sessiõs

Determine

3 ¶ No person noz persons, at anye time from and after the feast of the Annunciation of our Lady nert comminge shal buy oz common & conclude to buy any maner of Oren, Steeres, ronts, kine, heighfers oz calues, but onely in the opẽ faire oz market, where ỳ same shall happen to be brought & put to sale, & shal not sel ỳ same againe on liue, at & in ỳ market oz faire, where hee bought the same, during the time of the said faire oz market, vpon paine of fozfaiture of ỳ double value of such cattel bought oz sold, cõtraris to the tenour of this pzesent act. Pzouided alway & be it &c. ỳ it shalbee lawfull foz all & euery person and persons to buy any oren, steeres, rontes, kyne heighfers & calues, oz any of them, out of any open faire oz market foz his oz their pzouision foz their householde, teeme, oz dairie, at his oz their will oz pleasure, to be employed & spent only in keeping & mayntenãce of his oz their house, oz foz their teeme oz dairie and not otherwise. And bee it &c. ỳ no person being a butcher, and vsing the craft oz misterie of butchery, shall at anie time after ỳ said feast, buy any fat oren, steeres, rontes, kine, heighfers, calues oz sheepe, & sel oz cause to be solde the same

Buy

Faire Markets

Foyl. Double value

Pzouiso

Pzouision Teeme Dairie

Butcher

Fat oren Sheepe

againe on liue, vpon paine of fozfaiture of euery such ore, steere, ront, kowe, heyghfer, calues, oz sheepe bargained oz sold cõtrary to ỳ fozme of this pzesent act. Pzouided alway that al and euery person and persons being a butcher & vsing the arte and misterie of butcherie, shall and may at his & their will & pleasure buy any fat oren, steeres, rontes, kine, heighfers, calues and sheepe, oz any of them, out of any open faire oz market: So ỳ such butcher sell not noz cause to be solde the same againe on liue, as is afozesaid, any thynge contained in this act to the contrary notwithstãding. The one moity of al which fozfaitures shalbe to our souereigne lozde the king, his heires and succesoz, & thother moitie to him oz them ỳ will sue &c. this act to endure to thend of ỳ nert parliament. An. 3. E. 6. ca. 19. The act was cõtinued vntil 8. El. and then was discõtinued, & 13. El. cap. 25. reuiued, & 14. El. cap. 11. continued vntill the end of ỳ nert parliament.

Foyl.

Faire Markets

Moity

4 ¶ Foz the moze encrease bzeedinge and rearing vp of pong beasts, and to remedy the great scarcitie of necessarie vytaile. Bee it &c. that euery person which from the feast of the Purification of our Lady nert ensuing, shall keepe oz feede aboue the nũber of fiue scoze sheere sheepe foz the most part of the yeare vppon hys oz her seuerall pastures, landes, feedings, oz fermes apt oz meete foz milche kine, and wherin no other person hath at the makyng of this pzesent acte commõ foz any cattel, foz anp time of the peare, shall by aucthozitie of this acte perely so long as hee shall keepe oz feede the sayde number of fiue scoze shere sheepe, foz euerie threescoze sheepe so kept oz fedde, keepe one milche kowe, and shall bzeede and reare vp perely foz euery fiue scoze sheare sheepe so kept as is afozesayde one calfe, vppon paine of fozfayture foz euerie moneth that any such persõ shal not foz euerie three scoze sheare sheepe as is afozesaid, keepe oz feede one milch cowe, twẽty shillings foz euery cowe, so not kept. And foz lacke of rearing and bzeedinge of one calfe foz euery fiue scoze shere sheepe, to fozfait likewise twenty shillinges foz euery calfe so not reared and fedde. And that euerye person which after the fozesayd feast of ỳ Purification of our Lady,

Keepe 120. Shere Sheepe

60. Sheepe One milch Cow

One Calfe, Foyl.

Foyl.

vpon his or her ſeuerall paſtures as afore is ſaid ſhal kæpe, or fæde aboue the number of twenty oxen, ronts, ſcrubbes, ſtæres, heyfers, or kyen, ſhal by thauctoritie of this act, for euery tenne beaſtes, of the ſayde ſortes ſo kept or fed, kæpe and nourith one milch cow: and bræde, reare, and wayne yearelye, and kæpe for one whole yere one calfe for euery two milch kine ſo charged to be kept, vpon the ſeuerall paynes and forfaytures afore reherſed, except the ſayde calfe or calues ſhall chaunce to die within the ſayde yeares, without coyen or fraude thereto added. Thone halfe of which ſayde forfaytures ſhalbæ to the vſe of our ſaide ſoueraygne Lorde and Lady the King and Quænes maieſties, and the other halfe to the vſe of the partie that within one yeare after the offence committed, will ſue for the ſame in anye of the Kings and Quænes maieſties courtes of recorde, or bæfore the Juſtices of peace in the ſame ſhire, where any ſuche cauſe of forfaiture ſhall be had at thegeneral Seſſions, (who by auctoritie of this acte ſhall haue power to heare and determine the ſayde offences) by bill, information, preſentment, action of debt or detinue, in whych action or ſuit, no eſſoigne, protection, wager of lawe or licence to the contrarie ſhalbe allowed. Prouided alwaies that thys acte nor anye clauſe thereof ſhalbæ extended to bynde anie perſon to kæpe milch kine, ne yet to bræde or reare calues, as afore is expreſſed for ſuch ſhæpe or other beaſtes as the ſame perſon ſhal kæpe & fæde, to thintent onelye to bee ſpent in hys or their houſe or houſes, without fraude or coyen. This act to endure onelye to thend of ſeuen yeares nert following the feaſt of the Purification of our Ladie afore ſayde, and from thence to the ende of the parliament then nert following. An. 2. & 3. P. & M. capitulo 3. This act vvas continued vntill 8. El. and then vvas diſcontinued, and 13. Eliz. capitulo 25. reuiued and made perpetual.

r. beaſts

One milch cowe

One calfe

Mortis

one yeare

Juſt. of p.

General Seſſions Determine

Prouiſo

Sheepe

Spent Houſe

* Perpetual

¶ Cambridge & Cambridgeſhire.

ANno 34. H. 8. cap. 24. an acte was made for the aſſurance of certeyne landes to John Hynde then ſerieaunt at the lawe and his heires, paying yearelye tenne pounde to the charges and wages of the knightes of the parliament of Cãbridgeſhire for euer.

John Hynde Serieant

2 Anno 35. Henrici 8. cap. 15. an act was made for the paueinge of the ſtrætes in Cambridge.

Pauing

¶ Caunterburie.

ANno 34. H. 8. cap. 18. an act is made concerning certain priuileges of Cãterburie.

¶ Captaines & Souldiers.

ALl people, which from henceforth ſhall bæ retayned or aſſigned to ſerue the kyng, their couenauntes ſhalbe put in writing and ſent to the Eſchequer, there to remayne of recorde ſo ỳ at what time that any perſon ſo retayned, his heires or executours, occuppers of the goods, or lãd tenaunts come to accompt thereof, at the Eſchequer, they ſhalbæ thereto receiued, and haue due allowance in their accompt accordynge to the continue of their couenaunt, if percaſe any repeale or countermaundement be made of ſuche retinue of any perſon after that his couenauntes be put in writinge and ſent to the ſaide Eſchequer, ſo that by the ſight of the ſame repeale, and of the couenauntes before there ſent, the barons of the ſaide Eſchequer, ſhall do ryght to the partie according as the law and reaſon demaundeth. And if any thyng be due vnto them by the ſame accompt, that thereof by certifycation of the ſame Eſchequer, the treaſourer and the Chamberlaynes ſhall make payment or aſſygnement to them without tarrying or ſuing other warraunt or commaundement of the great or pryuie ſeale in this behalfe. Anno 5. Richardi 2. cap. 10.

Couenants Eſchequer

Heires Executors

Repeale Countermãd

Barons

Accompt Treaſurer

2 ¶ Anno 1. H. 6. ca. 5. it was enacted what parties captaynes ſhoulde haue of priſoners and paies taken in the wares of hym.

3 ¶ That no captaynes which from thenceforth ſhall haue ỳ conduct of ſuche retinues, ſhal receyue the kings wages for ỳ ſame, ſhall abate of his ſouldiers, nor any of thẽ, any part of their wages, except ỳ it be for their clothig, ỳ is to ſay, if they ſhalbe waged for half a yere x. s. a gowne

Wages Abate

of a

of a gentleman, and .vi.s.viii.d. for a yeoman, vpon paine of .xx.li. for euery speare & .x.li. for a bow, to the king vpon whom he did abate vpon the tenour of the same. An.18.H.9.cap.18.

Fork. Speare Bowe

4 ¶ Forasmuch as many souldiours which haue take parcel of their wages of their captaines, and so haue mustred and bene entred of recorde the kings souldyours, before his commissioners for certayne termes agreed vpon by their masters haue sometimes strayght wayes after departed, and not passed the sea with their captaines, & some of the haue passed sea, & after, long w̄in their termes departed from their captaines, w̄out apparant licence, to ỹ great perill & prejudice of the realme. Be it enacted that euery man so mustring & receiuinge the kinges wages which departeth fro his captayne within his terme in any maner aforesaid, except that notorious sickines or impediment by the visitation of God (which may reasonably be known) suffer him not to go, & which he shal certifie immediatly to hys captaine, & shall repay his money, so ỹ he may prouide hym for an other souldiour in his place, he shalbe punished as a felō. And that the Justices of peace shall haue power to enquire therof, & to heare & determine the same. And likewise hath ordeined by ỹ same auctoritie that no souldiour, men of armes, or archer, so mustred of record, & going w̄ his captaine beyond the sea, shal returne into Englande w̄in ỹ terme for which his captaine hath retained him, nor leaue his captain there in ỹ kinges seruice, and in auenture of the warre, except ỹ he hath reasonable cause shewed to his captain, and by him to the chiefe in the countrey, hauing royal power, & thereupon shall haue licence of the said chiefetain witnessed vnder his seale, and the cause of hys licēce. And who that so doth muster of record and come without letters testimonials of ỹ chiefetayne (as is said) within his terme on thys side the sea, ỹ the maires, baylifes, & other the kinges mynisters, of what port or place they shal arriue, shal haue auctoritie to put him in arrest, & there to kepe him til it be of him enquired. And if it maye be founde by enquiry, before Justices of the peace & proued ỹ he hath so mustred of record, & departed fro their captayne aforesaid, w̄out licēce as afore is sayd, that the he shalbe punished as a felon. An.18.H.6.cap.19.

Depart

Felon Iust.of p. Determine

Warre

Licence

Muster

Maior Baylifes

Arrest Iust.of p.

Felony

Note that by a branch of the act. An.5 El.cap.5. vvhich see after in Shippes.13. It is declared that this Statut extēdeth to mariners & gunners taking presit or wages to serue the Queene vpon the seas.

And see here 6. that the departinge vvithout licēce is stretched vnto seruice on this side the seas, as vvel as beyond the sea. And the licence may be geuen by diuers sundry persons, And certeine other alterations.

5 An.7.H.7.ca.1.& An.3.H.8.ca.5. two seuerall statutes, almost worde for worde lyke (excepting Calcis in 3.H.8. cap.5.) were made against Captaines & souldiours cōcerning their number, wages, & departing without licence, & ỹ trial therof, & the departing was made felony without the benefit of clergye, & Justices of peace should determine it. But I thinke they vvere made to be of effect, but only for those kinges times in vvhich they vvere made.

Number Wages Without licence

6 ¶ Where diuers of ỹ kings maiesties subiects haue according to their dutie set forth into diuers places both within this realme and without, many souldiers wel furnished with good horses & harneis, to their great charges, and some of the sayd souldiers haue deceptfully made awaye their horse & harneis. By meane whereof the kynges highnesse hath not onelye bene destitute of the same souldiours in tyme of neede, but also the owners haue bene deceiued of their horses and harneis, beinge thereby lesse able to refurnishe other souldiours, at the tyme of any new commaundement. And sometyme the Cappitaynes haue taken of the kynges highnesse, wages for souldiours departed, by meane whereof, the kynges maiesty hath susteined great payments, and yet hath not bene truelye serued for the same, not little to the displeasure of the kyng. For remedy whereof, bee it enacted &c. That if anye souldiour here after, serving the kinge in his warres, in anye his dominions, or on the seas or beyonde the seas, or in Scotlande, after the first day of Aprill next comming do sell, geue away or wilfully purloine, or other wyse exchange, alter or put awaye any horse,

Souldiour Serue

Sell

Horse

Harnes

Horse

Lieutenant

Imprisoned

Mainprise Satisfactiō

any Just. of p.

Mainprise Satisfaction

Houses Warrant

Gelding, or mare, or any harneis, wherwith he shalbe set forth, that then euery such souldiour so offending vpō due proofe, or testimony, to be taken before the lieutenant, high admirall, the kings deputie, viceadmirall, wardeyne, or captayne, and in their absence before anye of their deputyes, shall bee imprysoned by the same lieutenaunt, or any other before named, there to remaine without bayle or mayneprise, vntill hee haue satisfied to the partie, owner of the horse, gelding, mare or harnes, so by him solde, purloined, exchanged, wilfully lost, altered, or otherwise made away: And if such souldiour so offēding, fortune to escape from the lieutenaunts, and other the foresaid persons, without the punishment, and restitutiō aforesaid, that then ỳ same souldiour, vpon cōplaint made by the partye greeued, or his executours or administrators, vpon due proofe thereof to be made, to anie Justice or Justices of peace, in the parties where such souldiour so offendynge shalbe founde, shalbee by suche Justice or Justices, committed to warde, there to remayne wythout bayle or maynprysle, vntil he haue satisfied the partie greeued, his executors or admynistrators, of and for such horses, geldings or mares & harnes, so by any such souldior wilfully lost, exchāged, altered or otherwise purloined. Prouided alwaies, ỳ if the said souldiour, bring any sufficient warrant or testimony, before ỳ said Justice, frō ỳ said lieutenant, or any of the persons aboue named in writinge, vnder the seale of any of thē, testifying that the same horse, or harnes, were lost in the kings service, against the wil of the said souldiour, or that the same horse or harnes, was taken by the sayde lieutenant, or any of thothers before named, from the said souldiour, for any reasonable respect, and appointed to some other, to serue in the place and stede of the said souldiour, that then euery such souldiour not bringing to the owner the sayd horse & harnes, shalbe discharged thereof, against the owner therof. And that then euery suche souldiour to whom the saide horse or harnes shalbe appointed, as is aforesaid, not bringing home to ỳ owner, ỳ said horse & harnes, after he shalbe discharged, to suffer lyke payne as is aforesaide.

Souldiour Depart

Without lett Felony

Clergie Sanctuary

Just. of p. Determine

Captaine

Reworde Discharge Souldiour

Forfeiture

Under captain

Licence Souldiour Depart

Forfeiture

Captaine

And be it also further enacted by ỳ authoritie aforesaide, that if anye souldiour serving as is aforesaid, departe without lycence of the lieutenaunt, or any of the other aboue named, with bodie or otherwise, being in the enemies coūtrie, or elswhere in the kinges service, or out of any garrison where he or they shalbe appointed to serue, that thē euery such souldiour, so departing without lycence, to be taken and iudged as a felon, and to be executed as in case of felony, without hauinge any aduauntage of his cleargie or sanctuary, & that the Justices of euery shire where anie suche souldiour shalbee taken, shall haue full power to enquire, heare, and determine, all and euery the sayd offences, concernynge euerie suche departure, as they do and may in other cases of felony, committed in the shire where suche souldiour shalbe taken.

And bee it also further enacted, by the authoritie aforesaid, that if any commissioner or captaine, to ỳ hō the kyng shall direct his commaundement by commission or letters, for the leuying or settyng forth of any men to serue the kinge in his warres, shall at anie time after the saide first day of Aprill, for any gaine, reward, or other lucre, discharge anye person or persōs, by him appointed to serue ỳ king, as a captaine souldiour or pioner, of hys service so appoynted, and to assigne anie other, person or persones in hys or their stede, for any lucre or gaine as is aforesaide, ỳ then euerye cōmissioner, or other person so offēding, shal forfait to ỳ kyng, for euery such default of euerie mā so discharged xx. li. to be leuied of his goods and cattals. And be it also enacted by the authoritie aforesaide, that if anye captayne being appointed to haue the order of anie number of souldiours, vnder anye other hygher officer, do for any cause lycence any souldior in his retinue, to depart from the fielde or fortresse, where they shalbee appointed to serue, without the especyall assent and licence in writing of the lyeutenaunt, or the others before named, hee shall forfait or lose for euerie such souldyour so by him lycenced to depart xx. li. to be leuied, as is aforesaid to ỳ vse of ỳ kig.

And bee it also enacted by ỳ authoritie aforesaid, ỳ if any lieutenāt, or any other before named, hauinge the order of anye

number

number of ſouldiors, ſeruing as is afore-
ſaid, vpō the ſea or lande, do at any tyme
after the ſaid firſt day of Aprill demaund,
Take Wages receiue or take of ẏ kings highnes, or any
of his treaſorers, any wages for any mo
More ſouldiers ſouldiers then ſerued in ſuch manner and
forme, as ẏ wages was paied for, or for
Day any mo daies then ſuch ſouldiers ſerued,
& do not note the daye of euerye ſouldiers
entrie into wages, & day of his death, and
departure, & deliuer the ſame to ſuch trea-
ſorers as ſhal pay the ſaid wages, euerie
Moneth moneth in writing, ſo as the truth of the
number of the ſouldiers may appeare to
the kings treaſorer & maſter of the kings
muſters, for the time being in ẏ behalfe,
that thē euery ſuch lieutenant, and other
before named ſo offending, ſhal forfayt &
Fork. loſe to the king, for euery ſuche default v.
pound, to be leuied as is afore ſaide, to the
Imprisonmēt vſe of the king, and to bee impriſoned by
the ſpace of one moneth, and to loſe hys
rome and office.

And be it enacted by the auctho-
ritie afore ſaid, that no captaine after the
fayde firſt day of Aprill, ſhal giue to any of hys
ſouldiers appointed to ſerue vnder him in
Lycence any towne or forteſſe kept with garry-
ſons of ſouldiers, any licence or paſports
to depart from his ſeruice, but onelye the
Lieutenant lieutenant, or any others as is afore ſaid,
Paine vpon paine of imprisonment, aſwell of ẏ
captaine as ſouldiour ſo offending, at the
diſcretion of the ſaid lieutenaunt or the o-
thers before named.

And be it further enacted, by the auc-
thoritie afore ſaid, that euery lieutenant &
other before named, vpon the paine of x.
Proclaime pound, ſhal cauſe to bee proclaymed, the
whole effect & contents of this acte, that
is to ſay, euery lieutenant of any armye, in
euery field vnder his charge, to proclaim
this act euery moneth, & that euery of the
kings deputies of euery forteſſe, & capy-
taine of any other forteſſe, to proclayme
this act wīn his charge, once euery quar-
ter of a yeare. And alſo be it enacted, by
the auctho ritie afore ſaid, for the better er-
ection of the premiſſes, that euery perſō
Informer or perſons geuing to the lieutenāt, or the
others aboue named, true information
of any of ẏ offences aboue remēbred, ſhal
haue for his labor one moneths wages of
him ẏ ſhalbe found faulty, to be paid by ẏ
hand of the treaſorer, vpon warrant of ẏ
ſaid lieutenāt, or any of ẏ others afore ſaid.

Prouiſo Calice Prouided alwaies that nothing here-
in conteined ſhall in any wyſe extende to
touche or infringe any orders, eſtabliſhed
for ẏ gouernment of Calice, & ẏ marches
of the ſame, or any other place of ẏ kings,
now gouerned, or hereafter to bee gouer-
ned, by ẏ ſame orders, or by ſuche orders
as maye pleaſe hys grace hereafter to ſet
forth for the ſame. Prouided alwayes &
be it enacted by ẏ auctho ritie afore ſaid, ẏ
it ſhalbe lawful to al & euery of ẏ ſaid ly-
eutenants, & other the ſaid perſons, to re-
Retein teine in his or their owne hands, to their
owne vſe, of ẏ wages of his or their ſoul-
diers, ẏ ſūmes following, that is to ſaye,
vi.s.viij.d. for ẏ liuery or coate of euerye
Liuery yeoman ſouldior, & viij.s.iiij.d. for the li-
uery or coate of euery gentlemā ſouldier.

Prouiſo Prouided alwayes, & bee it further or-
deyned & enacted by ẏ auctho ritie afore-
Lieutenant ſaid, ẏ no maner of lieutenant, or any o-
ther ẏ ſaid perſōs, ſhal hereafter bee char-
ged or prejudiced by vertue of this acte, or
any thing therein conteyned, for lacke of
his or their number reteined, as is afore-
ſaide, for or concerninge any ſouldiour, or
ſouldiors as ſhal happen to die during his
ſeruice, or to bee ſicke by the viſitation of
God, or that ſhal depart againſt ẏ will of
his lieutenant or other before named, vn-
leſſe it ſhalbe in the default of any of thē.

Prouiſo Prouided alwaies, that this act be not
prejudicial nor hurtfull to the ſayd lieute-
nant, or any other ẏ ſaid perſons, nor any
other hauinge vnder thē, retinue of ſoul-
diors, nor any of thē, for non payment of
Houſehold ſeruants the kings wages, to their houſholde ſer-
uants, & other to whom they ſhal daylye
finde, & giue meat & drinke, during ẏ ſayd
ſeruice of warre.

Prouiſo Prouided alway that this act nor no-
thinge therein conteined ſhall extende to
charge any perſon or perſons, for the ta-
Rewarde king or receiuing of any gift or rewarde
of any of his or their tenaunts or frinds,
towards ẏ relefe, aide, or helpe of ẏ ſame
perſōs being cōmaunded by ẏ kings ma-
ieſtie, to ſerue in warres, or otherwiſe to
finde men on horſeback or on foote, aſwel
wīn this realme or wout, nor for ẏ gift,
rewarde, aide, or helpe reſerued, or cove-
nanted to be paid, or geuen to any perſon,
appointed to ſerue in warres, or to finde
horſe or men to ſerue, by reaſon of anie

graūt, couenant, reſeruation, cuſtome or tenure. Prouided that this act, nor anye thing therein contained, ſhall not extend to charge any lieutenāt, or others aboue named, for deteining or retayninge anye part of anie the ſayd ſouldiors wages, towarde or for ỳ payment of bitaſles, barnes, weapōs, or for any preſt mony prouided and delyuered to any ſuch ſouldiour. An. 2. E. 6. cap. 2.

Prouiſo

Wages

Bittelle

Note that by a clauſe in the ſtatute. 4. & 5. Ph. & Ma. ca. 2 (which ſee before in Armour 4.) there is a further remedye geuen for their Horſe & Armour vnto ſuch as ſet forth ſouldiers.

And by the Statut. 4. & 5. P. & M. ca. 3. (vvhich ſee in Muſters 1.

The article here of felony is reuiued, & all the reſt of the ſtatut confirmed, with an addition, and ſome alteration of the clauſe of taking of revvarde of tenāt or frind. And alſo an other penaltie ſet vpō cōmiſſioners & captaines, that ſhall take revvardes to diſcharge men.

¶ Caſtels & Fortreſſes, & Caſtel warde.

Conſtable Baylife Coyne

NO Cōſtable nor his baillife, ſhal take come or cattell of any mā for to vytaile his caſtel, if ỳ mā be not of ỳ towne where ỳ caſtel is, but ỳ he ſhal forthwith pay for ỳ cāe, vnles it may appere that ỳ will of ỳ ſeller was to reſpite ỳ payment. and if he be of ỳ cāe towne, ỳ price of ỳ corn & cattel ſhalbe paid vnto hī wōm it dates. Mag. Char. ca. 19. See the like Puruey. 2.

Price

Conſtable Diſtraine knights

2 ¶ No conſtable ſhall diſtrayne anye knight for to giue mony for keping of his caſtel, if he himſelfe will do it in his proper perſon, or cauſe it to be done by an other ſufficiēt mā, if he may not do it himſelfe for a reaſonable cauſe. And if we do cōmaund or ſend him to our warres, he ſhalbe free frō caſtelward for ỳ time ỳ he hath bene wō vs in fee of our hoſt, for the which he hath done to vs knights ſeruice in our warres. Mag. Charta cap. 20.

Knights ſeruice

3 ¶ An. 4. H. 8. ca. 1. an act was made for making of Bulworkes & fortreſſes in Cornewal & other places on the ſea ſide, to endure to the next parliament.

Bulwarks Cornewall

4 ¶ An. 2. E. 6. ca. 16. an act was made ỳ ỳ king may remoue ỳ kepers of caſtels & fortreſſes (though they haue letters patents thereof) & put thē to ſerue in other places, geuing thē like wages & profits as they had before. See the ſtatut at large.

Letters patents

5 ¶ For the better habitation, reſtoring, & reedifying of ỳ caſtels, fortreſſes, & fortlets, villages, & houſes that be decayed wōm the counties of Northumberlād, Cumberland, Weſtmerland, & the Biſhoprycke of Durham, And for ỳ better manuring & employing the groūds wōm the ſame, & for ỳ more encreaſe of tillage. Be it enacted &c. ỳ from & after the firſt day of December next enſuing, commiſſion vnder ỳ great ſeale of England ſhal be directed frō time to time as nede ſhal require, to ſuch perſons as ſhalbe thereunto named & appointed by the kyng and Quēnes mateſties, & theires & ſucceſſors of the Quēne, by their bil or billez ſigned with their ſigne manuel, to be directed to the Chanceller of England, for the tyme being, which commiſſions ſhalbe according to the manner, forme, tenor & effect hereafter enſuing. Phillip and Marye &c. Knowe ye that we haue aſſigned you or any number of you, beīng fire at ỳ leaſt, of the which we will that A. B. & C. ſhalbe thre, to be our cōmiſſioners, to ſurney our counties of Northumberlād, Cumberland, weſt merland, & ỳ Biſhoprick of Durham, or as much thereof, as to you or fire of you, whereof A. B. & C. ſhalbe thre, ſhalbe thought conuenient, & by ſuch waies & means, as you beſt cā, to ēquire what and how many caſtels, fortreſſes, & fortlets, villages, houſes, & habitatiōs, haue ben decayed wōm the ſāe, & by whō & by what occaſions, & how may of the are mete to be reedifyed & alſo how manye caſtels, fortreſſes, & fortlets, villages, houſes, & habitations, were mete to be made of new wōm the ſaide counties & Biſhoprick, & in what places ỳ ſame were moſte mete to be ſcituate, & what parties of the ſaid counties & Biſhoprycke, are moſt apt for to be ēcloſed & cōuerted to tillage or other neceſſary manurāce, mete & cōuenient for thoſe coūtreis, & ỳ people of ỳ cāe. And alſo to enquire what perſōs be owners, lords, proprietaries, fermours and poſſeſſours of the ſame, or claime any intereſt in ſame, & what eſtate or eſtates, termes, or intereſts they or any of them haue, of & in the ſame. And thereupon to take ſuch order for ỳ reedyfying of ſuch ỳ caſtels, fortreſſes & fortlets, villages, houſes and habytations heretofore decayed, and for

Northumberland Cūberland Weſtmerland Dūham

Tillage

Cōmiſſion

Bills ſigned Chaunceller

Forme

Commiſſioners

Tillage

Enquire

Enquire

Care

Keepers Bailifs & Surueiors Collectors Expeditors

Attempts

and for the new erecting & making of o-
thers. & the ſituation of the ſame, & for the
enclosing and conuerting to tillage or o-
ther neceſſary manurance, ſuch parts and
portions of the ſaide counties & Biſhop-
rickes as to you or fiue of you, whereof A.
B. & C. ſhalbe three ſhalbe thought moſt
méete & conuenient, Prouided alwaies ẏ
by colour or vertue of this commiſſiõ you
do not reedifye, newe make, or incloſe, or
cauſe to be reedified, newe made, & enclo-
ſed as aboueſaid in any place or places, in
any of the ſaide counties or byſhoprickes
being in diſtance & lying aboue xx. miles
from the knowen parts of the borders of
Scotland. And we do giue vnto you, or to
any number of you being fiue at the leaſt,
whereof A. B. & C ſhalbe three, full po-
wer & authoritie to inquire by the othes
of the honeſt & lawfull men of the coun-
ties of Northumberland, Cumberland,
Weſtmerland, & the countie palantine of
Durham aforeſaid, as wel wĩn the liber-
ties as without, by whõ the trueth maye
be beſt knowen, who hath or holdeth any
lands or tenementes, or vſeth or percey-
ueth any commõ of paſture or other pro-
fit aprendre in the ſaide counties or By-
ſhoprickes throughout the whole parties
of the ſame, & al thoſe perſons and euery
of them, or ſuche of them, to tare, aſſeſſe,
charge, diſtraine, and paine, after ẏ quan-
titie of their lands, tenements, & rentes,
by the number of acres & perches after ẏ
rate of euery perſons profit, rẽt or tenure,
or after the quantitie of their common of
paſture or profit aprendre or other com-
modities there, by ſuch waies & meanes,
and in ſuch maner and forme, as to you,
or fiue of you whereof A. B. and C. to be
three, ſhal ſéeme moſt conuenyent to bée
ordeined & done for the reedifyinge, ma-
king newe, and incloſing as is aforeſaid.
And alſo to depute and aſſigne dilygent,
faithful, and true kéepers, bailifes, ſurue-
yours, collectours, expenditors, and other
miniſters & officers, ſuch as you our ſayd
commiſſioners ẏ ſhal appoint them will
anſwere for, for ẏ reedyfying, new ma-
king, and incloſing, as is aforeſaid, & fy-
niſhing of the premiſſes and euery of thẽ.
And to heare the accompts of the collec-
tours, & other miniſters of and for the re-
ceipt & laying out of ẏ mony ẏ ſhalbe le-
uied & paid in & about the ſaid reedyfying,
new making, incloſing & finiſhing of the
premiſſes & of euery parcel therof, and to
diſtraine for the arrerages of euery ſuche
collection, tare, or aſſeſſement, as often
as ſhalbe expediẽt, or otherwiſe to punith
the debtours & deteinors of the ſame, by
fines, amerciaments, paines, & other like
meanes after your good diſcretions. And
alſo to arreſt & take as many carts. Orẽ.
beaſts & other inſtrumentes neceſſary, &
as many workemen & labourers, as for
ẏ doing, making, & finiſhing of ẏ premiſ-
ſes, ſhal ſuffiſe, paying for the ſame com-
petent wages, ſalary, & ſtipend. And alſo
to take ſuch & as many trées, woodes, vn-
derwoods, quickſets, ſtone, & timber, and
other neceſſaries, as for ẏ ſame workes
& reparations ſhalbe ſufficient, at a reaſo-
nable price, by you or fiue of you, of the
which we will that A. B. C. ſhalbée iij.
to be aſſeſſed or limitted, as wel wĩn the
limits & bonds aforeſaid, as in any other
place & places, wĩn the ſaid county, coun-
ties, or coũtie Palantine. And to make &
ordeine ſtatuts, ordinances, & prouiſions
from time to time, as ẏ caſe ſhal require,
for the ſafegarde, conſeruation, redreſſe,
correctiõ, & reformation, of ẏ premiſſes,
& of euery of them after the lawes & cuſ-
tomes of Rumney marſh in the countie
of Kent, or otherwiſe by anye wayes or
meanes after your owne wiſdomes and
diſcretiõs, & to heare & determine all and
ſinguler the premiſſes, as well at our ſint
as at ẏ ſint of any other whatſoeuer, cõ-
plaining before you or fiue of you, wherof
A. B. C. ſhalbe three, after ẏ lawes and
cuſtomes aforeſaid, or otherwiſe, by anie
other waies or meanes after your diſcre-
tions. And alſo to make & direct writtes,
precepts, warrants & other commaunde-
ments by vertue of theſe preſentes to all
ſhiriffes, bailifes, & al other miniſters, of
ficers & other perſons, aſwell within the
liberties as without, before you or fiue of
you, wherof the ſaid A. B. C. to be three,
at certaine daies, termes, & places to bée
prefired, to be returned & receiued, & fur-
ther to continue the proceſſe of the ſame.
And finally we do geue vnto you or to a-
ny nũber of you being vi. at ẏ leaſt, wher
of A. B. C. ſhalbe three, ful power & auc-
thoritie to do al & euery thing and things,
which ſhalbe requiſite for ẏ due execution
of ẏ premiſſes, by al wayes and meanes

Enquire

Tare

Keepers
Bailifes
Surueiors
Collectors
Expenditors

Accompts

Diſtraine

Paunth

Arres
Take cartes

Labourers
Trees
Woodes
Vnderwoods
Quickſets
Stone
Timber

Make ſtatutes

Rũny marſh

Determine

Writtes
Warrants
Sheriffes
Baylifes

after your diſcretions. And therefore we cõmaũd you ẏ at certaine daies & places, when & where you or fiue of you wherof the ſaid A. B. C. to bee three, ſhall thinke expedient, ye ſhall mæte together & furney the ſaid counties & Biſhoprycke as is aforeſaid, & accompliſh, fulfil, heare & determine, all & ſinguler ẏ premiſſes in due forme, & to ẏ effect aforeſaide, after your gwd diſcretions. And all ſuche as ye ſhall finde negligent, gainſaying or reſiſtinge your doings & proceedinges in & for ẏ due execution of this our cõmiſſion, ẏ yee doe cõpel them by diſtreſſe, fines, or amerciaments, or by other reaſonable punyſhemẽts, waies, or meanes, which to you or vi. of you, wherof A. B. C. ſhalbe iij. ſhal ſeeme moſt expediẽt for ẏ ſpeedy remedy & redreſſe therof. And al ſuch things as by you ſhalbe made & ordeined in this behalf aſwel wõin ẏ liberties as wout, that ye do cauſe ẏ ſame firmely to be obſerued, doing therein as to our Juſtices appertayneth after ẏ forme & effect of this preſẽt cõmiſſion, & the act of parliament concerning ẏ premiſſes made & prouyded & according to your wiſedomes & diſcretiõs, ſauing alwaies to vs ſuche fines & amerciamẽts as to vs therof ſhal belong. And we alſo cõmaund aſwel our cherif or cheriſes of our ſaid counties of Northũberlãd, Cũberlãd, Weſtmerlãd, & ẏ Biſhoprick of Durhã & euery of thẽ, as al & euery other baſiliſs, miniſters & officers, wõin ẏ ſaid counties & county Palãtine, ẏ they & euery of them ſhal cauſe to come before you & vi. of you, of ẏ which A. B. C. ſhal be three, at ſuch daies & places, as ye ſhall appoint vnto thẽ, ſuche & as many honeſt men of his or their bailiwike or roumes, aſwel wõin the liberties as wout. by whõ ẏ trueth may be beſt knowen, to enquire of ẏ premiſſes or any part thereof cõmãding alſo al ẏ ſaid ſhirifes, miniſters & officers, aſwel wõin ẏ liberties, as wout, ẏ they & euery of them ſhalbe attendant to you, in & about ẏ due execution of this our cõmiſſion. In witneſſe whereof we haue cauſed theſe our letters to be made patẽt. witnes our ſelfe at Weſtm. the day of in the yeres of our raignes.

And it is alſo enacted ẏ euery ſuche perſon as ſhal be named cõmiſſioner in the ſaid commiſſion, after that hee ſhall haue knowledge therof ſhall effectuallye put his diligence and attendãce in and about the execution of the ſaid cõmiſſion. And hee ſhall take a corporall othe, before the Lorde Chauncelor or before ſuch to whõ the ſaid Lorde Chauncellour ſhall direct the kynges writte of Dedimus poteſtatem to take the ſame, or before the Juſtices of the peace in the quarter ſeſſiõs holden in the ſhire where ſuche commiſſion ſhalbe directed. The tenour of which othe hereafter enſueth. Ye ſhal ſweare that you to your cunning, witte and power, ſhall truely and indifferentlye execute the authoritie to you geuen by this commyſſion, without anie fauour, affection, corruption, dread or malice, to be borne to any maner perſon or perſons, and as the caſe ſhall require, you ſhall conſent and endeuour your ſelfe for your parte to the beſt of your knowledge & power, to the making of ſuch wholſome, iuſt, equall, & indifferent lawes & ordinances as ſhalbe made & deuiſed by the moſt diſcrete & indifferent number of your felowes beinge in cõmiſſiõ with you for ẏ making, erection, & preſeruation of all and euery ſuche things as are contained & ſpecyfied in the ſaid cõmiſſion. And that ẏ ſame lawes & ordinãces to your cunning, wit & power, cauſe to bee put in due execution without fauour, mede dread, malice or affection, as God you helpe, & all ſaints. And ouer that, be it enacted, ẏ the commiſſioners hereafter to bee named in any of the ſayd cõmiſſiõs, according to ẏ purport & effect of the ſame cõmiſſions ſhall haue full power & authoritie, to make, conſtitute, & ordeine lawes, ordinances, & decrees, cõcerning the premiſſes, & further to do all & euery thing mencioned in the ſaide cõmiſſion, according to the purport, effect, wordes and true meaning of the ſame, & ẏ ſãe lawes, decrees, & ordinances ſo made to reforme, repel & amend, & make newe frõ time to time as ẏ caſes neceſſary ſhal require. Prouided alwayes be it enacted ẏ if any perſons beinge aſſeſſed or tared to anie lotte, tare or charge for any landes, tenementes or hereditamentes, within the limits of any commyſſion hereafter to bee directed by vertue of thys acte, doe not pay to the ſaide lotte, tare and charge according to the ordinaunce and aſſignement of the cõmiſſioners hauyng power of therecution of the ſaid commiſſion, by

reaſon

Sarney — Sarney the ſaid counties & Biſhoprycke as is
Compell — compel them by diſtreſſe, fines, or amerciaments
Shirifes — Shirifes of our ſaid counties of Northũberlãd, Cũberlãd, Weſtmerlãd,
Baſiliſs — Baſiliſs, miniſters & officers
Enquire — Enquire of ẏ premiſſes
Cõmiſſioner — Cõmiſſioner in the

Dedimus poteſtatem — Dedimus poteſtatem to take the ſame
Othe — Othe of the Chauncelor
Dedimus poteſtatem Juſt. of p. — Dedimus poteſtatem Juſt. of p.
Othe — Othe
Make lawes — Make lawes
Amend — Amend

reason wherof it shall happen the said cō-
missioners hauing power of the executyon of such commission, for lacke of payment of such lotte, tare, & charge to decrée and ordeine the same lands, tenementes & hereditaments from the owner or owners thereof, and their heires, & the heires executors and assignes of euery of them, to any person or personnes, for terme of yeres, terme of life, in fée simple or fée taile for paimēts of the same lotte, tare, & charge: that then euery such decrée & ordinance so by thē made ingrossed in parchment, & certified vnder their Seales into the Court of Chauncery, with the kings or the Quēnes, her heires or successours royall assent had to the same, shall binde all and euery persō or persones that at the making of the same decrée had any right & interest in the same their heires and successours for euer. Prouided alwayes and be it enacted that no order or decrée to bée made by the said commissioners or any of them shal bind or conclude, any right or interest of any person or persones, nor ỳ breach of any decrée or order, shal be cause of forfaiture of the ryght or interest of any person or persons except the same decrée & ordinance so made by the said commissioners & sire of them, wherof A.B. & C. shalbe three, be engrossed in parchmēt & certefied vnder their seales into ỳ court of chaūcery, & that ỳ roial assent of ỳ king & Quéene her heires or successors, be first had to the same. Prouided also and bée it enacted that euery decrée & ordinaunce so had, made, certified, & assented vnto, shall bind al and euery person & persones, that at the making of the same decrée had any interest in the lands, tenements, or hereditaments, so decréed in vse, possession reuersion or remainder, their heires & feoffées, and euery of them. And not to be in any wise reformed, vnlesse it bée by authoritie of parliament hereafter to be sūmoned & holden within this realme. Saūing to all and euery person and persons, bodies politike and corporat, their heirs & successors, other then such as shall forfayt by this statute their interest in the same landes, tenementes, or hereditaments, in possession, reuersion or remainder, al such interest & title, as they or any of thē shall haue at the time of the same forfaitures. And also it is prouided by authoritie aforesaid, that the same lawes, ordinance, & decrées, to bée made and ordeyned by the sayd commissioners, or sire of thē by authoritie of the sayd commission, shal bind as wel the lands, tenementes & hereditaments of the Quéene our soueraigne Lady, her heires and successours, as all and euery other person or persons, and their heires for such their interest as they shall fortune to haue or may haue in any lands tenements, or hereditaments, or other ca shall profite, aduantage or commoditye whatsoeuer they be, whereunto the sayde lawes, ordinaunces & decrées shall in any wise extend, according to the true purport meaninge and intent of the same lawes. And it is furthermore by the authoritye aforesaid estáblished & enacted, that if any maner person or persons, of what estate or degrée soeuer he or they bée, that from henceforth doth take vppon him or thē to sit by vertue of any ỳ said cōmissions, not being before sworne in forme as is aforesaid, & according to the tenour of the othe afore specyfied: Or if any person so named & sworne, do sit as is aforesaid, dwelling within the said twenty miles, or not hauinge landes and tenementes, or other hereditamentes, in fée simple, fée taile, or for terme of life, to the clere yerly value of fourty pounds aboue al charges, to his owne vse, except he be learned in ỳ lawes of this Realme, that is to say, admitted in one of the fower principal Innes of court for an vtterbarrester, and not dwellinge within the said twenty miles, shal forfait forty poundes for euery time that he shal attempt so to do, the one halfe thereof to be to our soueraigne Lord and Lady, the king and the Quéene her heires and successours, the other halfe thereof to those of him or them that will sue therefore by action of debt, byll, plaint, or information in any of the Quénes courtes in which action or suit no wager of law shalbe admitted nor any essoine or protection shall be allowed. and if any action or trespasse or other suit shal happen to bée attempted against any person or persons, for taking of any distresses or any other act doing, by authoritie of the sayd commission, or by authoritie of any lawes or ordinaunces, made by vertue of the said commission, ỳ defendant or defendants in any such action shal and may make auowry, cōtinūe, or

Chauncery

Engrosse

Roial assent

Sit not sworne

xl.li.

Except

Vtter barrester Forf.

Monie

or iuſtification for the taking of the ſame diſtreſſe, or other act doing touching the premiſſes, or any of them alledginge in ſuch manner, conſiaunce, or iuſtification, that the ſayed diſtreſſe, treſpas, or other act, whereof the playntife complaineth, was done by auctheritie of the commiſſion, for the ſurueyinge of the countyes of Northumberlande, Cumberland, Weſtmerlande, and the Biſhoprieke of Durham, made and prouided or for ſuch act or cauſe as the ſayd defendaunt dyd by auctheritie of the ſaydе commiſſion, and accordinge to the tenour purport and effect of this preſent act, made the ſeconde and thirde yeres of the raygne of our Soueraigne Lord and Lady king Philip and Quéene Mary, without any expreſſinge, or reherſall of any other matter or circũſtaunce conteyned in this preſent act, or any commiſſion, lawes, eſtatutes, or ordinaunces thereupon to be made, whereupon the pleintife ſhalbe admitted to reply that the defendant did take the ſaid diſtreſſe, or do any other act or treſpas ſuppoſed in his declaratiõ of his owne wrõg without any ſuch action alleaged by the ſaid defendant, wherupon the iſſue in euery ſuch action ſhalbe ioined, to be tried by

Verdict

verdict of xij. men and not otherwiſe, as is accuſtomed in other perſonal actions, &

Trial

vppon the trial of the iſſue ẏ whole matter to bee gẽuen on both parties in euydence, accordinge to the very truth of the ſame, and after ſuch iſſue tried for the defendaunt or nonſuit of the pleintife after apparance, the ſame defendãt to recouer

iii. damages

treble damages by reaſon of his wrongful veration in ẏ behalfe wherin his coſtes alſo in ẏ parte ſuſteined, & that to bee aſſeſſed

Enquire Damages

by ẏ ſãe iury, or writ of enquire of damages, as ẏ cauſe ſhal require. And it is alſo enacted ẏ euery of the ſaid cõmiſſioners

iiii. s. the day

ſhal haue & perceiue iiii. s. for euery day ẏ they ſhal take paine in ẏ execuon of thys

Clerke ii s.

commiſſion, & one clerke by them to bee aſſigned ii. s. for euery day of the rates, taxes, lottes, & ſummes of mony ẏ ſhalbe aſſeſſed, or loſt by auctheritie of the ſayd commiſſion, & to be leuyed and payed by their diſcretions. And that the ſayd commiſſioners, or fiue of them, ſhall haue power and auctheritie to lymit and aſſygne

Allowance

ſuch reaſonable ſummes of money to the ſaid clerke, for writing of bookes & proces concerninge the premiſſes, and to the collectours, expenditours and ſuch other as ſhal take payne in the due execution of the ſayd commiſſion, the ſame to be leuyed by diſtreſſe or otherwyſe out of the landes ſo ſurueyed, as by the diſcretions of the ſayd commiſſioners, or ſix of them whore of A. B. C. to bee three, ſhalbee thought reaſonable. Prouided alwayes ẏ whenſoeuer and as oftẽ as ſuch commiſſion, as is afore limitted, ſhalbee made & directed to any perſon or perſons for the reformation and amendement of or in a-

Lancaſter

ny of the premiſſes, ſpecified in the ſayd commiſſion within the fees, liberties or poſſeſſiõ of the Duchy of Lancaſter, that

ii. cõmiſſions

then ſuch commiſſioners, as ſhall execute any ſuch commiſſion, ſhalbe alwaies named and appointed as is aboue ſayd. And that in euery ſuch caſe, two commiſſions

Great ſeale

ſhalbe awarded and made accordinge to the tenour of the commyſſion aboue expreſſed, one thereof vnder the great ſeale

Duchy ſeale

of Englande, and the other vnder the Seale of the ſame Duchy as before time hath bene accuſtomed, any thinge afore reherſed in thys preſent act, to the contrary thereof not withſtanding. And it is further enacted, that the ſayd commiſſion from time to tyme, as the caſe ſhall require ſhalbe had and obtayned without any money, or other charge, to bee payed for the ſeales or writing of the ſame. And it is further enacted that euery commiſſi-

Endure vii. yeres

on to bee made by auctheritie of this act, ſhal endure and contynue for the terme of ſeuen yeres next after the teſte of the commiſſion. Neuertheleſſe after any cõmiſſion made and deliuered out of ẏ court of Chauncery, the king & Quéenes highnes & the heirs & ſucceſſors of ẏ Quéene,

Superſedias Diſcharge

ſhall alwaies at their pleaſures by writte of ſuperſedeas out of ẏ ſaid Court of chaũcery, at any time diſcharge aſwell euery ſuch commiſſion as euery commiſſioner ẏ ſhalbe made or named by auctheritie of this act, after which diſcharge the ſaid cõmiſſioners ſo diſcharged, ſhal haue no power nor auctheritie, to proceede in the execution of their commiſſion, nor in any thing by auctheritie of this act. Prouided alwaies that when ſo euer and as often as ſuch commiſſion as is afore limytted ſhal be made and directed to any perſone or perſones, for the reformation and amende-

mendement, of or in any of the premiſſes ſpecified in the ſayd commiſſion wythin the fæs, libertyes and poſſeſſions of the Biſhoppricke of Durham, or within the fæs, libertyes, and poſſions of any other place, where there is libertie and iuriſdiction of Countye Palantin, that in euery ſuch caſe two commiſſions ſhalbe awarded and made accordinge to the tenour of the commiſſion aboue expreſſed, one therof vnder the great Seale of Englande, and the other vnder the ſeale of the countye Palantine in manner and fourme as is aboue prouided for the Duchy of Lancaſter, any thinge afore reherſed in thys preſent act to the contrary notwythſtanding. And nevertheleſſe be it enacted that if the officers of the ſame Duchy or of the ſaid Biſhoppricke, or countie Palantine, do not deliuer the commiſſion by them or one of them to be made within fiue daies after the requeſt ſhal be made for ẏ ſame, that then the commiſſion vnder the great Seale onely, ſhal procede in the ſaid cõtie Palantine wythout any other commiſſion. And it is prouided and alſo enacted, ẏ the royall aſſent lymitted to bee had vnto the lawes and ordinances to bee made by the ſayd commiſſioners, as is aboueſaid, ſhalbee certified into the ſayd court of Chauncery vnder the priuy ſeale, and that there ſhall not any ſumme of money be payed for the ſame priuie ſeale. Prouided alwayes, that the chauncellors and ſuch other as ſhall haue the cuſtodye of the Seales of the ſayed Biſhoppricke of Durham or within the fæs, liberties, and poſſeſſions of any other place where there is libertie and iuriſdiction of the countye Palantyne, vppon reaſonable requeſt, and vpon the ſight of the commiſſion vnder the great ſeale of England, ſhal without delay make out any other commiſſion vnder the Seale of the ſayde countye Palantine, accordinge to the tenour of the commiſſion to them ſhewed, vnder the great Seale, and to thoſe Commyſſioners named in the ſame Commiſſion and to none other, nor in other manner. And be it further enacted and eſtabliſhed by the auctoritie aforeſaid, that al charges and ſummes of money hereafter to be rated and tared by vertue of ſuch commiſſion vppon any of the landes, tenementes, or hereditamentes, of our ſoueraygne Ladye the Quéene, her heires or ſucceſſours, for any manner of thinge or thinges concerning the articles of this Commiſſion, ſhalbe gathered and leuyed by diſtreſſe, or other wyſe, in like maner & forme as ſhal or may be done in ẏ lãds, tenements, & hereditamẽts, of any other perſon or perſons, & that all the Billes of acquittãce, ſigned with the hand or hands of ſuch Collectour or Receiuour, as ſhall haue the collection therof by the appointment of the ſaid commiſſioners, or fiue of them, ſhalbe as wel a ſufficient diſcharge, to the tenants, fermours, & occupiours, of ẏ ſame grounds ſo to be charged for ẏ ſaid ſumme where with their groũds ſhalbe ſo charged, as alſo a ſufficient warrãt to al & euery ẏ Receiuours, Auditours, & other whatſoeuer officer or officers, of our ſayd ſoueraigne Lord & Lady the king and the Quéene, her heirs & ſucceſſors, for the allowance to ſuch tenant, fermour, or occupyer of the ſame. Prouided alſo and bée it enacted, that the ſaid commiſſioners ſhall not let nor ſet any part or parcell of the premiſſes, nor ſhall not meddle with the rating, rentinge or valuing of any part or parcel of the premiſſes, but the ſame ſhall remayne and bée at the diſpoſition of the lord and owners of ẏ ſame, as they were before the making of this act, except it be for ẏ cauſes of forfayture aboue ſpecified, any thinge heretofore mencioned to the contrary notwithſtanding. Prouided alwaies and be it enacted by the auctority aforeſayd, that all iſſues and forfaitures fines and amerciaments, which ſhal riſe, happen, and growe, by any occaſion what ſoeuer, by vertue or colour of this act or any commiſſion to be made by auctoryte of the ſame, as well within the liberties and County Palantine as without, whether they ſhall ſeeme to bee due to the kinge and Quéenes maieſties, her heires and ſucceſſours, or to any other perſon or perſõs, or bodies politike or corporat, ſhal be leuyed imploied and conuerted, in and about the charges and expences concerning the execution of this act, in ſuch ſort, maner & forme as by ẏ ſaid cõmiſſioners, or fiue of them, wherof three to be of the Quorum, ſhalbe ordered, adiudged or decréed. Any thing in this act or in any cõmiſſion aforeſaid to ẏ contrary notwithſtãding. Prouided alwaies that this ſtatute

ſhall

Ii. commiſſions

Ghent ſeale

County pal. Seale

Officers

Priuy ſeale

Taxes

Diſtres

Acquittance

Warrant Officers

Iſſues Amercement

shall onely continue for .x. yeres next after ỳ end of ỳ session of this parliament, And further to ỳ end of ỳ next parliamẽt thẽ next following. An. 2. & 3. P. & M. ca. 1. This statut is reuiued for diuers yeres by 23. Eli. ca. 4. vvhich See in Scotland 4.

¶ Certificat of the cause of attaynt.

☞ WHere before this time diuers persons haue bene endicted, arrayned and attainted, & some of them Clerkes cõuict, and some of them Clerkes attainted, and some of them outlawed for murther, burglary, robbery, and other felonies, before Justices of peace, Justices of Gaole deliuery, and Justices of Oier and Determiner, within diuers Cities, counties fraunchyses and liberties within this Realme, the recordes of which attainder, outlawrie, and conuictions, often and many tymes by negligence of the clerke of the Crowne, clerkes of the peace clerkes of Assise, and such other as haue had the order, rule, kéepinge, and gouernaunce of the same recordes, haue ben imbesilled, & not ready to be obiected against such persons to haue bene newly arraygned bé fore our soueraigne lorde the king in hys bench, or before other the kinges Justices for lyke and such other offences by them committed or done: And for that it hath not bene knowen certainely, whether to resort for the same recordes, because they were not certified into any place certain, by reason whereof sometime such persõs and lyke offendors, which haue bene newly arraigned as is before said, haue had the benefite of his or their Clergye, where they ought not, ne shoulde haue had the same, if the sayd recordes had bene then present in the same place, where such person or persons were so newly arraigned, or els certyfied into some other place certeine, where the same recordes mought haue bene séene, sent for, or written for to haue bene obiected against such person or persons so newly arraigned: Wherby as well the kinge our soueraigne lord, as also al other persones haue many tymes lost their eschetes & other aduauntages, & forfaitures, that they shoulde haue had by meane of the said attaynders, to the great losse, both of our said lord the kinge and other persons, and also the same offendors haue had their clergie where they ought not so to haue had, to ỳ great boldnes & encouraginge of like offendors. In consideration wherof be it &c. ỳ the clerke of the crowne, clerke of the peace, & clerks of assise for the time being, where any such atteinder, outlawry, or conuiction shal so be had, shal from the feast of Pentecost next comming, not onely certifie a transcript, briefely and in fewe words, conteyninge the tenure and effect of euery such endictment, outlawrie or conuiction, and clerke attainted, before thẽ so to be had made or pronounced, that is to say, the name, surname and addition of euery such person & persons as shalbe so indicted, & thereupon outlawed, conuicted, or clerke attainted, and the certeintie of the sayd felony or other offence whereuppon he or they shalbe so outlawed, conuicted or clerke attaynted, and the day and place of his outlawrie, conviction and attainder, and the day and place, where and when the sayd felony or other offence whereuppon the sayd person or persons shalbee so indicted outlawed, conuicted, or clerke attaynted, shalbe made and done, before the king our Soueraigne Lord in his bench at Westminster in the County of Midd, there to remayne of record for euer among other the kinges recordes there, within fourty dayes next after any any such attainder, conuictõ or outlawry shal be had, made, or pronounced if the terme bee then: and if not, then within twenty dayes next after the begimminge of the terme next following the said fourty dayes: but also shal deliuer a transcript of euery such endítement whereupon the said person and persons shal fortune hereafter so to be cõuicted, or clerkes attainted, to the ordinary to whom the bodye of the sayde person or persons shalbee committed, at the time that the sayd person or persons shalbee so committed: The sayd ordinary payinge to euery such Clerkes as shall write the sayd transcript, for euery copy of such endictment twelue pence, for his paines vppon payne, that euery Clerke of the Crowne, clerke of peace, and clerke of assise for ỳ time being before whom such endictment, attainder, outlawry or conuiction shalbee so had, made, pronounced or re-

Just. of p. Gaole delinery Oier & ter.

Clerke of the Crowne Clerke of the peace

Clergy

Eschetes

Clergy

Clerke of the Crowne Clerke of the peace Clerke of all.

Transcript

Kings bench

xl. dayes

Ordinary

Plaint

or remaine, for the non certyfieng of euery ſuch Record and not delyuerynge of the copye of ſuch endictments to the ſaid ordinaries accordyng to this eſtatute, to loſe & forfayt fourty ſhillinges, the one moytie thereof to bee to the kynge our Soueraygne Lord, and the other moitie to him that wil ſue for the ſame by actiõ of debt, bill, information, or otherwiſe in any of the kinges Courtes of Record, wherein no wager of lawe, eſſoygne or protectyon ſhalbee allowed. And the clerke of the Crowne in the kinges Bench, ſhall receyue the ſaid certificates and tranſcripts at ſuch tyme as they ſhalbe rendred and preferred vnto them by the ſayd clerkes of the Crowne, clerkes of the peace, and clerkes of aſſiſe, or by their deputy or deputyes, without takynge any thynge for the ſame, vppon payne of forfayture of the ſumme of xl.s. for euery ſuch certificat by him refuſed. Prouided allwayes and bee it &c. that if there bee any more perſons contayned and named in any ſuch indictement, other then ſuch perſons ſo attainted, conuicted or Outlawed, that then ſuch Clerke of the Crowne, clerke of aſſiſe, clerke of the peace, with whom the record of ſuch attaynder, outlawry, or conuiction ſhall remayne, ſhall within the tyme before in this act lymitted, certifie the tranſcript of ſuch indictment, outlawry, or conuiction, only concerning ſuch perſon or perſons ſo indicted & attainted outlawed or conuicted, into the kings Bench at Weſtminſter, as is afore ſayd, which tranſcript ſo certyfied ſhalbee had and taken as good effectuall, and auaylable in the law, to al intents, conſtructions and purpoſes againſt ſuch perſon and perſons againſt whom it ſhalbe ſo obiected, alleged, or pleaded, as if the very record thereof, whereupon he or they were ſo indicted were there preſent. And bee it &c. that the ſaid Clerke of the crowne in the kinges Bench for the tyme beeinge, ſhal at all ſuch times as the Juſtices of Gaole delyuery, Juſtices of peace, in euery coũtye wythin this Realme of Englande do write vnto him for the names of ſuch perſons, which be ſo attainted by outlawry, or Clerkes attaynted or conuict and certyfied vnto the ſayde Bench of our ſayd Soueraygne Lorde the kinge, ſhall incontinently without delaye certyfie the ſaid names and ſurnames of the ſayed perſons with the cauſes why and wherefore they were conuict or attaynted, vnto the Juſtices of Gaole delyuerye, or Juſtyces of peace vppon the payne and penaltie to forfayt for euery name of ſuch perſons, which ſhalbe ſo written for, and not certefied by ẏ ſaid Clerke of ẏ crown in the kinges benche to the ſayd Juſtices xl.s. Prouided allwaies, & be it further enacted that this act nor any thinge therein conteyned, ſhal not extend to the clerke of ẏ crowne, clerkes of the peace, clerkes of gaole deliuery, neither to any of ẏ prenotaries within the Counties of Wales and Cheſter, or withyn the Counties Palantine, of Lancaſter and Durham, or any of them, to make any tranſcrypt of any ſuch attainder, conuiction or outlawry, of any perſon or perſons conuicted, attaunted, or outlawed, before the kynges Juſtices of his Countyes of Wales nor Cheſter, or countie of Lancaſter, Durhã or any of thẽ, but ẏ the ſame records ſhal & may remaine & be in the cuſtody & kẽping of the ſayd clerkes and prenotaries, in ſuch maner & wyſe as they are at this day, this act or any thinge therein contayned to the contrary notwithſtanding. An. 34. H. 8. cap. 14. But note that at this day there nedeth not any tranſcript of Clerkes conuict to be deliuered to the ordinary by reaſon that they haue not to deale vvith them novv, by the ſtatut An. 18. El. ca. 7. after in Clergie 28.

Foyl.

Moitie

Clerke of the Crowne

Foyl. 40. ſ.

Tranſcripe

kings bench

Record

Clerk of the Crowne Inſt. of gaole Iust. of p.

Certifie

Prouiſo

Prenotaries Wales Cheſter County Palant

*

¶ Ceſſauit.

IF a man let his lande to fẽ ferme or to find eſtouers, in meat or in cloth, amoũting to the fourth part of the very value, & he which holdeth the land ſo charged, letteth it lye freſh, ſo that the partie can find no diſtreſſe there by the ſpace of two or three yeres to compell the fermour to rẽder, or to do as is cõtained in the writing or leaſſe: It is eſtabliſhed. ẏ after the two yeres paſſed, the leſſour ſhal haue an action to demaunde the lande in demeane by a writte out of the Chauncery, and if hee, againſt whom the land is demaunded, come before iudgement, and pay the arrerages and the dammages, and finde ſuertie (ſuch as the court ſhall thinke ſufficient) to pay from thencefoorth, as is contained

Freeman Eſtouers

Action Chauncry

Suerty

contained in ỳ writing of his leaſe, he ſhal kepe ỳ land. And if he tarie vntill it be recouered by iugement, he ſhalbe barred for euer after. Cloc'. ca. 4. An. 6. E. 1.

Barre

2 ¶ Where as in a ſtatut made at Gloceſter it is contayned ỳ if any leaſſe hys land to another to pay ỳ value of ỳ fourth part of the land or more, the leſſour or his heire after that the payment hath ceaſſed by two yeres, ſhall haue an action to demaunde the lande ſo leaſſed in demeane. In like manner it is agreed that if any withholde from his lord his due and accuſtomed ſeruice by ỳ ſpace of two yeres, the lord ſhal haue an action to demaunde the land in demeane by ſuch a writ Præcipe A. qd' inſte &c. reddat B. tale tenementum quod A. de eo tenuit per tale ſeruitiũ, & quod ad predictũ B. reuertí debet, eo quod predictus A. in faciendo prędictum ſeruicium per biennium ceſſauit vt dicit'.

Seruice Action

Writ

And not onely in this caſe, but alſo in the caſe whereof mention is made in the ſaid ſtatute of Gloceſter, writes of entre ſhalbe made for the heire of the demaundant againſt the heire of the tenaunt, & againſt them to whõ ſuch land ſhalbe aliened. W. 2. ca. 21. An. 13. E. 1.

Writ of entry Heirs

¶ Challenge.

OF inqueſts to be taken before any of the Juſtices, wherein our ſouereigne Lord the king is party, who ſoeuer it bee: It is agreed and ordeined by the king and al his counſel, ỳ from henceforth not withſtandinge it be alledged by them that ſue for the kinge, that the iurours of thoſe inqueſts or ſome of them be not indifferent for ỳ king, yet ſuch inqueſts ſhall not remayne vntaken for that cauſe, that is to ſay, if any of them ỳ ſue for the king will challenge any of thoſe iurors they ſhal aſſigne for their challenge a cauſe certaine, & the truth of ỳ ſame challenge ſhalbe enquired whether it be true or not, after the diſcretion of the Juſtices. W. 2. ca. 22. An. 13. E. 1.

Inqueſts

Iurours

Challenge

2 ¶ The challenge cõmonly called Riens deins le garde (s. within London) be no challenge, but vtterly voyd & of none effect, Sauinge to euery perſon all manner of other challenge whatſoeuer they beene accordinge to the lawe. Anno 7. H. 7. cap. 4.

London

¶ Champerty.

Champerty

NO miniſter of the kinges by them ſelues, nor by other ſhall maintayne pleas, pleints or matters, hanging in the kinges court, for lands, tenementes, or other things, for to haue part or profit therof by couenant made betweene thẽ, & he ỳ doth ſo ſhalbe puniſhed at the kings pleaſure. W. 1. ca. 25. An. 3. E. 1.

Chauncelour Treaſorer Juſtices

2 ¶ The Chauncellour, Treaſorer, Juſtices, nor none of the kinges counſell, no clerke of the Chauncery, nor of ỳ Eſchequer, nor of any Juſtice, or of other miniſter, nor none of ỳ kinges houſe, neither clerke nor lay, ſhal receiue any church, nor aduowſon of a church, land nor tenemẽt in fee by gift nor by buying nor to ferme, nor to champertie, nor otherwiſe, ſo longe as the thing is in plea before vs, or before any of our miniſters, nor ſhall take any reward therefor. And he that doth contrarie to this act, eyther him ſelfe, or by an other, or doth therein commit any deceyt ſhalbe puniſhed at the kings pleaſure, as ſell.

Church Aduowſon

Punniſh

well hee that purchaseth, as hee that doth stel. W.2. ca.49. An.13. E.1. But it semeth that this statute vvas made rather about 20. E.1. For al the rest of the statut of W. 2. is in latin & this onely in frenche, and throughly at the end of it.

3 ¶ Where it is conteined in our estatute, ỹ none of our court shoulde take any plea to champertie by craft nor by engyn. And pleaders apprentices, attourneis, stewardes of great men bailifes and other of the Realme, do take pleas to champertie, & by other crafts, al maner of pleas against al maner of men, wherby al the Realme is much greeued, & both rich and poore troubled in diuers manners. It is prouided by a common accorde, that all such as from henceforth shalbe attaynted of such emprises, suites, or bargaynes, and such as consent to such maner of dealynge, shall haue imprisonment of three yeres, and shall make fine at the kinges pleasure. And our soueraigne Lord ỹ king by Gylbert Rowberie clerke of his counsell, hath commaunded, that who so euer will complaine him selfe of conspirators, inuentours, and mayntenours of false suites, and their abbettours vpholders, & partakers, & of barganers of cõtrouersies: that Gylbert of Thorneton shall cause them to be attached by his writ, that they before our soueraigne Lord the kinge, do answere vnto the plaintifes by this writ following. Rex vic' salutem. Precipimus tibi, quod si A. de C. fecerit te securum de clamore suo prosequendo, tunc pone per vadiũ & saluos plegios G. de C. quod sit coram nobis in octauis sancti Iohannis Baptist, vbicũque tunc fuerimus in Anglia, ad respõdendum prędicto A. de placito conspirationis et transgressionis secũdum ordinationem nostram nuper inde prouisam, sicut idem A. rationabiliter monstrare poterit, quod ei respondere debeat. Et habeas ibi nomina plegiorum et hoc breue. Teste &c.

Attaint

Imprison

Conspiratours

And if any man shalbee conuicted at the suit of any such complaynant of any such offence, let him be imprisoned vntyll he hath satisfyed the partie greeued, and towardes the king let him be greeuously redemed. Geeuen at Barwike vppon Twede, An. 20 or 21. E. I.

4 ¶ Because the kinge hath heretofore ordeyned by estatute, that none of hys ministers shall take no plea to champertie, by which estatute other ministers were not bounden beefore thys tyme. The kynge will that no ministers nor any other (to haue part of the thinge in plea) shall take vppon hym any matter that is in suit. Nor none vppon any such couenaunt shall geeue vp his ryght to an other, and if any do so, and bee attainted thereof, there shall be forfayted vnto the kinge so much of his landes and goodes of the taker as doth amount to the value of the part that hee hath purchased by such takinge vppon him, and to attaint him hereof: whosoeuer will sue for the kinge before the Justices afore whom the plea hangeth, let him be admitted thereto, and the iudgement be geeuen by them. But it may not bee vnderstode hereby, that any person shalbe prohibited to haue counsell of pleaders or of learned men in the lawe for his fee, or of his next friendes. Articuli super cartas cap. 11. An. 28. E. 1.

Maintenãs Officer

Attaint Fort.

Judgement

5 ¶ Champertours bee they ỹ mone pleas and suites, or cause them to be moued eyther by their owne procurement or by others, and sue them at their proper costes for to haue part of the lande in variance or part of the gaines. An. 33. E. 1.

¶ Chapleines.

IF any seculer man of the Realme pay any more then v. markes to any preest yerely, in money or in other thinges to the valour, or if he pay to such preestes reteyned to abyde at hys table: aboue two markes for his gowne and his other necessaries (his table accompted to fortye shillinges) and thereof bee attaynted, hee shall pay to the kinge fully as much as he payed to the sayd preest. Anno 36. E. 3. cap. 8.

Wages

Attaint Fort.

2 ¶ No yerely chappleyne within the Realme shall take from henceforth more for his whole wages by yere, that is to say, for his board, apparell, and other necessaries, but iij. markes nor the parysshe preestes, which be or shalbee reteyned to serue cures, shall take from henceforth for their whole wages by yere, that is to say, for the thinges aforesayd, but eyght markes, vnlesse it be by licence of the ordynarie, so that the whole summe passe not

Wages

Parochē priests

Licence

not ir. markes. Anno 2. H. 5. ſtatute 2. capitulo 2.

¶Chauncery.

Chauncelor Juſtices

THe Chauncellour and the Juſtices of his bench ſhall follow him, ſo that he may haue at al times nere vnto him ſome that be learned in the lawes, which be able duely to order all ſuch matters as ſhall come vnto ꝯ court at al times, whē nede ſhal require. Articuli ſuper cart'. An. 28. E. 1. cap. 5.

2 ¶If any that læeth him ſelfe grēued contrary to any of the articles aboue written, or other cōteined in diuers ſtatuts, cōe into ꝯ chauncery, or any for him, & thereof make his cōplaint, he ſhal forthwith there haue remedy by force of ꝯ ſaid articles & ſtatut wout elswhere purſuing to haue remedy. An. 36. E. 3. ca. 9. See the ſtatute.

¶Cheſter & Cheſtershire.

ANno 21. R. 2. cap. 9. it was enacted that the County of Cheſter ſhould be a principality & be to ꝯ prince. And diuers lands aſſigned therunto, & ꝯ liberties confirmed. But this parliament was repealed by 1. H. 4. ca. 3.

Repealed

2 ¶If any perſon of ꝯ countie of Cheſter reſiant or dwellinge within the ſame countie, of what eſtate or condition he be, do commit any murder or felony in any place out of the ſaid county, proceſſe ſhal be made againſt him by the commō law, til the Erigend, in the coūties where ſuch murder or felony was done. And if he flæ from thence into the countie of Cheſter, and be outlawed and put in Erigend for ſuch murder or felony, the ſame outlawry or erigend ſhalbe certified to the officers and miniſters of ꝯ ſame county of Cheſter, & the ſame felon taken by the ſame officers or miniſters, and hys landes and tenementes, goodes and cattals, beinge within the county of Cheſter, ſeyſed as forfait into the handes of the prince, or of him that ſhalbee Lorde of the ſame coūtie of Cheſter, for the tyme, and the king ſhall haue the pere and day and the waſt. And the other landes and tenementes, goodes and cattals of ſuch felon beinge out of the ſaid county of Cheſter, ſhal remayne wholy to the king and to the other Lordes hauinge thereof franchiſe, as forſayt. And if any perſon of the ſame countie of Cheſter, reſiaunt or dwellinge in the ſame, make batery or other treſpas in any place out of the ſayd countye of Cheſter, proces ſhalbe made againſt him by the common lawe til the Erygende in the counties where ſuch batery or treſpaſſe is done. And if hee flee from thence into the ſayd countye of Cheſter, and be outlawed for ſuch baterie or treſpas, the outlawrie ſhalbe certified to the officers and miniſters of the ſayd countie of Cheſter. And his goods and cattals beinge within the ſame Countie of Cheſter, ſhall bee ſeyſed into the handes of the prince, or of him which ſhalbe Lord of the ſaid countie of Cheſter for the time And his other goods and cattals beinge out of the ſayd countie of Cheſter, ſhall remayne wholy to the kinge and to other Lordes aforeſaid, as forfait in manner as afore is ſayd. Anno 1. Henrici 4. capitulo 18.

Murder Felony Proces Erigent

Flee Outlawed

Lands Goods Forf.

Yere day & Waſt

Battery Treſpas Proces

Flee

Goods

3 ¶Becauſe that manifolde offences againſt the kinges peace be daily committed in his counties of Cheſter, Flint Angleſey &c. by reaſon that comon Juſtice hath not beene indifferently miniſtred there in ſuch forme as in other places of the realme: nowe for an vniforme order of adminiſtration of Juſtice. Bee it &c. That the lord Chauncellour of England, or the lord Keeper of the great ſeale for the time being, from time to time and and at al times, ſhal haue full power and aucthoritie by his diſcretion, to nominate and appoynt Juſtices of peace, Juſtices of Quorum, and Juſtices of Gaole deliuery of the ſaid Counties of Cheſter, Flint, Angleſey, Caernaruan, Mereoneth, Cardigan, Caermarthen, Penbroke, & Glamorgan, by commiſſion vnder the kings great ſeale which ſhal haue ful power & auctho[illegible]ritye to enquire heare and determine al maner thinge & things inquirable, preſentable, or determinable, before Juſtices of peace, Juſtices of Quorum, and Juſtices of gaoles delyuery in other ſhires of this Realme of England, by force or vertue of any ſtatute or ſtatutes, made & to be made, or by the courſe of the common lawes of thys Realme. And that the ſaid Juſtices of peace, Juſtices

Chauncello Lo. Keeper

Juſt. of peax Juſt. of Quo. Juſt. of Gaol

Commiſſion Great ſeale

Oier & ter.

Juſt. of peax

ſtices of Quorum, & Juſtices of gaole deliuery, ſo to be named & appointed by the ſaid lord Chaūcellor, or lord Keeper of the great ſeale & euery of them, ſhal haue like power & authoritie wīn ẏ ſaid county of Chester, Flint, Angleſey, Kayernaruan, Mereoneth, Cardigan, Kayermerthen, Penbroke & Glamorgan, to do, vſe & execute euery thing & things, as other Juſtices of peace, Quorum & gaole deliuerye, haue wīn any other of the ſhires of thys realm of Englād. And alſo ſhalbe ſworn, aſtricted, & obliged to the keeping of their ſeſſions of the peace, & to ẏ due execution of al & ſinguler ſtatuts & ordinances made & to be made in like maner & forme, & vnder like paines & penalties, as Juſtices of peace, Quorum, & gaole deliuery, in other ſhires of this realme of England bene & ſhalbe bounden & obliged, any act, ſtatut, preſcriptiō, vſage, cuſtome, liberti or priuiledg had, made, accuſtomed or vſed to ẏ contrary notwithſtanding. And it is &c. ẏ the eſtretes of the iſſues, fines & amerciaments, tared, ſet, loſt, or forfaited by or before ſuch Juſtices of peace, Quorum, & gaole deliuery in ẏ ſaid counties of Chester & Flint, ſhalbe returned and certified into the Eſchequer of Chester, before the kings Chamberleine there. And that the extreates of the iſſues, fines, & amercyaments, tared, ſette, loſt, or forfayted by or before the Juſtices of peace, Quorum & gaole deliuerie, in ẏ ſayd counties of Angleſey, Kayernerua, and Mereoneth, & euery of them, ſhalbe returned and certifyed into the kinges Eſchequer at Kayernerua, to and before the kings Chamberlain of Northwales. And that the extreates of the iſſues, fines, and amerciamentes, tared, ſette, loſt, or forfayted by or before the Juſtices of peace, Quorum and gaole deliuerie in the ſayde counties of Kaermerthen and Cardigan, and euerie of them ſhalbe returned and certifyed into the kynges Eſchequer at Caermerthen to and before the kynges Chamberleyne of Southwales. And that the extreates of the iſſues, fines, and amerciamentes, tared, ſette, loſt, or forfayted by or before the Juſtices of peace, Quorum and gaole deliuerye in the coūtie of Penbroke, ſhalbe returned and certifyed into the kynges Eſchequer at Penbroke. And that the extreates of the iſſues, fynes and amercyamentes, tared, ſette, loſt, or forfayted by or before the Juſtyces of peace, Quorum, and gaole deliuerye in the ſayde countye of Glamorgan, ſhalbe returned and certifyed into the kynges Eſchequer at Cayerdiffe. And that the ſayde extreates of the ſayde iſſues, kynes and amerciamentes, certyfyed and retourned into euerye of the forſayde Eſchequers ſhall be indented in ſuche lyke manner and fourme as is vſed in the kings Eſchequer at Weſtminſter. And that the ſayde Juſtices of peace and Quorum, or Goale deliuerye in euery of the ſayde ſhires, ſhall dyrecte ſuche lyke proceſſe by extreates indented with the extreates certyfied in the ſaide Eſchequers to the ſherykes of euerye of the ſayde counties, for the leuyinge and gatheringe of the ſayd iſſues, fines and amerciaments in ſuch like maner & forme as is vſed by the Juſtices of peace, Quorum & gaole deliuery in euery other of ẏ ſhires within this Realme of Englande. And that euery of the ſherifes of euery of the ſaid ſhires ſhal make their accomptes in euery of the ſaid Eſchequers, of and for the iſſues fynes and amercyamentes vpon the extreates to them directed in maner and fourme, as is vſed in the kinges Eſchequerof weſtminſter. And it is &c. that the ſayd Juſtices of peace, & clerkes of the peace within the ſayd County of Chester, , Flynt, Angleſey, Kayernaruan, Mereoneth, Cardigā, Kayermerthē, Penbroke and Glamorgan and euery of them ſhalbe payed and allowed of the ſaid iſſues, fines and amerciamentes ſuch like fees, profites and commodyties as other Juſtices of peace and clerkes of the peace in other ſhires of this Realme haue and ought to haue. And it is &c. that ẏ ſherike or his deputies, & all other his miniſters in all and euery of the ſaid ſhires, and all Corōners, high Conſtables, petty conſtables, and other officers within euery of the ſaid ſhires ſhalbe obligedand bounden to be aſwell attendant vnto the ſaid Juſtices of Peace of Quorum and gaole deliuery, in al and euery thing and thinges concerninge their authorities, as in executing and returning of al preceptes and proceſſe to them directed by any of the ſaid Juſtices in lyke manner and fourme and vnder lyke paines and penalties, as

Swoyne

Eſtretes Iſſues Fines

Eſchequer of Chester

Chāberlaine

Northwales

Southwales

Eſchequer of Pembroke

Eſchequer of Kaerdiffe

Indented

Juſt. of p.

Sherifes Accomptes

Corōners Conſtables Officers

all & euery sherifes, cozoners, & other ofsicers be & shalbe bounden & obliged by any statute oz cõmon lawe in other shires of this realme of England: any acte, statute, prescription, vsage, custome, liberty oz prunlege, had, accustomed oz vsed to ẏ cõtrary notwtstãding. An. 27. H. 8. ca. 5.

4 ¶ By reason of which act (S. Anno 27. H. 8. cap. 5.) it is nowe vsed to kepe sessiõs in the sayde countie Palantine of Chester as is vsed i other shires of England. Also it is vsed in ẏ said countie Palantine of Chester, ẏ the Justyces of the same foz ẏ time being, haue yearely time out of minde vsed to kepe ẏ shires oz cõtie daies in maner & fozme following (ẏ is to say) one yeare viii. shires oz countie daies, & another yere ix. shires oz countie daies, to the which ẏ gentlemen freholders & suters of the said countie, are boũden of auncient custõe & duty to appeare, & geue their attendance to serue the king, which shires oz county dayes come verie often times in the yere. And now by reason of the said new statute of Justices of peace (S. An. 27. H. 8. cap. 5.) had in the said county, the sayd gentlemen freholders, and suters of the said countie beinge bounden of their said olde custome & lawe to geue their attendance and appearance to ẏ said shires oz countie daies, are nowe bounden also to geue their apparance and attendance at 4. quarter sessions & other prnie sessions in ẏ said county. By meanes wherof the said apparance and attẽdance commeth so often and so thicke together, ẏ at many times they cannot depart from the one court, and attend their busines scarcely one daye, oz sometime lesse, but they must agayne ride to serue the other court, which is to paynefull, chargeable, intollerable, and impoztune, foz any mã to sustaine and abide. In cõsideration wherof be it enacted &c. that from henceforth the lawe and administration of Justice, and all other thynges in the sayde countye in tyme past vsed to bee had at the sayde shire dayes, shal bee holden, had, made, done and executed by the Justyces of the sayd countie foz the tyme beyng, at two tymes in the yeare onelye, that is to wit, at the sessyons next after the feast of saynt Michael the archangell, and at the sessions next after Easter yearely foz euer, during so manie dayes at euerie of the said times as nede shall require, in like manner and fourme as is now vsed and executed in the countie Palantine of Lancaster. And that no actions, suit, oz proceste nowe oz hereafter to bee depending in the sayde counties, shalbe thereby discontinued, hurt oz impaired, noz any aduantage therein to bee taken by errour, dyscontinuance of proceste, no other wise, but that the same to proceede after the same newe ozder. And that from henceforth the sayde olde ozder, rule, and custome in holdynge of the sayde countie oz shire dayes, shall vterly cease and determine foz euer: Any acte, statute, prescription, graunt, vsage, custome, prynledge, lawe, liberty, constitution, oz confirmatyon heretofoze had, made, accustomed oz vsed to the contrarie in any wise notwithstandinge. An. 32. H. 8. ca. 43.

Countie daies

Freholders

Quarter sessions

Sessions

Actions

No errour

5 ¶ The sherife of the said county (s. Palantine of Chester) foz the tyme beinge after the feast of Easter next comminge shalbee bounde to kepe his Shire court in the shire hall of the sayd countye euery moneth foz euer, foz determinatyon of plaintes and actions and vnder foztie shillinges, and foz proclamations and callinge of exygendes and other necessarie causes as is vsed in other Shires of this Realme of Englande. And that two head cozoners foz the bodye of the sayde shire shalbee elected and chosen by vertue of the kinges writte De coronatore eligendo awarded out of the Eschequer of Chester which cozoners shalbe bound to sitt with the sayd Sheriffe at the sayde courtes, to geue iudgementes vppon vtlarie, and to do al other thinges as appertayneth. And be it &c. that the sayde two sessions in fourme alozesayd to be holden within the said county, shall and may bee holden at such time and tymes as by the said Justice oz his deputie shalbee appointed, aswell beloze the sayd feast of Easter and Michaelmas, as any other tyme, acozdinge as is most commonly vsed in other Shires of thys Realme, so alwayes open Proclamation be therefoze made by the space of fiftene dayes at the least, beloze the first day of the kepinge of the same Sessions. Anno 33. H. 8. cap. 12.

Sheriffe

Shire court

Proclamations

Cozoners

Iugementes

6 ¶ The same county Palantine of Chester

Palatine

Palantine 2. Knights

Burgesses of parliament

Chauncelor

Shirife

Chauncery

Returne

Wages

Persons indebted, sworne to pay their debts

Protection

Chester shall haue two knights for ỳ said countie Palantine, and likewise two citizens to be Burgesses for the city of Chester, to be elect and chosen by proces to bee awarded by the Chauncelor of England, vnto the Chamberlaine of Chester, his lieutenant or deputie for the time beeing. And so like proces to be made by the saide Chamberlaine his lieutenant or deputie, to the Sherife of the said county of Chester. And the same election to bee made vnder like maner and fourme, to all intents, constructions, and purposes, as is vsed within the countie Palantin of Lancaster, or any other countie and citie within this Realme of England, whych saide knights and burgesses, and euery of them so elected and chosen, shalbee returned by the said Sherife into the Chauncerye of Englande, in due forme and vppon lyke peine as it is ordeined, that the Sherife or Sherifes of any other countie within this Realme should make their returne in case like. All which said knights and burgesses, and euery of them so elected & returned, shalbe knights and burgesses of ỳ court of Parliament, and haue full voyce and auctoritie to all intents and purposes, as any other the knights and burgesses of the said court and parliament haue vse and enioy. And in like wise shall and may take all and euery such like liberties, auantages, dignities, priuiledges, wages, fees, and commodities, concerning thys said court of Parliament, to all intents, constructions, and purposes, as any other the knights and burgesses of ỳ said court shal, may, or ought to haue, take, or enioy. And also where it is, and hath bene vsed within the said countie Palantine, that vpon the suggestion of any person that is or hath bene indebted to any other person or persons, comming to the Eschequer within the said countie palantine, & there taking a corporal othe, that he or they shal pay his or their creditors at such time as he or they shalbe able thereto, the officers of the said Eschequer haue vsed wythout warraunt to graunt out of the same Eschequer a writ in nature of a Protection, where by the said credytours haue bene & be greatly delayed, and in maner defrauded of their said debtes, to the great impouerishment and vndoyng of the sayde creditours. For reformation whereof it may please your said highnes, that it may be enacted by auctoritie aforesaide, that no such writte of course, without a special warrant from your said highnesse, your heires or successors, conteyning any such protection, be from the first day of October, which shalbe in the yeare of our Lord God 1543. graunted. But that all & euery such writs of course after ỳ said day to be graunted to be void and of none effect. Any custome, vse, or priuiledge to ỳ contrarie here of notwithstanding. Anno 34. H.8. cap. 13.

Voide

7 ¶ Anno 33. H. 8. cap. 31. An acte is made, dissceueringe the Bishoprycke of Chester, & the Bishoprycke of Man from the iurisdiction of Canterburie, to the iurisdiction of Yorke.

Man Canterburie Yorke

8 ¶ Anno 2. E. 6. cap. 31. An acte is made for the recognisaunces before the Maior of Chester.

Recognisance

9 ¶ Anno 3. E. 6. cap. 25. An acte is made concerninge Chester for weres in the ryuer of Dée.

Weres

¶ Church yarde.

FOr as much as we haue vnderstode very often, that contension hath rysen betwene persons of churches and theyr parishoners, touching trées that growe in the church yarde, both of them affyrminge that they belonge to them selues, we haue thought good to declare the doubt of such contencions by written lawe, rather then by lawe of statute. For where as the church yarde is a ground specially dedicated vnto the church, and what so euer is planted vppon the ground, belongeth to the ground, it followeth necessarily, that the trées them selues ought to be numbred amongest the church goodes, the disposing wherof is not gèeuen to lay men, but as the holy scripture witnesseth the care of disposing them vndiscussed of God, ought to be committed vnto priests onely, but those trées often times are planted to kèepe awaye the force of the wynde for hurting of the Churches, we will that the Parsons of Churches doe not presume to fel those trées vndiscretly, but only when ỳ Chauncell of the church doth want necessarie reparations, nor shall conuert them to any other vse by any meanes, vnlesse the body of the church

Trees

Church goods

Chauncell Reparations

do likewise want reparations, and the persons do of charitie thinke good to geue of those trees to the parochiners wanting them, which wee do not commaund to bee done, but when it is done we doe commend it. Ne Rectores prosternant arbores in cæmiterio.

¶ Cirographer.

The Cirographer nor his fermor, deputie, or lieutenant for the time being, shall from henceforth take no more then iiii. shillinges for anye fine levied in the court. And if the saide fermour, lieutenant, or deputie, take any more then iiii. shillinges for a fine as before is saide, hee shall lose his office, and be forejudged in the Court, and have one yeares imprysonment, and pay to the partie grieved his treble damages, and the partie grieved shall have his suit before the Justices of the said bench. An. 2. H. 4. ca. 8.

q. li. fine

Fermour

Forf.

Imprison & Damages

¶ Citacion.

BE it prohybited from henceforth to Hospitellers and Templers, that hereafter they bring no man in plee before the keepers of their priuiledges, for any matter, the knowledge whereof belongeth to the kinges court, which if they doe, first they shall yeld dammages to the partie grieved, and bee grievously punished vnto the kinge. The king also prohibiteth to the keepers of such priuiledges, that from henceforth they graunt no Citations at the instance of Hospitellers, Templers, or other persons priuiledged, afore it bee expressed vpon what matter the Citation ought to be made. And if the keepers do see such a Citation is required vpon anye matter, the knowledge whereof belongeth to the kinges court, the keepers shall neither make nor knowledge ỹ citation. And if the keepers do other wise, they shal yelde dammages to the partie grieved, and neuertheless shalbe grievously punished by the kinge. And forasmuch as such persõs priuiledged, deputy, keepers, superiours, chauntors, sertens, which bee religious men, and which have nothinge to satisfie the parties grieved nor the kinge, which bee more bolde to offend the kings dignitie, then their superiours, to whom

Hospitellers Templers

Dammages Punished

Religious

punishment may bee assygned by theyr temporalties: Let the Prelates of suche obedients therefore beware from henceforth, that they do not suffer their obedients to vsurpe any iurisdictyon in prejudice of the kinge and his crowne, and if they doe, their superiours shalbe charged for their fact, as much as if they had been convict vpon their proper acte. W. 2. cap. 43. an. 13. E. 1.

Temporalties Obedients

2 ¶ No maner of person shalbe from henceforth cyted or summoned, or otherwise called to appeare by him selfe or her selfe, or by any procuratour before anye Ordinarie, Archdeacon, Commissarie, Officiall, or any other Judge spiritual, out of the Dioceese or peculier iurisdiction where the person which shalbe cited, summoned, or other wise (as is abouesaid) called, shalbee inhabiting and dwelling at that time of awardinge or going forth of the same citation or summons: except ỹ it shalbe for, in, or vpon any of the cause, or causes hereafter written, that is to say, for any spirituall offence, or cause committed or done, or omitted, forslowed or neglected to bee done contrarie to ryght, or dutie by the Bishop, Archdeacon, Cõmissarie, Official, or other person having spiritual iurisdiction, or being a spirituall Judge, or by any other person or persons within the Dioceese or other iurisdiction, whereunto he or she shalbe cited, or other wise lawfully called to appeare and answere. And except also it shalbe by or vpon matter or cause of appeale, or for other lawful cause wherein any party shal finde hym selfe, or her selfe greeued or wronged by the Ordinarie Judge, or Judges of the Dioces, or iurisdiction, or by any of his substituts, officers, or ministers, after the matter or cause there first commẽced and begon to be shewed, vnto the Archbishop or Bishop, or any other having peculier iurisdiction, within whose prouince the Dioces or place peculier is: Or in case that the Bishop or other immediat Judge or Ordinary, dare not, nor will not conuent the partie to bee sued before hym, or in case that the Bishoppe of the Dioces, or the Judge of the place within whose iurisdiction, or before whom the suit by this acte should be commenced and prosecuted, be party directly or indirectly to the matter or cause

Spirituall Judges

Spiritual offence

Appeale

Officers

of

of the same suite, Or in case that any Bysshoppe or anye inferiour Judge, haunge under him iurisdiction in hys owne right and title or by commission, make request, or instance to the Archbishop, bishop, or other superiour Ordinarye or Judge, to take, treate, examine or determine the matter before hym or his substitute. And that to bee done in cases onely where the lawe Ciuile or Canon doth affirme execution of suche request or instance of iurisdiction to bee lawefull or tollerable, vpon payne of forfayture to euerie person by any ordinarye, commissarie, officiall or substitute by vertue of his office, or at the suit of any person to be cited or otherwise summoned or called contrarye to this acte, of double dammages and costs for the veration in that behalfe sustayned, to be recouered agaynst anye suche ordynary, commissarie, archedeacon, officyal, or other Judge as shal award or make proces, or otherwise attempt or procure to do anie thinge contrarie to this act, by action of debt, or action vppon the case according to the course of the common lawe of this realme, in any of the kings hygh courtes, or in any other competent temporal court of record by original writ of debt, bill, or playnt, In which action no protection, other then suche as shalbe made vnder the kinges great seale, and signed with his signe manuell, shall bee allowed, neyther anie wager of lawe nor essoigne shalbee admytted. And vpon payne of forfayture for euerie person so summoned, cyted, or otherwise called (as is aboue said) to aunswere before any spiritual Judge out of the dioces or other iurisdiction where the saide person so dwelleth or is resident or abiding, tenne pound sterling. The one halfe thereof to be to ỹ kinge our soueraigne lorde, and the other halfe to anye person that will sue for the same in any of the kinges saide courts or in anie other the said temporal courts by writte, information, bill, or playnt, In which action no protection shalbee allowed, nor wager of law nor essoigne shalbe admitted. Prouyded alwayes that it shalbe lawfull to euerye Archebishop of this realme to call, cite and summon anie person or persones inhabytinge or dwellinge in anye Bishops dioces within his prouince for causes of heresy, if the Byshop or other ordinary immediatly thervnto consent, or if that the same Bysshop or other immediate ordinarye or Judge doe not hys dutie in punyshment of the same. Prouided also that this act shal not extende in anye wise to the prerogatiue of the moste reuerende father in God the Archbishop of Caunterburie or anye of his successours or for callynge any person or personnes out of the dyoces where hee or they bee inhabytinge, dwelling, or resident for probate of any testament or testamentes, anye thynge in this acte contained to the contrarye notwithstandinge. And bee it further enacted by authoritie aforesayde, that no Archebyshop or Bishop, ordinarie, officiall, commissarie, or any other substitute or minister of any of the saide Archbishoppes, bishops, archedeacons, or other haunge any spirituall iurisdiction, at any tyme from the feast of Easter next comming shall aske, demaunde, take, or receyue of any of the kings subiects any summe or summes of money for the seale of any citation, after the said feast to bee awarded or obteined, then only iii.d. sterling, vpon the paines & penalties before limitted conteyned and expressed in this present act, to be in lyke fourme recouered as is aforesaid, Prouided alwaies that this act bee not in any wise hurtfull or preiudiciall to the archebishoppe of Yorke, nor to his successours, of for or concerning probate of testamẽts within his prouince & iurisdiction, by reason of any prerogatiue, any thing in thys act to the contrary thereof notwithstanding. An. 23. H. 8. ca. 9. This act vvas repealed, as it seemeth by the statut of An. 1. & 2. P. & M. ca. 8. And renued by the statut of An. 1. El. cap. 1. vvhich act is in Crovvne 6.

Cõmission

Civil lawe Canon law.

Forf. Spiritual Judges

Double dammages

Forf.

Byshop

Archbishop

Heresie

Seale

Probate of testament

¶ Clergie.

When a clerke is taken for gilt of felonie and is demaunded by the ordinarie, hee shall bee deliuered to hym according to the priuiledge of the holy Church on suche perill as belongeth to it, after the custome afore tymes vsed. And the kinge admonyshed the prelates, and employned them vppon the faythe that they owe to hym, and for the common profit and peace of the Realme, that they which bee endicted of such offences

Felony Ordinary

by solempne inquest of lawful men in the kings court, in no manner shalbe deliuered without due purgation, so that ỳ king shal not nede to prouide any other remedy therein. W. 1. cap. 2. Anno. 3. E. 1. But See nowe the Statute. 18. El. cap. 7. after 28.

Purgation

2 ¶Concerning men twise maryed (called Bigamy) whom the Bisshoppe of Rome by a constitutiõ made at the counsell of Lions hath excluded from all clerkes priuiledge, whereuppon certaine prelates (when such persons as were twice maried before the same constitutiõ, haue bene called in question for felonye) haue prayed for to haue them deliuered as clerkes, It is agreed and declared before the kinge and his counsaile, that the same cõstitution shalbe vnderstanden in thys wyse, that whether they were bygamy before the same constitutiõ or after, they shall not from henceforth be deliuered to the prelates, but Justice shalbe executed vpon them as vppon other laye people, Stat' de Bigamis ca. 5. An. 4. E. 1.

Bygamy

Counsel of Lawe

3 ¶A clerke flying to the Church for felony to obtain ỳ priuiledge of ỳ church, if he affirme him selfe to be a clerke, he shal not be compelled to abiure ỳ realme, but yelding him selfe to ỳ lawe of the realme shall enioy ỳ priuiledge of ỳ church according to the lawdable custome of the realme heretofore vsed. Articuli cleri ca. 15. An. 9. E. 2.

Felony

Abiure

4 ¶The priuiledge of the church beeing demaunded in due fourme by the ordinary shall not bee denyed vnto an appropriour. Articuli cleri. ca. 16. An. 9. E. 2.

Ordinary

5 ¶If any clerke be arraigned before our Justices at our suit, or at the suite of the partie, and the clerke holdeth hym to his clergie, alleaging ỳ he ought not before them thereupon to make aunswere, and any man for vs, or for the party maketh a suggestion, that hee hath maryed two wiues or one widow, that vpon the same the Justices shall not haue the conisance nor power to trye the bigamy by enquestes, or in other maner: but it shalbe sent to the spirituall court, as hath bene done in case of bastardie, and till the certificat bee sent by the ordinarie, the partie in whom the bigamy is alledged by the wordes aforesaide or in other manner, shall abide in prison, if hee bee not mayne pernable. Anno 18. Ed. 3. pro clero. ca. 2.

Clerke

Bigamy
Triall
Spirituall court
Bastardy

6 ¶All maner clerkes, as well secular as religious, which shalbe from hencefoorth conuict before the secular Justyces aforesaide, for any maner treasons or felonies touchinge other persons, then the kinge him selfe or his royal maiestie, shal from henceforth freely haue and enioy ỳ priuiledge of holy church, & shalbe without anye impechement or delay deliuered to the ordinaries demaunding them, And for this graunt the sayde Archebyshop promyseth to our soueraygne Lorde the kinge, that for the punishment and safe kepinge of suche clerkes offenders, which so shalbe deliuered to the ordynaries hee shall make such a conuenient ordinãce, wherby they shalbee safely kept & duely punished, so ỳ no clerke shall take courage so to offend for default of correction. An. 25. E. 3. pro clero ca. 4.

Clerk reuiued

Treasons
Felonies

7 ¶Where as clerkes arraygned of felony before secular Justices which challenged their clergie, & were demaũded by the ordinarie of ỳ place, haue bene oftẽ before this time remaunded to the gayle by the said Justices, surmisinge to them that other thinges be to bee said against them, neuertheless because the common lawe is, that a Clerke in such case ought not to bee remaunded to the gaile, but ought to bee forthwith arraigned of al, or otherwyse delyuered to the ordinarye: It is accorded, that this poynt bee kept by all manner of Justices and Iudges secular throughout our Realme. An. 25. E. 3. pro. cler. cap. 5. But See novv the Statut An. 18. El. after 28.

Felony

Ordinary

8 ¶The kinge, consideringe that the wordes and termes (that is to say) Insidiatores viarum and depopulatores agrorum, compriſed in the peticyon deliuered to him in this parliament by the clergie of Englande, hath not bene commonly vsed in endictmentes, arraignementes, appeales, nor in other impechementes in the tyme of his sayd graunde father, nor in the tyme of hys other noble progenitours, and willinge therefore to auoyde such noueltyes, for the great quiete and suertie of hys people, by thassent of the Lordes and commons of the same Parlyament, wylleth and graunteth, and hath ordeined and establyshed, that

Indictments

that the said wordes and termes shal not be from henceforth vsed, nor put in indictments, arraignements, appeales, nor any other impechments: No^r that by force of any such worde, or terme, any Clerke religious or secular, no^r none other of the kinges liege people, shalbee from henceforth arraigned, appealed, impeached, no^r greued before any secular Judge: But our said soueraigne Lord is well willing that the Justices may take and receyue before them, indictments, acculations, and appeales of felonies, bearing in them the effect of the sayde wordes and termes, if any person of such felonies shalbe hereafter indicted, accused, or appealed. And if percase in time to come, any Clerkes religious or secular, shalbe indicted, accused, or appealed, and their indictments, accusations, and appeales do beare the effect of the said wordes, that is to say, Insidiatores viarum, & depopulatores agrorum, or other wordes purporting like effect, yet neuertheless such Clerkes shall haue and enioy the priuiledge of holy Church, and shalbe deliuered to the Ordinaries, them demaunding or their deputies, without anye impechment or delay. Anno 4. Hen. 4. cap. 2.

Religious

Justices

Felonies Appeales

Priuiledges Ordinaries

9 ¶See An. 4. H. 4. cap. 3. How the Bishop of Canterbury, for him and other promised that Clerkes conuict should bee kept safely by their Ordinaries, according to a constitution prouinciall thereof to bee made, & that they should not make purgation against the constitution.

B. of Canterburie Conuict

10 ¶Euery person not being within orders, which once hath bene admitted to the benefit of his Clergie, eftsoones arraigned of any such offence, be not admitted to haue the benefit or priuiledge of the Clergie. And that euery person so conuicted for murder to be marked with an M. vppon the braune of the left thumbe. And if he be for any other felony ꝑ same person to be marked with a T. in ꝑ same place of the thumbe, and these markes to be made by the Gaylor openly in Court, before the Judge, ere that such person bee deliuered to the Ordinarie. Prouided alway, that if any person at the second time of asking the Clergie, because he is within orders, hath not there his letters of his orders, or a certificat of his Ordinarie, witnessing the same, that then the Justices afore whom he is so arraigned, shall graeue him a day by their discretion, to bring in his said letters or certificat. And if hee faile and bring not in at such a day his said letters nor certificat, then ꝑ same person to lose the benefit of his Clergie, as he shall doe that is without order. An. 4. H. 7. ca. 13.

Murder Burning in the hand

Letters of orders

Justices

11 ¶See Captaines 6. An. 2. E. 6. ca. 2. that if Souldiers depart, it is felonie, and they shall not enioy the benefite of their Clergie.

Souldiers Felony

12 ¶If any lay person hereafter prepensedly murder their Lord, Master, or Soueraigne immediat, that they hereafter be not admitted to their Clergie. And after conuiction or attainder of any such person so hereafter offending had after the course of the law, that the same person be put in execution as though he were no Clerke. An. 12. H. 7. ca. vltimo.

Petie treason

13 ¶An. 4. H. 8. cap. 2. Clergie was put out in certeine cases to endure to the nert parliament.

14 ¶No person or persons which hereafter shall happen to bee found giltie, after the lawes of this land, for any maner of petie Treason, or for any wilfull murder of malice prepensed, or for robbing of any Churches, Chappels, or other holy places, or for robbing of any person or persons in their dwelling houses, or dwelling place, the owner or dweller in the same house, his wife, his children, or seruants then being within, and put in feare and dread by the same, or for robbing of any person or persons in or neare about ꝑ high wayes, or for wilful burning of any dwelling houses or barnes, wherin any graine of corne shall happen to be, nor any person or persons being found giltie of any abetment, procurement, helping, maynteininge, or counselling of any such petie treasons, murders, or felonyes, shal not from henceforth be admitted to the benefit of his or their Clergie, but vtterly bee excluded thereof, and suffer death in such maner and fourme, as they should haue done for any the causes or offences aboue saide, if they were no Clerks, such as be within holy orders, that is to say, of the orders of Subdeacon or aboue all onely except. And bee it &c. that euery such person and persons wythin such orders of Subdeacon or aboue, which at any time

Petie treason Wilful murder

Sacraledge

Burglarie

Robbery by the way

Burning of houses

Abbettors in petie treason

Exception Subdeacon

Petye treason
Murder

hereafter be found guilty of any petye treason, or of any murder of malice prepensed, or of any of the felonies above rehearsed,

Accessarie

or of any accessarie to petie treason, wilfull murder, or to any other the felonies above specified, and admitted to his or their clergie, and delivered to the Ordinarie for the same, shall not in any wise from henceforth be suffered to any purgation, nor be set at libertie, but remaine & abyde in perpetual prison, under the kæping of the Ordinarie, to whom he shalbe committed and his successors, without any maner of purgation during the naturall life of every such convict, except onely such persō or persons so being within such holy orders and convict of or for any of ỳ offences aforesaide, and delivered to the Ordinarie for the same, do find two sufficient

Perpetual prison

Sureties
Recognisans
Just. of p.

sureties by recognisance, before two of the kinges Justices of his peace within the same shire, where the petie treason, murder, or felonie, whereof he was convicted was cōmitted & done, wherof one of thē to be of ỳ quorum, that such convict shal bee of good abearynge against the kinge, our Soveraigne Lord, his lawes and subiectes, every such convict to bee bounde in the summe of xl. li. and every his sueryes in xx. li. And that no suertie be taken, unlesse such as may dispende in lands, tenements, or hereditaments yerely above al charges, of estate of inheritāce of charter hold, xxvi. s. viii. d. or els bee worth xx. li. in moveable substance at the time of the taking of such recognisaunce.

Good abearing

Freehold

Just. of peace

And that two Justices of peace, whereof one to bee of the Quorum, by auctoritie aforesaide, have power and auctoritie to take such recognisaunce. And that the sayde Justyces afore whom any such recognisance shalbee taken, shall certifie the same into the kings bench, within iiii. moneths next after ỳ taking there of, upon paine to lose and forfait C. s. for every default thereof. (See a like matter infra 17.) Provided alway, that this act extend not to gene any benefit to any such person or persons, which after their confession or iudgement geven against them, of or for felony or murder, or after they be outlawed for any such cause be admitted to their Clergie, and delyvered to the Ordinary for the same, but that they and every of them shall remaine in the custodie of the Ordinarie, without makinge purgation, vppon such perill, and in such maner and forme, as it was used by the common lawe before the making of this present act, this acte or any thing therein contained notwithstandinge. Provyded alwayes and it is further enacted, that every Ordinarie to whose custodie any such convict for any of the offences afore rehearsed shalbee committed, may at his libertie disgrade every such convict after the law of the Church, if he see cause so to doe, and send the convict so disgraded in sure and safe keping into the kings bench, with a certificat under his seal, testifyng the said disgrading, vppon the which the Justices of the kinges bench having afore them the recorde, vppon the which the saide person so disgraded was first convict, shall geve such like iudgement of death vppon the same recorde, against every such person so convict disgraded, as the Justyces afore whom hee was convict might have done, if the sayde person disgraded at the time of his convyction afore them, had ben no clerk, his admission to his clergie, and committynge to the Ordinarie, ne any other thing, use, or custome to the contrary hereof not withstanding. And that every such iudgement shalbee executed accordingly. And that every Ordinarie so sending any such convict disgraded into the kinges Bench, shalbee discharged against the kinge our Soveraigne Lord his heires and successours, of or for any further custodie or kæping of the same convict. This acte to continue to the last day of the next Parliament. An. 23. H. 8. cap. 1. And thys acte vvas continued An. 28. H. 8. cap. 1. to endure to the last day of the next parliament. And after 32. H. 8. ca. 3. it is made perpetuall. And it is there further enacted, that such persons as bene or shalbee within holy orders, which by the lawes of this Realme, ought or may have their clergie for any felonies, and shalbee admitted to the same, shalbee brent in the hande, in like maner and forme, as lay Clerkes bene accustomed in such cases, and shall suffer and incurre afterward all such peines, daungers, and forfeitures, as bee ordered and used for their offences of felonie, to all intents, purposes, and constructions, as lay persons admitted to their

Ordinarie

Disgrade

K. Bench

Judgement

Burning in the hand

Forf.

their Clergie, bee or ought to be ordered and vsed by the lawes and statuts of this Realme, any statute, lawes, vsances, graunts, priuiledges, customes, or any other thing to the contrarie hereof heretofore vsed notwithstandinge. An. 32. H. 8. cap. 3. But the said acte of 23. H. 8. cap. 1. is altered and diminished in dyuers thinges, vt patet postea 21. An. 1. E. 6. cap. 12.

15 ¶ Anno 23. H. 8. ca. 11. It was enacted, that if a Clerk conuict breake the Ordinaries prison, it is felony, and hee shall not haue his Clergie, except he bee within holy orders, and then hee to remaine without purgation, but the Ordinarie may disgrade him, and send him to the Justices to haue iudgement and execution &c. But this Felony is repealed by 1. M. 1. Session, by general vvoordes.

16 ¶ Euery person and persons, that is or hereafter shalbee endicted of petie Treason, wilful burning of houses, murder, robberie, or burglarie, or other felony accordinge to the tenor and meaning of the same statut, and thereupon arraigned and do stand mute of malice, or froward minde, or challenge peremptorie aboue the number of xx. or els will not, or do not aunswere directly to the same indictment and felony where vpon he is so arraigned, shall from henceforth lose the benefit and priuiledge of his or their clergie, in like maner and forme, as if he had directly pleaded to the same petie treason, murder, robberie, burglarie, or other felonie, whereupon he is so arraigned, not giltie, and thereupon had bee found giltie, after the lawes of the land. And be it &c. that if any person or persons be hereafter indicted of felony, for the stealing of any goods or cattels, in any countie within this Realme of England, and thereupon arraigned and be found giltie, or stand mute of malice, or challenge peremptorie aboue the number of xx. persons as is aforesaid, or will not vpon his said arraignemēt directly aunswere to the same felony, that then the same person and persons so arraigned and found giltie, or stand mute of malice, or challenge peremptorie aboue the number of xx. persons, or will not directly aunswere to the law, shall lose and be put from the benefit of their clergie, in like maner & fourme as they should haue bene if they had bene indicted & arraigned and found giltie in ỳ same countie where the same robberie or burglarie was done or committed, if it shall appeare to the Justices, before whom any such felons or robbers be arraigned by euidence geuen before them, or by examination, ỳ the same felonies whereupon they be so arraigned, had bene such robberies or burglaries in the same shire where such robberies or burglaries were committed or done, by reason whereof they should haue lost the benefit of their clergie, by force of the said statute in case they had ben found giltie therof in the same shire, where such robberies or burglaries were so committed and done. Anno 25. H. 8. cap 3. This acte is confirmed in Anno 28. H. 8. cap. 1. to endure to the last day of the next Parliament. And after Anno 32. H. 8. cap. 3. it is made perpetual. This act is altered & minished in diuers thinges, as appeareth hereafter 21. anno 1. E. 6. cap. 12. But after 5. E. 6. cap. 10. this act of 25. H. 8. is reuiued, as appeareth hereafter 24.

17 ¶ Euery such person and persons, as is recited in the said Statut of 23. H. 8. cap. 1. (before 14.) within such orders of Subdeacon or aboue, being conuict of any petie Treason, or of any murder of malice prepensed, or of any of the sayd felonies aboue rehearsed. (s. in the said Statute of 23. H. 8. cap. 1.) or of any accessarie to petie Treason, wilfull murder, or to any other the said felonies aboue specified (s. in the said Statut of 23. H. 8. cap. 1.) before the lord Marcher, Steward, Lieutenant deputie, or other Justice or Officer, within Wales, or within any other place, citie, towne, honour, lordshippe, or mannour, within the kinges Dominion, where no Justice of the peace and of the Quorum be, and thereupon the same conuict admitted vnto his Clergie, that the same person or persons so being wythin such holy orders, and conuict before any such Lord Marcher, Stewarde, Lieutenant, Deputie, or other Justice, or Officer in Wales, or within any such place, citie, or towne, honour, lordshippe, or mannour, within any the kinges Dominions, where be no Justices of the peace and of the Quorum, of or for any of the offences aforesaide, and deliuered vnto the Ordinarie as Clerke conuict for the same, shall or may finde two sureties by recogni-

Felonie

Repealed

Petie treason

Estate

Peremptorie challenge

Robbery Burglarie

Subdeacon
Petie treason
Murder
Felony
Accessaris

Wales

Sureties

Recognisans recognisance for his good abearing before two of the kings Justices of peace, whereof Just. of p. ỳ one to be of the Quorum, in the shire where the same convict is or shalbe kept in the Ordinaries prison, if the same prysoner bee within the shire ground, where Justices of the peace and of the Quorum be, or els before two of the kinges Justices of the peace, whereof one to be of the Quorum in the next shire adioyninge vnto the same prison. And that the same ij. Justices of the peace, whereof thone to bee of the Quorum, to haue power and authoritie to take such recognisance, and to certifie the same in like maner and forme and vppon like paine, as it should or ought to haue ben done by vertue of the said former act, if the same petie Treason, murder, felony, or other office, of or for which Convict any such convict was, or shalbe so convict and admitted vnto his Clergie, as is aforesaid, had ben committed and done within the shire ground, where Justices of the peace, and of the Quorum be. Anno 26. H.8.cap.12.

18 ¶ Such as be within holy orders, shall from henceforth stand and be vnder the same peins and daungers for the offences conteined in any of the said Statutes. (s. in Abiuration, An.22.H.8.cap. 14. and infra 23.H.8.cap. 1. and infra 25.H.8.cap.3. & in Felony, An.25.H. 8.cap.6.) and be vsed and ordered to all intents and purposes, as other personnes not being within holy orders: Any prouision or exception specified in any of the said actes, or any other vsage or custome of this Realme to the contrarie thereof notwithstanding. This act to endure vnto the last day of the next Parliament. An.28.H.8.cap.1. and after An. 32.H. 8.cap.3. this act is made perpetuall.

19 ¶ See Triall An. 28.H.8. cap. 15. Clergie prohibited the Clergie is put away for Treason, Murder, Robberie, or Felony, done vpon the sea, or in any hauen, ryuer, or creke, where the Admirall pretendeth to haue iurisdiction.

20 ¶ That if any person or persons at any time after the said feast of the Natiuitie of our Lord God next comming, do steale any Horse, Gelding, Mare, Fole, or Filley, and thereof be found giltye by verdict of xij. men, or by his owne confession be attainted, or other wise be indicted for ỳ stealing of any horse, gelding, mare, fole, or filley, & thereupon arraigned & doe stand mute of malice, or frowarde mind, Mute Peremptorie challenge or challenge peremptorie aboue the number of xx. or els will not aunswere directly to the same indictment and felony, where vpon he is so arraigned, that then euerie such person or persons shall not from henceforth bee admitted to haue the benefit of his or their Clergie, but vtterly be excluded thereof, and shall suffer death, in such maner and forme, as they should if they were no Clerkes. An.37.H.8.cap.8. See here following.22.

21 ¶ No person or persons that herefore hath bene, or at any time hereafter shalbe in due forme of the lawes attainted or conuicted of murder, of malice prepensed, or of poysoning of malice prepensed, or Murder Poysoning Burglarie of breaking of any house by day or night, any person being then in the same house, wher ỳ same breaking heretofore hath bene or hereafter shalbe committed, & heretofore hath ben, or hereafter shalbe thereby put in fear or dread, or of, or for robbing of any Robbe by the way Horses Mares person or persons in ỳ high way, or neere to the high way, or for felonious stealyng of horses, geldings or mares, or of felonious taking of any goods out of any parish Church, or other Church or Chappel, Sacrilege or being indicted or appealed of any of the same offences, and thereupon found guilty by verdict of xij. men, or shal confesse the same vpon his or their arraignement, or will not aunswere directly according to the lawes of this Realme, or shall stande wilfully, or of malice mute, shal not be admitted to haue or enioy the priuiledge or benefite of his Clergie or sanctuarie, but shalbe put from the same. And that in all other cases of felony, other then such as before are mencioned, all & singuler person and persons which after the first day of March next comming, shalbee arraygned or found giltie vppon his or their arraignement, or shall confesse the same, or Confesse Mute stand mute in forme aforesaid, or will not aunswere directly, in fourme aboueslaide, shal haue and enioy the priuiledge and benefit, of his or their clergie, the libertie & priuiledge of sanctuarie, in like maner & forme, as he or they might or should haue done before the xxiij. day of Aprill, in the first peare of the raigne of ỳ said late king Henry the 8. And be it &c. that in all and euery

Clergie & Sanctuary prohibited

Trial

Clergie lawed no[t] wi[th]stād Bigamy

Horse Gelding Mare

euery caſe and caſes, where any of the kinges maieſties ſubiects, ſhall and may vppon his prayer, haue the priuiledge of clergie as a clerke conuict that may make purgation, in all thoſe caſes, and euery of them, & alſo in all & euery caſe and caſes of felony, wherein the priuiledge & benefit of clergie is reſtrayned, excepted or taken away by this eſtatute or act (wilfull murder and poyſoning of malyce prepenſed only excepted) the Lord & Lordes of the Parliament, and peere and peeres of the Realme, hauinge place and voice in parliament, ſhal by vertue of this preſent act of common grace, vppon his or their requeſt or prayer, alleaging that hee is a lord or peere of this realme, and claiming ỳ benefit of this act though he cãnot read, wỏut any burning in the hand, loſſe of inheritance, or corruption of his blood, be adiudged, deẽmed, taken, & vſed for the firſt time only, to al intents, conſtructions and purpoſes, as a Clerke conuict, & ſhalbe in caſe as a clerke conuict, which may make purgation, wỏut any further or other benefit, or priuiledge of clergie to any ſuch Lord or peere frõ thencefoorth at any time after, for any cauſe to be allowed, adiudged, or admitted, any law, ſtatute, vſage, cuſtome, or any other thing to the cõtrary in any wiſe notwithſtandinge. Prouided alwayes, that if any of the ſaid Lords of ỳ Parliament, or any of the peeres of thys Realme for the time beeing, ſhall fortune to be indicted of any of the offences limited in this act, that then they and euery of them ſhall haue his or their triall by their peeres, as it hath bene vſed heretofore in caſes of high Treaſon. And be it &c. that if any perſon or perſons that by this ſtatute, or by any other ſtatuts or lawes of this realme ought to haue or bee admytted to the benefit of his or their clergie, ỳ the ſame perſon or perſons ſhalbe from hencefoorth admitted and allowed to hys or their clergie, although they or any of them haue been diuers and ſundrie tymes married to any ſingle woman, or ſingle wemen, or to any widow, or widowes or to two wiues or mo. any law, ſtatute, or vſage to the cõtrarie notwithſtanding. An. 1. E. 6. cap. 12.

Purgation

Murder
Poyſoning
Lords
Peeres

Clergie allowed without reading

Triat

Clergie allowed notwithſtãding Bigamy

22 ¶All and ſinguler perſon & perſons feloniouſly taking or ſtealing any horſe, gelding, or mare, ſhal not be admitted to haue or enioy the priuiledge, or benefit of his or their clergy or ſanctuary, but ſhalbe put from ỳ ſame, in like maner & fourme, as though he or they had bene indicted, or appealed for felonious ſtealing of ii. horſes, ii. geldings, or two mares, of any other, & thereupon found guilty by verdict of xii. men, or confeſſed the ſame vpon theyr arraignement, or ſtãd wilfully, or of malice mute. An. 2. E. 6. cap. 33.

Horſe
Gelding
Mare

Clergie diſallowed

23 ¶If it happen any perſon or perſõs to be found giltie, accoṛding to ỳ lawes of this realme, for robbing of any perſon or perſons after ỳ firſt day of May next enſuing, in any part or parcel of their dwelling houſes, or dwelling places, ỳ owner or dweller in ỳ ſãe houſe, or his wife, his childzen, or ſeruants, being then wỏn the ſame houſe or place where it ſhall happen the ſame robbery & felony to be cõmitted & done, or in any other place wỏn the precinct of ỳ ſame houſe or dwelling place, ỳ ſuch offendours ſhal in no wiſe be admitted to their clergie, whether the owner or dweller in ỳ ſame houſe, his wife or childzen, then & there being, ſhalbe wakinge or ſleeping. And that no perſõ or perſons, which after the ſaid firſt day of May, ſhal happen to be found giltie, after the lawes of this Realme, of & for robbing any perſon or perſõs in any bouth or tent, in any faire or market, the owner, his wife, hys childzen, or ſeruantes, or ſeruant, then beeing within the ſame bouth or tent, ſhall not from hẽceforth be admitted to the benefite of his or their clergie, but vtterly be excluded thereof and ſuffer death, in ſuch maner and fourme as is before mencioned in the ſaid act, made in the ſaid xxiij. yere of ỳ raigne of the ſame late king, for robberies, & felonies cõmitted & done in dwelling houſes, & dwelling places, ỳ owner or dweller in ỳ ſãe, his wife, childzẽ or ſeruãts thẽ being wỏn ỳ ſãe & put in feare & dread, wỏut hauing any reſpect or cõſideration whether ỳ owner or dweller in ſuch bouthes & tẽts, his wife, childzẽ or ſeruãts being in ỳ ſãe bouths or tẽts, at any time of ſuch robberies & felonies cõmitted ſhalbe ſleaping or waking An. 5. E. 6. c. 9.

Clergie diſallowed

Burglaris

Clergie diſallowed

Faire
Market

Clergy diſallowed

24 ¶By reaſon of an article & clauſe conteyned in the ſtatute here before 2. An. 1. E. 6. cap. 12. the ſtatute heretofore 16. An. 25. H. 8. ca. 3. which dyd put ſuch felons and burglaries from their clergie

that

that do such offence in one county, & after are taken with the goodes stollen in another countie & there indicted, arraigned & found guilty, was made void, wherefore in An. 5. E. 6. cap. 10. It is enacted, that the said acte made in the said xxv. yeare touching the putting of such offenders from their clergie, and every article, clause, and sentence, contained in the same touchinge clergie, shall from henceforth touchinge such offences, from henceforth to be committed and done, stand, remaine, and bee in full strength and vertue, in such maner and forme, as it did before the making of the said act, made in the said first yeare of the raigne of our said soueraigne Lord ỳ kinge that now is, any clause, article, or sentence, compriſed in the said acte made in the saide first yere to the contrary notwithstanding. An. 5. E. 6. cap. 10.

Reuiued

25 ¶An. 2. & 3. P. & M. An act was made, to take away the benefit of Clergy from Bennet Smyth for the murder of Ruffordе, if the same Bennet should bee found guilty as accessarie to the murder, or should confesse the murder, or not answere directly, or stād mute, or challenge peremptorie aboue xx.

Bennet Smyth

26 ¶That all and every person and persons, that after the first day of March next comminge, shall malitiously commaund, hire or counsel, any person or persons, to commit or do any pety Treason, wilful murder, or to do any robbery in any dwellig house or houses, or to cōmit or do any robberie in or nere any high way in the realme of England, or in any other the Quenes dominions, or to commit or do any robberie in any place within the marches of England against Scotland, or wilfully to burne any dwelling house, or any part therof, or any barne thē hauing corne & graine in the same, that then every such offendor or offendors, & euerie of them being outlawed therof, or being therof arraigned and found giltie by the order of the law, or being otherwise lawfully attainted or convicted of the same offence, or being arraigned therof do stād mute of malice, or of froward minde, or do challenge peremptorie aboue the number of xx. persons, or wil not answere directly to such offence, shall not haue the benefit of his or their Clergie. Prouided alwayes and bee it enacted, that every Lord and Lords of the Parliament, and pere and peres of the Realme, hauynge place and voice in the Parliament, vppon every indictment of any of the offences aforesaid, shalbe tried by their peres, as hath ben accustomed by the lawes of this realme. An. 4. & 5. P. & M. cap. 4.

Pety treason
Murder
Marches
Burne houses
Burne corne
Mute
Peremptory challenge
Clergie denied
Peeres

27 ¶Be it enacted, that no person or persons, which hereafter shall happen to be indicted or appealed for felonious taking of any money, goodes, or cattels frō the person of any other, priuely without his knowledge in any place whatsoeuer, and thereupon found giltie by verdict of xii. men, or shall confesse the same vppon his or their arraignement, or wil not answere directly to the same, according to the lawes of this Realme, or shall stande wilfully, or of malice or obstinately mute, or challenge peremptory aboue the number of twenty, or shalbe vpon such endictment or appeale outlawed, shall not from henceforth bee admitted to haue the benefit of his or their clergie, but vtterly be excluded thereof, and shall suffer death in such maner and fourme as they should if they were no clerkes.

Money Goods
Clergie denied

Be it further enacted &c. that every person and persons which shal hereafter vpon his or their arraignmēt for any felony be admitted to the benefite of his clergie by the lawes for the realme, and deliuered to the Ordinary for the same, & shal make his due purgation for the same ofkence or offences, whereuppon he was so admitted to his clergie, and shall beefore the same admission to hys clergie, haue committed any other such offence whereuppon Clergie by the lawes or statutes of this Realme is not allowable, and not beinge thereof before indicted, and acquited, convicted, or attainted, or perdoned, shall and may bee indicted or appeald for the same, & thereuppon put to answere, and ordered, and vsed in all thynges according to the lawes & statuts of this realme, in such and like maner and fourme, as though no such admission of Clergye had bene, Any lawe, custome, or vsage to the contrary notwithstandinge. Anno 8. Elizab. ca. 4.

28 ¶For the repressing of the most wycked and felonious Rapes or rauisheme̅tes of weomen, maides, wyues, and damsels, and of felonious Burglaries, & for

for the auoyding of sundrie perturles and other abuses in and about the purgation of Clerkes conuict, deliuered to the Ordinaries: Be it enacted and ordeyned by thauctority of this present Parliament, that if any person or persons, shal fortune at any time after the first day of June now next ensuing, to commit or do anye maner of felonious Rape, rauishment, or Burglarie, and to be found guilty, by verdict of any such felonious rape or burglarie, or that any person or persons shal fortune to be outlawed for any the offences aforesaid, or vppon his or their arraignement shall confesse any such felonious rape or burglarie, that in euery such case, euery person and persons so being found giltie, outlawed, or confessing any of the sayde felonious rapes, or burglaries, shal suffer paines of death, and forfeit as in cases of felonie hath bene vsed and accustomed by the common lawes of this Realme, without any allowance of the priuiledge or benefite of Clergie: any lawe, custome, or vsage heretofore had, made, or vsed to the contrarie notwithstanding.

Rape

Burglaris

Outlawed

Forf.

Clergie denied

And moreouer, be it further enacted by the auctority aforesaid, that euery person and persons, which at any time after the ende of this present Session of Parlyament, shalbe admitted & allowed to haue the benefite or priuiledge of his or theyr Clergie, shall not thereupon be deliuered to the Ordinarie, as hath ben accustomed, but after such clergy allowed, and burning in the hand, according to the statute in ỳ behalfe prouided, shal forth with be enlarged and deliuered out of prison, by ỳ Justices before whom such clergie shall bee graunted, that cause notwithstandinge.

Ordinarie

Prouided neuertheles, and be it also enacted by the auctoritie aforesaid, that the Justices before whom any such allowance of clergie shalbee had, shall and may for the further correction of such persons to whom clergie shalbe allowed, deteyne and keepe them in prison for such conuenient time, as the same Justices in their discretions shall thinke conuenient, so as the same do not exceede one yeres imprisonment: any lawe or vsage heretofore had or vsed to the contrarie, in any wyse notwithstanding.

Imprisom

And for plaine declaration of lawe, bee it enacted, that if any person shall vnlawfully and carnally knowe and abuse any woman childe, vnder the age of x. yeares, euery such vnlawfull and carnall knowledge shalbe felony, & the offendour therof being duely conuicted, shall suffer as a felon, without allowaunce of Clergye.

Rape Felony

Prouided alwaies, that all and euerie person and persons, which shall hereafter bee admitted to haue the benefit of his or their Clergie, shall notwithstanding his or their admission to the same, bee put to aunswere to al other felonies wherof he or they shalbe hereafter indicted or appealed and not being thereof before acquited, conuicted, attainted, or pardoned, and shall in such manner and fourme bee arraigned, tried, adiudged, and suffer such execution for the same, as hee or they should haue done, if as Clerke or Clerks conuict, they had bene deliuered to the ordinarie, and there had made his or their purgations: any thinge in this Acte contained to the contrarie notwithstandinge. Anno 18. Eliz. cap. 7.

Aunswere

¶ Clerkes of the Chauncery.

YE shall sweare, that well and lawfully ye shall serue our soueraigne Lord the king, and his people, in the Office of Clerke of the Chauncery, to which ye be attitled. And ye shall not assent nor procure the kinges disherison, nor dammage to your power, nor ye shal do nor procure to be don, any fraud to any mans wrong, nor thing that toucheth the keeping of the seale, and ye shal lawfully counsaile in the thinges that toucheth the king, when yee shalbe thereto required. And the counsell which ye know touching him ye shal kepe secrete. And if ye know the kings disherison or perpetual damage, or fraud to bee done vpon thinges, which touch the keeping of the seale, ye shall put your lawfull power to redresse and amend the same. And if ye cannot the same doe, then yee shall certifie the Chauncelour or other, which may do the same to be amended to your intent. And for the Clerks of counsels shalbe added. And ye shall not bring, nor to your knowledge suffer to be brought any writs, which ye make out of the court not sealed, therof to do execution, nor shal record any Atturney by writs nor wout writs, wout especial licence if ye haue not law-

Frauds

Seale

Chauncelor

Writs

Atturney Licence

lawfully examined the partie, and the attorney in proper person, or at the least, him that shall make attorney in proper person: nor ye shall deliuer no writte which shal bee of commaundement to the examiners, nor to the seal, before that the same writte bee sent to you by the commaundour, which therof hath power, vnlesse it be to the Chauncelor, or to one of the Masters, which commaundeth you to make the writs. And all the writs that ye shal make, ye shall deliuer them to the examiners by your owne hand, or by one of your felowes which is sworne to the king, if ye your selfe bee out of the court, because of sickness or other cause necessarie, so that ye cannot the same do. And no writ written of an other mans hand bee deliuered to the exampners vnder your name, as yours, nor no name shall ye put vppon your writtes, but your owne, as God you helpe and all Saintes. An. 18. E. 3. stat' de Sacramento Clericorum Cancellarij.

Masters

Examiners

2 ¶Anno 14. H. 8. cap. 8. an acte is made, that the vj. Clerkes of the Chauncerie may mary.

vj. Clerkes Marie

¶Clerkes of the Crowne.

BEcause that complcint is made to our Soueraigne Lord the kinge by the commons, of the Clerke of the Crowne of the kinges bench, whereas xx. xl. or C. men be endicted of one felony, or of one trespas, and all they plead to an issue, as not guilty, the said clerke ought not to take for the Venire facias, nor for the entringe of the plee more then ij. s. the said Clerke doth take for euery such name by extorcion ii. s. in great oppression of the people: Our saide Soueraigne Lorde the kinge, willynge to saue his saide people of suche extorcions and iniuries, by the aduise and assent of the said Lords spiritual and temporall, and at the prayer of the said commons, hath ordeyned and established, that the saide Clerke of the crowne shall take no more then hath bene duely vsed of olde times. And moreouer our sayde Soueraigne Lorde the kinge hath charged the Justices of the kings Bench, that no extorcion bee done in this behalfe in the bench aforesaide. An. 2. H. 4. cap. 10.

Indicted Felonie

Venire facias

Extorcion

Fees

Just of the kings bench

THe Clerke of the market of the kings house, shall do his office well & duely. And that all false measures and weights shalbe burned after the fourme of the statute. And that the said Clerke take no cõmon fine, but that euerie person which is founde in default touching the same office be punished according to his descruinge, and that he shall not ride but with vi. horses at the most, and that he shall not tarie in no towne nor other place, no longer then the necessitie of his dede shall require, and if hee do any thinge contrarie to this statute, and be thereof duely conuict, he shall pay to the kinge at the first time that he shall bee so conuict an C. s. and at the seconde time x. li. and at the thirde time xx. li. An. 13. R. 2. ca. 4.

Kings house

False measures Weights

Fine

¶Clerkes of the Signet and priuie Seale.

ANno 27. H. 8. ca. 11. an acte was made how and in what wyse the kynges graunts, writings, and leases shall passe the priuie Signet, the priuie Seale, & the great Seale, and in what time they shall passe those seales, and forfeitures set vpon the Clerkes of the priuie signet and priuie seale, for not doing their duitie, and what fees they shall take for those writinges, & what fees shalbe paied to any person for the same, and how and where such writinges shall come to the great seale wyth an immediat warrant, and not passe the signet or priuy seale, and what fees shall then be paied therefore, and how and vnder what seales the kings leases, graunts, and writinges of lands, or offices of the countie Palantine, or Duchy of Lancaster shal passe, and what graunts, leases, or writinges for the king may bee made without his warrant, and diuers Articles at large concerning these matters.

Graunts Leases

¶Collectors.

ANno 9. H. 5. cap. 9. An acte was made (to endure to the nert Parliament, that should bee after the kings returne into England) that Abbots and Priours, should not bee Collectours of Dysmes or Subsidies out of the Shires where they dwelt.

Abbots Priours Dysmes Subsidies

2 ¶Anno 6. H. 5. stat' 2. cap. 10. An act

act was made (to endure to the next parliament, that should be holden after the kings returne into England) for Collectors of x. & xv. to recouer such money as they paide for their fellowes.

Dismes Fifteens

3 ¶That no man dwelling wythin any citie or borough, within the said Realme, of which citie or borough he hath bene wed before this time and yet is, the names of certein men by the persons for the said citie or borough, comming to the parliament, to be delyuered in the kynges Chaunceric to be Collectors of Dysmes, in the same citie or borough. And wherevpon the king hath sent his letters patēts to the same persons so named and delyuered in his Chaunceric, to bee Collectors of the disme or parcell of the same, within the saide citie or borough, and the which collectors haue occupied, and be bound to accompt of their receipt in thys behalfe, immediatly in the kings Eschequer, shall in any wise be deputed nor assigned to bee Collector of any quinzime, or any parcell of the same, graunted or to be graunted to the kinge or his heires within any coūtie of this Realme, except that he may expend in the countie out of the said citie or borough in landes or tenementes to the value of an C.s. by yeare ouer al charges and reprises. An. 18. H. 6. ca. 5.

Citie

Parliament Dismes

Letters patents Chauncerie

Eschequer

Freehold

¶Common plees.

COmmon plees shall not followe our Court, but shalbe holdē in some place certeine. Magna Charta cap. 11.

2 ¶No common plee shalbee from henceforth holden in the Eschequer, contrarie to the fourme of the great Charter. Articuli super chartas cap. 4. an. 28. E. 1.

Eschequer

¶Commission & Commissioners.

BY Anno 18. E. 3. cap. 1. Commissions graunted to enquire of certaine things were repealed.

Enquiries Repealed

2 ¶By An. 18. E. 3. ca. 4. Commissions made to assay measures, yardes, and weightes were repealed, and that no such Commissions should after bee graunted.

Measures Yardes Weightes Repealed

3 ¶From henceforth in all enquiries within the Realme, commissions shalbe made to some of the Justices of the one bench or of the other, or Justices of assise, or Justices of the peace, with other of the most worthy of the countrey, al well for the kings profit as the commons, sauing in the office of Eschetorship, or any thing that toucheth the same office. Anno 42. E. 3. cap. 4.

Just. of both benches
Just. of Ass.
Just. of peace
Eschetor

4 ¶An. 10. R. 2. a Commission was made by the king & authoritie by ỳ parliament, to diuers to suruey the kings reuenues, and to correct and reforme for many thinges there expressed, any penalties set vppon them that should moue the kinge to repeale this Commission 1. And after An. 11. R. 2. cap. 2. & 3. the said Commission was affirmed, and all that was done by force of the Commission, and that none should be molested for rising, assemblinge of force, for any thing against thē ỳ did resist ỳ cōmission, nor for any euil gouernance abeus ỳ king, except certeine persons there named. And after An. 21. R. 2. ca. 2. the said statut of An. 10. R. 2. in that article, & the said commissions and all the paynes and dependaunts therupon were repealed, it was there enacted, that no such commyssion shoulde after be made, & that who so purchased or procured, or put in vze any such commission should be a traitor. But the parliament of An. 21. R. 2. vvas repealed by 1. E. 4. ca. 3.

Surney

Repealed

Traytor Repealed

5 ¶An. 2. H. 4. ca. 9. it was enacted that commissioners made in the tyme of R. 2. that were rifled and had delyuered their cōmissions should not be charged to certifie, but shoulde be discharged by their othes.

Discharge Othes

6 ¶Because that many commissions be made in the chauncery, and directed to diuers persons of the Realme, sometime to enquire and certifie, some time to enquire, heare and determine, and sometime to seise lands and tenemēts, goods, & catels, which commissions neuer came to the handes of the saide Commissioners, wherevpon writs issued out of the Eschequer of our soueraigne Lord the kinge, to distraine such commissioners, their executors, heires, and landtenants, sometime to yelde the estreates of the fines, issues and amerciamentes, which pertaineth to our soueraigne Lord the kinge, because of the said commissions, sometime to certifye that whych is founde before them by

Chauncery

Oier & ter.

Eschequer

Executors

Amercements

by enquest, and some time to accompt of certeine things conteined in the said commissions, to ỹ great damage and disquieting of many the kings liege people. The same our soueraigne Lord the king, for ỹ ease and quietnes of his people, willing in this case to prouide remedy, by the assent aforesaid, will, and hath ordeined & established, that the Chauncelor of England, for the time being, shall vse his power as he hath done before this time, in this case. And in other cases, the same Chauncelor calling to him such Justices, as hym shall please, or the chiefe Baron of the Eschequer, if nede be, shall haue power by auctoritie of Parliament, to prouide remedie from time to time by their discretion. An.4.H.4.cap.9.

Chauncelor

Justices

Chiefe baron

7 ¶Where as many of the kynges liege people be assigned by the commissions, to do and perfourme the contenue of the same, some to heare and determyne, some to enquire and certifie, & otherwise, where by the same Commissioners be grieuously distreyned by proces out of the Eschequer, by reason of the said commissions, and by that occasion do lose great issues, where the said cõmissioners were neuer knowing of such commissions, nor the same commission neuer came to their handes, to the great damage and disease of many of the kings subiects. It is ordeined and established, that the Barons of ỹ Eschequer, shal haue power to receiue the othe of such Commissioners & of their excuse and discharge of the receipt or occupation of the said commissions, & also that the same Barons, and the Justices of the one bench & the other, shal haue power by writ of Dedimus potestatem, to receyue such othes in the countrey, and that the same Justices shall thereof certifie ỹ said Barons in the Eschequer from tyme to tyme, and that vpon the same, the sayde barons shal discharge the said commissioners. And in like wise, it shalbe done for their heires, executors, or land tenants, of the same Commissioners. Prouided all waies, that such othes be not taken, but in the case of commissions of Oier & determiner, and of enquiry and certifiyng onely. An.7.H.4.ca.11.

Barons of the eschequer

Just. of both benches

Dedimus potestatem

Discharge

Heire Executors

Oier. & ter.

8 ¶An.31.H.8.cap.14. An act was made for matters of Religion, called the acte of the sixe Articles, and therein was enacted, that Commissions should bee made to enquire of these matters. But An.1.E.6.ca.12. that acte was repealed. And before the repeale (An.32.H.8.ca.15.) an acte was made, that certein Spiritual Officers & Iudges should be commissioners. But after 1.E.6. this acte of 32.H.8. was of no force, because the said statute of 31.H.8.ca.14. was repealed.

vi. Articles

Repealed

¶Condicion.

ASwell all and euery person and persons, and bodies politike, their heires successors, and assignes, which haue, or shall haue, any gift or graunt of our sayd soueraigne Lord, by his letters patents, of any lordshippes, manors, lands, tenements, rets, personages, tithes, portions, or any other hereditaments, or of any reuersion, or reuersions of the same, which did belonge and appertein to any of ỹ said monasteries or other religious & ecclesiasticall houses dissolued, suppressed, relinquished, forfait, or by any other meanes come to the kings handes, since the said 4. of February, ỹ xxvij. yere of his most noble raigne, or which at any time heretofore did belong or appertain to any other person or persons, & after came to ỹ hãds of our said soueraigne lord, as also al other persons beinge grãtees or assignees to or by our said soueraigne Lord the kinge, or by any other person or persõs thẽ ỹ kings highnes, & the heirs, executors, successors, & assignes of euery of them, shal and may haue and enioy like aduãtages against the lessees, their executors and administrators, & assignees, by entre for non payment of ỹ rent, or for doing of wast, or other forfaiture, & also shal & may haue and enioy al & euery such like, & the same aduãtage benefite & remedies, by action only for not performing of other conditions conenants or agreementes, conteined and expressed in the indentures of their sayd leases, demises or graunts, against all and euery the sayde lessees and fermours and grauntees, their executoures and administratours, and assignes, as the sayd lessours or grauntours, them selues or their heires or successours ought, should or myght haue had and enioyed at any time or times in like maner and fourme, as if the reuersion of such landes, tenements,

Heires Executors

Lease

Wast

mẽts,or hereditaments had not come to the hands of our said soueraigne Lord,or as our said soueraigne Lord, his heires & successors should or might haue had & enioyed in certain cases by vertue of ẏ acts made at ẏ first sessions of this pr̃sẽt parliament. S. An. 31. H. 8. ca. 13. vvhich is in Monasterie 11. if no such graunt by letters patents, had bene made by his highnes. Moreouer be it &c. ẏ all termors, lesses, and graunteés of lordships, manors, lands, & tenements, rentes, personages, tithes, porcions, or any other hereditaments, for terme of yeares, lyke or lines, their executours, administrators & assignes, shal & may haue like action, aduauntage, & remedy against al and euery person & persõs & bodies politike, their heirs, successors & assignes, which haue or shall haue any gift or graunt of ẏ king our said soueraigne lord, or of any person or persons of the reuersion of ẏ same manors, lands, tenements, & other hereditaments so letten, or any parcel therof, for any cõdition, couenant, or agreément conteined or expressed in ẏ indẽtures of their leale, & leases, as ẏ same lessées or any of them might & should haue had, & against ẏ sayd lessours, & grauntors, their heires, or successors, al benefits & aduantages of recoueries in value, by reason of any warrantie in deéde or in lawe, by voucher or otherwise onely excepted.

Personages Tythes

Action

Prouided alwaies ẏ this act, nor anie thing or things therein contayned, shall extend to hinder or charge any person or persõs for ẏ breach of any couenãt or cõdition cõprised in any such writing, as is aforesaid, but for such couenants & cõditions, as shalbee broken or not performed after ẏ first day of September next comming and not before, any thing before in this act contained to the cõtrary thereof not wtstanding. An. 32. H. 8. ca. 34.

Couenants

2 ¶ See first fruites & Tenthes. 9. a like statute for Graunts of reuersions, & ẏ the lessées and their graunteés, of benefices appropriate renounced by ẏ kinge & Quéene to the spiritualtie.

Reuersions

¶ Confirmation.

THe great Charter shalbee obserued in all his articles, as wel in such as perteine to the kinge as to other, and ẏ shalbee enquired afore ẏ Justicers in Eire in their circuites, and afore the sheryfes in their Counties, when néede shalbe. And wrttes shalbee frælye graunted agaynst them that do offende beefore the kynge, or the Justicers of the benche, or beefore Justicers in Eire, when they come into those partyes. Lykewise the charter of Forestes shalbee obserued in all hys articles, and the offenders, when they bee conuict, shalbee greeuously punished by our soueraigne Lorde the kyng, in forme above mencioned, Marlebridge ca. 5. An. 52. H. 3.

Magna charta

Shirifes

Charta de Foresta

2 ¶ From henceforth ẏ great Charter of the liberties of Englande graunted to all comminaltie of the realme, and the Charter of Forest in lyke manner graunted, shalbee obserued, kept, and mayntayned in euery point, in as ample wise, as the king hath graunted, renewed, and confirmed them by hys charter. And that the Charter bee delyuered to euerie Sheryffe of Englande vnder the kynges seale, to bee read fower times in the yeare before the people in the ful coũtie, that is to weete, the nert County day after the feast of Saint Michael, and the nert county day after the feast of Christmas and after Easter, and after the feast of saint John Baptist. And for these two chartours to be firmely obserued in euery point and article (where before no remedy was at the common law) there shalbe chosen in euery shire court, by the cõminaltie of the same shire three substanciall men knightes, or other lawfull wise and well disposed persons to be Justices, which shalbee assigned by the kinges letters patents vnder ẏ great seale, to heare and determine (without any other writ, but onely their commission) such plaints as shalbe made vppon al those that commit or offende agaynst any point contained in the foresaid chartors, in the shires where they bee assigned, aswell within fraunchises as without. And as well for the kynges seruantes out of their places as for other, and to heare the plaints frõ day to day without any delay, and to determine them without allowing the delayes which be at the common law. And the same knightes shall haue power to punysh all such as shall be attainted of any trespas done contrarie to any point

Shirifs

Knights Justices

Oyer & ter.

kings seruãts

of the forsaid charters (where no remedy was before the common lawe) as before is said by imprisonment, or by fyne, or by amerciament according to the trespas. Nevertheless the kinge nor none of his counsel ẏ made this ordinance, entẽd that by vertue hereof any of the forsayd knights shall holde any maner of plee by power for to admit any writ in any suche cases, wherein there hath bene remedie provided in times passed after the course of the common law by writ. Nor also ẏ the common lawe should bee prejudiced, nor the charters aforesaid in anye point. And ẏ king willeth that if al thee be not present, or can not at all times attende to do their office in fourme aforesaid, ẏ king commaundeth that two of them shall do it. And it is ordeined that the kinges shirifes and baylifes shalbe attendant to do the commaundementes of the forsayde Justices as farre forth as appertayneth vnto their offices. Articuli super chartas ca. 1. An. 28. Ed. 1.

Imprison

Cõmon law

Sherife Baylife

3 ¶ In the seconde volume of the olde statutes, is an ordinance intituled, Confirmatio cart' de libert' Angl' et foreste. An. 25. E. 1. by which is ordeined that ẏ charter of Magna charta, & the charter of the forest shalbee kept, & ẏ the same charters shalbe published in townes, & read in Cathedral churches, & that Bishops shall excommunicate ẏ breakers thereof. And then followeth a forme of a sentence of excõmunication intituled Sententia lata super confirmatione cartarum.

Excõmunication

4 ¶ Magna charta, & Charta de Foresta shalbe kept & put in execution. An. 1. 2. 4. 5. 10. 14. 28. 31. 36. 37. 38. 42. 45. & 50. Ed. 3. ca. 1. An. 1. 2. (stat' 2. 5. 6. stat' 1. 6. stat' 2. 7. 8. & 12. R. 2. ca. 1. An. 1. 2. 4. 7. 9. & 13. H. 4. cap. 1. And An. 4. H. 5. ca. 1.

5 ¶ If any statute be made contrarie to Magna charta, & Charta de foresta, it shalbe void. An. 42. E. 3. ca. 1.

6 ¶ All estatutes not repealed shalbee kept & put in execution. Anno 10. 28. 36. 37. 38. & 50. E. 3. cap. 1. Anno 1. 2. sta. 2. 3. 5. 6. 7. 8. 9. & 12. R. 2. cap. 1. & An. 13. R. 2. cap. 8. & An. 15. R. 2. cap. 2. & An. 1. 2. 4. 7. 9. & 13. H. 4. cap. 1. & Anno 4. & 5 capitulo 1.

Artificers

7 ¶ All statutes not repealed made against artificers shalbe kept & put in execution. An. 13. R. 2. ca. 8.

8 ¶ All statuts not repealed of Esthetors, Sheriffes, vnder Sheriffes, & clerkes of the sheriffes, shalbe kept & put in execution. An. 9. R. 2. cap. 1.

Escheators Shirifes

9 ¶ All statutes not repealed of labourers shalbe kept & put in execution. An. 8. R. 2. ca. 1. & An. 13. R. 2. ca. 8.

Labourers

10 ¶ All statutes not repealed, of purveiors shalbe kept & put in execution. An. 5. 6. 8. & 9. R. 2. ca. 1.

Purveyors

11 ¶ All Statutes not repealed of Wytaylers, shalbee kept and put in execution. Anno 13. Richardi secundi capitulo 8.

Wytalers

12 ¶ Anno 1. H. 4. cap. 4. It is enacted, that the Parliament holden Anno 11. Richardi secundi shalbe holden and kept.

Parliament

13 ¶ Anno 1. E. 4. cap. 1. an acte was made, whereby was confirmed all iudiciall actes, exemplifications, concordes, recoueries, processe in Court, made in the times of Hen. 4. Hen. 5. and Hen. 6. and all graunted and letters patentes, of diuers thinges mencioned in ẏ said act made by any of ẏ said iij. things. See the Statute.

Exemplifications

Letters patents

14 ¶ See Patents of confirmations of the kynges Letters patents.

15 ¶ See Roome 4. what things bee confirmed by the Pope.

Pope

16 ¶ See Weightes 35. of Confirmation of Statutes, made for measures of vessels and gauging.

Measures

¶ Coniurations, Enchauntment, and Witchcraft.

WHereas at this day there is no ordinarye nor condigne punishment provided against the wycked offences of coniurations & invocations of evil spirits, & of sorceries, inchauntments, charmes & witchcrafts, which be practised to ẏ dystruction of ẏ persons & goods of ẏ Queenes subiects, and for other lewd purposes be it enacted &c. that if any person or persons after the first day of June next comming shal vse, practise, or exercise any invocations, or cõiurations, of evil or wicked spirits to or for any intẽt or purpose, or else if any person or persons after the said first day of June shall vse, practise or exercise anye witchcraft, enchauntment, charme or sorcerie, whereby anye person shall

Charmes Sorcery

ſhall happen to be killed or diſtroied, that then aſwell euerie ſuche offendour or offendours in inuocations, or conſuratyons, as is aforeſayde, their aydours and counſellours, as alſo euerie ſuche offendour or offendours in that witchecraft, enchaũtment, charme, or ſorcery, whereby the death of anye perſon doth enſue, their ayders and counſellers, being of eyther of the ſayde offences lawfullye conuicted and attainted, ſhal ſuffer paines of death, as a felon or felons, and ſhall loſe the priuiledge and benefyte of clergy and ſanctuarye. Sauinge to the wife of ſuche perſon her title of dower, and alſo to the heire and ſucceſſour of ſuch perſon, his or their title of inheritaunce, ſucceſſion, and other rightes, as though no ſuche attaynder of the auncеſtour or predeceſſour had ben had or made. And further be it enacted by the auctoritie aforeſaide, that if anie perſon or perſonnes, after the ſayde firſt daye of June nert comminge ſhall vſe, practiſe, or exercyſe any witchcraft, enchauntment, charme or ſorcery, wherby anye perſonne ſhal happen to be waſted, conſumed, or lamed in his or her bodie, or member, or whereby anye gwdes or cattelles of any perſon ſhal bee diſtroied, waſted, or empaired, then euerye ſuch offendour or offendours, their counſellers & ayders being thereof lawfully conuicted, ſhal for his or their firſt offence or offences ſuffer impriſonment by the ſpace of one whole yere, wõut baile or maineprize, and once in euery quarter of ỹ ſaid yere, ſhall in ſome market towne, vppon the market day, or at ſuche time as anye faire ſhalbe kept, there ſtande openly vpon the Pillory, by the ſpace of fyre howers, and there ſhall openly confeſſe his or her errour and offence, and for the ſecond offence, being as is aforeſaide, lawfully conuicted or attaynted, ſhall ſuffer death as a felon, and ſhall loſe the priuyledge of clergie and ſanctuary, ſauinge to the wife of ſuch perſõ, her title of dower, and alſo to the heire and ſucceſſor of ſuche perſon, his or their titles of inheritaunce, ſucceſſion and other rightes, as though no ſuch attaindour of the auncеſtour or predeceſſor had bene had or made. Prouided alwaies, that if the offendour in any of ỹ caſes aforeſayde for whiche the paynes of death ſhall enſue, ſhall happen to bee a peere of the realme, then his triall therin to bee had by hys peeres, as it is vſed in caſes of felony or treaſon, and not otherwiſe. And further bee it enacted by ỹ auctoritie of this preſent parliament, that if any perſon or perſons ſhal from & after ỹ ſaid firſt daye of June next cõming, take vpon him or them by witchcraft, enchãtment, charme or ſorcery, to tel or declare in what place any treaſure of golde or ſiluer ſhould or might bee founde, or had in the earth or other ſecret places, or where gwdes or thinges loſt, or ſtollen ſhoulde be founde or become, or ſhall vſe or practiſe anye ſorcerie, enchauntment, charme or witchcraft, to the intent to prouoke any perſon to vnlawfull loue or to hurt or diſtroy anye perſon in hys or her bodye, member or gwds: That then euery ſuch perſon or perſones ſo offending and beeing therof lawfully conuicted ſhal for the ſayde offence ſuffer impriſonment by the ſpace of one whole yeare wythout bayle or maineprize, and once in euery quarter of ỹ ſaid yere, ſhal in ſome market towne vpon the market day, or at ſuche time as any faire ſhalbee kept there, ſtand openly vppon the Pillory, by the ſpace of fyre howers, and there ſhall openlye confeſſe hys or her errour and offence. And if any perſon or perſons being once conuicted of the ſame offences, as is aforeſayde, doe eftſones perpetrate and commit the lyke offence, ỹ then euery ſuch offendor beyng therof ỹ ſecõd time cõuicted, as is aforeſaid, ſhall forfayt vnto the Quenes Maieſtie, her heires & ſucceſſors, al his gwds & cattels, & ſuffer impriſonment duryng life. An. 5. El. ca. 16.

Felony Clergy denied Dower

Attaint Felony Clergy denied

Dower

Peere of the realme Peeres

Treaſure

Loſt goods

Impriſon

Pillory

II. Offence Forf.

Impriſon

¶Conſpiracie.

COnſpiratours be they that do conſedre or binde them ſelues by othe, couenaunt, or other aliaunce that euerye of them ſhal ayde & beare the other, falſelye & maliciouſly to indict, or falſly to moue or maintaine pleas, & alſo ſuch as cauſe children within age to appeale men of felony whereby they are impriſoned and ſore greeued, & ſuch as retaine men in ỹ cõtrey with liueries or fees for to maintain their malicious enterpriſes & to dꝛowne ỹ trueth, & this extendeth as well to thetakers as to ỹ geuers. And ſtewardes and baliffes

Othe

Stewardes

baillifs of great lords which by their ſeignory, office or power, vndertake to beare and maintaine quarels plees & debates, that concerne other parties then ſuche as touche the eſtate of their lordes or them ſelues. Anno 33.E.1.

Informers
Imbraceours

2 ¶ In right of conſpiratours, falſe informers, and imbraceours of aſſyſes, inquests and iuries, the king hath prouided remedy for the plaintifes by a writte out of the Chauncerye. And from henceforth the kinge will that the Iuſtices of eyther bench aſſigned to take aſſiſes, whē they come into the coūtrey to do their office, ſhall vppon euery playnt made vnto them, award inquests therupon without writ, & ſhall do right vnto the plaintifes vpon further delay. Articuli ſuper chartas cap.10. Anno 28.E.1.

Iuſt. of both benches

Inquests

For as much as diuers men of malice & enemitie & for gaine & vēgeāce, haue oftē cauſed to be indicted & appealed diuers of our liege people of treaſons & felonies in ỹ county of Lancaſter, pretendinge by theſe appeales & indictmēts that the ſayd treaſons or felonies were cōmitted in a certayne place where of trouth no ſuche place is had in ỹ ſaid county, where ỹ ſaid appeale & endictment is made, to ỹ great damage & perill of ſuche our liege people, conſidering that ſome ſo apealed & endicted, dare not appeare before the Iuſtyces in their proper perſons, to anſwer therto, for feare of beatinge, mayheming, or ſleying of them, by the conſpiratours or procurours of the ſame appeales & indictments, as by ỹ commons of ỹ realme of England in our laſt Parliament holden at Weſtminſter by their petition there exhibited, grenouſly cōplayning was ſhewed: It is ordeyned in the ſame parlyament by the aſſent of the prelates, & great men of the ſame realme there being, at ỹ requeſt of the ſaid cōmons, for the cōmon profit & quietneſſe of ỹ people of the ſame realme, ỹ euery Iuſtice, which hath power to heare & determine ſuch treaſons & felonies, wōin the ſaid coūty, by ỹ othe of twelue men, of whō euery one ſhall haue freehold in ỹ ſāe county to the perely valour of an hūdred ſhillings, aboue al charges, before ỹ the erigent be awarded, wōut allegations of the partie, aſwel in the parties abſence, as his preſence, ſhall enquire of office, whether any ſuche place be

Appeals
Treaſons
Lancaſter
Felony

Iuſtices

Xii. olders

Enquire

in the county, where ſuch appeales or endictments be made or not, & if bee founde that there is no ſuch place within ỹ ſame county, then ſuch appeales & endictmēts, and ỹ proces therof made or to be made, ſhalbe voyde and holden for none. And that in ſuch caſe the endictours aforeſaid, be puniſhed by impriſonment, fyne and raunſome by the diſcretyon of the ſayde Iuſtices. And that thys preſent ordynaunce and remedye, extende aſwell to appeales and endictmentes to bee taken hereafter. And if any erigent from hēceforth bee awarded, before that ſuch inquiſition of office (as afore is ſaid) be taken, that the ſame erigent and the awardyng thercof, bee lykewyſe voyde and holden for none. Prouyded that this preſent ordinaunce haue ſtrength, and extende onely vntill the next parliament. Anno 7.H. 5.cap.1. And after An.18. H.6.capit. 12. This acte is made perpetuall, becauſe it vvas doubted vvhether it be expired by that, that king H.5. dyed beyond the ſea before his returne into Englande. See a like ſtatute. Appeales.9.

Voyde

Impriſon

Erigend

¶ Conſtable & Marſhall.

TO the Cōſtable it pertayneth to haue cognyſaunce of contractes touchyng deedes of armes, and of warre out of the realme, and alſo of thinges that touche warre within the realme, which may not be determyned nor diſcuſſed by the common lawe, nor other vſages & cuſtomes to the ſame matters pertayning, whych other cōſtables heretofore haue duly and reaſonably vſed in their tyme. Joynyng to the ſame, that euerye playnetiſe ſhal declare plainely hys matter in his petition afore that any man be ſent for to anſwere thercunto. And if ante will complaine, that any plea bee commenced before the conſtable and marſhal, ỹ myght be tried by the lawe of the land, the ſame complaināt ſhal haue a prouy ſcale of the king without difficultie directed to ỹ ſaid conſtable and marſhal, to ſurceſſe in that plea til it be diſcuſſed by the kinges counſel (if that matter ought, and of right pertayneth to that court), or elſe to bee tried by the common lawe of the realme of England, and alſo that they ſurceſſe in ỹ meane time. An.13.R.2.ca.2.

Warre

Prouy ſcale

¶ Contra

¶ Contra formam collationis.

Abbots Priours

IF Abbottes, priours, kæpers of hoſpytalles, and other religious houſes, founded by him or by his progenitours, do frō henceforth alien the lands geuen to their houſes by him, or by his progenitors: the land ſhalbe taken into the kinges handes and holden at his will, and the purchaſer ſhall leeſe hys recouerye as well of the landes as of the money that he paid. And if the houſe were founded by an Earle, Barone, or other perſons, for the landes ſo alienedbee, from whom, or frō whoſe auncestour the land ſo alienedwas geuē, ſhall haue ſuch a writte to recouer ẏ lāds in demeſne: Precipe tali Abbati, quod iuſte &c. reddat G. F. tale tenementum, quod eidem domui collatum fuit in liberam elemoſinam per prædictum C. vel anteceſſores ſuos, & quod ad dictum G. reuerti debet, per alienationem, quā prædictus Abbas fecit de prædicto teneméto, contra formam collationis præd', vt dicit. In like maner for landes geuen for the maintenaunce of a Chauntery, or of light in a churche, or chappell, or other almes to bee maintained, if the land geeuen bee alienedBut if the land ſo geuen for a Chauntery, light, ſuſtenāce of poore people, or other almes, to bee maintained or done, bee not alienedbut ſuche almes is wōrawen by the ſpace of two yéeres, an action ſhall lye for the donour or his heire to demaund the land ſo geuē in demeſne, as it is ordeyned in the ſtatute of Glouceſter for landes leaſed to do or to rendre the fowerth part of the value of the lande or more. Weſtm. 2. cap. 41. Anno 13. Ed. 1.

Alien

Chauntry Church Chappels

Poore people

Action

¶ Conuſaunce.

Nouel diſſ.

WHere as dyuers people doe often tymes ſue aſſyſes of Nouel diſſeyſin, or other writtes of plée of lande at the common lawe, the landes, tenementes and rents being wīn fraūchiſed to wnes & auncient demeſne againſt certain perſons, and doe to bee named alſo in their ſaid aſſiſes and writtes, the Maior & baylifes, and comminalty of the fraunchiſes, and the lordes and bailifes within auncient demeſne aforeſaide, whereas of troth they be not diſſeiſours nor tenants of the ſaid landes, tenements or rents ſo being in plée, but named by colluſion and fraud, to voide and exclude the ſaid Maiors, baylyfes and comminaltie, and the ſaid lords and bailifes of auncient demeſne, of their fraunchiſes and liberties, conyſaunce and iuriſdiction of their court before them. It is ordeyned and eſtablyſhed, that in ſuch aſſiſes and wryttes purchaſed or ſued from henceforth or at thys preſent hanging, betwirt any parties before any ſuch Juſtices at the common lawe, in whych ſuche maior, baylyfes and comminaltie, or lordes or bailifes of auncient demeſne bee named. That ſuche Juſtices ſhal firſt enquire by the ſayde aſſyſe in the countrey, whether the ſayd Maior, Baylifs, and comminaltie, or lordes or baylyffes of auncient demeſne (if they that require before ſuche Juſtices) bee diſſeiſours or tenauntes in ſuche caſe, or bee named by colluſion and fraude, as afore is ſaid. And if it bee founde that they bee not diſſeiſors nor tenauntes of the ſayde landes, tenementes, or rentes, but acquyted before the ſame Juſtices and founde that they bee named by colluſion and fraude in the fourme aforeſaide, that in ſuche caſe the Juſtyces ſhall doe the ſayde writtes of aſſyſes, or other writtes purchaſed in the fourme aforeſayde, to bee abated and annulled, and that the ſaide playntiſe or playntyfes ſhalbee greuouſlye amerced by the kinge, notwithſtanding that other tenauntes or diſſeyſours bee named or found in ſuch aſſiſes or writtes. Anno 9. H. 4. cap. 5.

Auncient demeſne

Maior Bailife

Colluſion

Aſſiſes

Juſtices

Diſſeiſors

Amerced

2 ¶ In all writtes of aſſyſes and of actions perſonal, ſued or to be ſued before the kinge in his benche, Juſtices of the common place, or any other the kynges Juſtices for the time being, of any lands, or tenementes, or of anie thinge beinge and ryſing within any ſeigniorie, fraunchiſes, or auncien demeſne, whereof the cognyſaunce or iuriſdiction ought to pertaine to anie lordes, maiors, baylyffes, citizens or burgeſſes, or comminaltie of ſuch ſeigniouries, fraunchiſes, or auncyen demeſne, that then if any defendaunt in any ſuch aſſiſe or other actions perſonall make any default, to put out, exclude, and expell the aforeſaide lordes, Maiors, Baylifes, citizens, burgeſſes or comminaltie of their cognyſance, or fraunchiſe,

Actions perſonall

Auncien demeſne

Defaute

Maiors Bailifes

that the Iustices at the request of the said Lordes, Mayors, Baylifes, cittizens, burgesses, or comminaltie shall make inquirie by the assyse where such exceptions is alledged in assises, and in actions personals by enquest to be taken before ỹ Iustices yf suche defaultes shalbe founde, as afore is saide, or not: In which assise, and enquest so to be taken alwel the playnetifes as the Lordes, Mayors, Baylifes, cittizẽs, burgesses, and commmaltie may haue their challenge. And if it bee founde by such assises, or enquestes so to be takẽ, that such defaultes shalbe made by collusion, to put out and exclude the said lordes, Mayors, Baylifes, Cittizens, Burgesses, or comminaltie of their fraunchises, liberties, cognisances, or iurisdiction, that in such cases the said writtes shalbee abated, and the playntifes shalbee in the kynges mercye, by consideration that is ordeyned by the statut made in the ninth yere of the raigne of king Henry, graũdfather to our soueraigne lorde the kinge, that if anie Maior, Baylife, comminaltie, or lorde of auncient demeine, bee named in writtes of assises, by collusion, to put them out of their cognisance or iurisdiction in this behalfe, that the Iustices first shall enquire by the assise of the coũtrey of such collusion, if the sayde Lordes, Mayors, Baylifes, or comminaltie the same require. And if it bee founde by such inquisition that they be so named by collusion that then the writ shal abate. An. 8. H. 6. cap. 26.

Challenge Enquests

Enquirie

¶ Cordiners, Curriers, Tanners, and Leather.

SEe the statuts which were collected into this title in the 1. 2. 3. 4. 5. 6. 7. 8. 6. 10. 11. 13. 16. 19. & 20. numbers all repealed, after 22. 5. El. cap. 8. and therefore heere omitted.

Repealed

12 ¶ No maner of estraunger or denyzen shall packe or cause to bee packed any manner of leather, to be conueied or shipped ouer the sea oute of this realme, Wales or other the kings dominions, otherwise thẽ in this acte is expressed, that is to saye: that all suche leather shall bee hereafter packed by a packer swoorne in euery such port, where any leather shalbe shipped to be conueied out of this realme, Wales or other the kynges dominions, vppon paine of forfayture of all such leather as hereafter shalbee packed contrary to the purport of thys acte, or the value thereof. And also that from henceforth euery straunger and denzien which shall shippe, sende, or conuey any leather ouer the sea, out or frõ any part of this realm, Wales, Cheshire or other the kyngs dominions, shall paye like custome for the same, as is vsed to bee payed within the port of Lõdon, that is to say, euery strãger to pay for euery dycker of leather for custome, fower shillinges nine pence. And euerie denyzen fower shillings and a peny. And be it also enacted, that within euery port, hauen & creeke within thys realme, Wales, and other the kings dominions where no teller or packers at this present time bee, nor before the making of this act haue bene, that frõ henceforth the customers & comptrollers of euery such port, hauen & creeke where such leather shalbe shipped to be conueied into the parties beyond ỹ sea, shal haue power by authoritie of this act to name, constitut & appoint one able person to tel & nũber all such leather as shalbe at any time there shipped, which persõ so named, shal be swoorne by the customer & comptroller of euerie suche port, hauen, & creeke, truely and duelye to execute his office in the presẽce of the customer and comptroller of euery such port, creeke or hauen where any such leather shalbe shipped or of hys or their deputie or deputies, ỹ same teller taking of euery strãger for ỹ telling of euery dicker of lether vi. d. whereof ỹ same teller to haue for his labor ij. d. & iiii. d. to be to ỹ cõminaltie of ỹ same towne and port, toward ỹ paimẽt of their fee farme and other their charges. And of euery denizen, not being a free man of ỹ said port & hauen, for euery dicker iiij. d. whereof ỹ teller to haue ij. d. & the other two pẽce to be to the comminalty of the same port or hauen, for the entent aboue declared. And of euerie dicker by any person being a free man of such port and hauen, but onely two pence for his labour. And that immediatly after suche tale had, and entre thereof made by the the customer or his deputie, and other able person named, deputed, and assigned by the saide customers and comptrollers of euery such port and

Straunger Denizen

Shipping Wales

Packer Swoorne Port

Forf.

Denizen

Custome London

Hauen Teller

Swoorne

Fee farme

and hauen, and before them swoorne truely and duelye to do and execute his office shall packe all such leather so sold and entred, every packe to contayne as manye dicker, vnder the number of seuen dicker, as it shall please the merchant or owner therof to appoint, taking for his labor for the packing of euery pack iiij.d. And be it &c. ẏ if any packer take vpon him to pack any leather before it be told or numbred, and entre thereof made by the customer or his deputie, or at any time packe more leather then shalbe told and entred according to the purport of this acte, that then the same packer to forfait & lose for euery time doing the contrarie x.pound, and to suffer therefore imprisonment at ẏ kingz pleasure. And also that if the teller within any such port or hauē at anytime hereafter take vpon him to tell or number any leather in the absence of the customer, comptroller, or of hys or their deputie or deputies, then the same teller for euerye time so doing to lose & forfayt x.markes. And for as much as diuers estraungers carry and conuey their leather from one port to an other, and by the way cause ẏ same leather to be packed, which packes so conueyed be not vndone nor opened at their arrivall within the portes whereunto they be so transported, but there onelye entred by and vpon the report and information of the merchaunt estraunger, or of his factour, whereby much custome is concealed. Be it &c. that if any estranger or other his factour at any time hereafter do cōuey and carry any leather from one port to an other, to the entent to shyp the same in such other port whereunto it shalbe so conueied, the same estraunger, or other his factour for him, before such trāsporting of the same leather, shal cause the saide leather first to bee tryed within the same port, from whence he will or entēdeth to carrye the same: and the same so tolde cause to bee entred by the customer of the same port, or his deputie: and cause to bee also packed by the said packer of the said port, where it shalbe so tolde, taking of the customer or customers of the same port or hauen, or their deputie or deputies a certificat, expressing the nūber or quantitie of dickers of all the same leather, so to bee caried and transported, directed to the customer of the other port or hauen, whereunto the same leather shalbe so cōueyed, making mention also in the same certificat, whether the custome thereof accordingly be truely payed or not. And in case any such leather be carried or conueied from one port to an other, there to be shipped, without hauing of such certificat, that thē the same leather or the value thereof to bee forfaited. And be it further enacted that no tanner within thys realme, Wales, or other the kinges dominions or other persones occupying or hauing a tanne house, shall from henceforth lend, or cause to bee conueyed ouer the sea, by way of merchandise, or otherwise, any maner of leather, tanned or vntanned, vpon paine of forfaiture of al such leather, or the value thereof. Nor that anie person or persons at any time hereafter shall carry or conuey ouer the sea out of this realme, Wales or other ẏ kings dominions, any salt or vntanned hydes or any leather called back or sole leather, the kinges speciall lycence not obtayned for the same, vppon payne of forfaiture of all such hydes and leather called backs or sole leather, or the value thereof. The one halfe of all the sayd forfaytures to be to the kings highnes, and the other halfe to any of his subiects, that will pursue for the same in any his courtes by action of debt, bil, playnt or information, or otherwise, in which suit no essoine, protection or wager of lawe or other dilatorie plee for the defendaunt shall bee admitted or allowed. Prouyded alwayes, that thys acte or any thing therein contayned, shall not bee hurtful nor preiudicial to any captaine of any shippe in the time of warre being in the retinue & seruice of the kings highnes. Nor to anie owner or master of any shippe, being the kynges subiects, going into the Iland Danske, Norway, or Southwarde beyond the estraites, but that euery such captaine and master of euery such shippe duringe the warre time, and euerie master of such shippes passing into the places before named, may and shall at their pleasure haue and carry salt hides in their shippes, so that euerye of them shal not haue at such voyage, or during the warre at any one time aboue the number of eyght salt hydes: Thys acte or any thynge therein conteyned to the contrarie in any wise, notwithstanding.

Packe

Forf. Imprison

Fol.

Merchant

Certificat

Forf. Tanner Wales

Forf.

Licence

Forf. Sole leather Hides

Captaine

Shipmaster

Warre

Salthides

Hydes

Tanners

Tanning

Erpired

Artificers

Engrosse

Tanned Lether

Foyl. Mottie

Proviso

Prouyded alwayes that hides vntanned of any beastes being killed within Wales, or the marches thereof, may be conueyed and caryed into outwarde partyes by any person or personnes from tyme to time, except onely by tanners, and such as haue tanne houses, in such & like manner as they myght haue bene before the makinge of this acte. anie thinge in the same mencioned to the contrary notwithstandinge. Anno 27. Henrici 8. ca. 14.

14 ¶ Anno 2. E. 6. cap. 11. an acte was made for true tanning of leather to endure vnto the ende of the next parlyament. And An. 7. E. 6. ca. 11. it was cõtinued, and after Anno 1. M. 1. parliamẽto cap. 13. it was continued to endure to the ende of the next parliament, and then it erpired.

15 ¶ In An. 3. E. 6. cap. 6. it is enacted that it shall bee lawfull to diuers artyficers there named, to buy and sell tanned leather curried or not curried, so that such should bee conuerted by the buyers into wares within the kinges dominions, to endure to the ende of the next parliamẽt. And after An. 7. E. 6. capit. 11. thys acte was continued to the last day of the next parliament. And after An. 1. M. 1. parliamento cap. 13. it was continued to endure to the ende of the next parliament, & then it erpired.

17 ¶ Where by the couetousnes of diuers regrating & ingrossing tãned lether and selling it againe at exceadinge prises to Sadlers &c. & such other artificers makig wares of tãned leather, those wares bee growen to vnreasonable prises. Be it &c. that &c. no person or persons, of what estate, degree or cõditiõ soeuer he or they be shal buy or ingrosse, or cause to be bought or ingrossed any kinde of tãned lether, to ỹ intent to sel ỹ same againe, vpõ paine to forfeit the sayd leather so bought, or the iust price therof, the one mottie of which forfeit shalbe to ỹ king our soueraigne lord, & the other mottie to him or thẽ that shal sease or sue for ỹ same, in any of ỹ kinges courtes, of record, by action of debt, bil, plaint &c. wherin no &c. Prouided alway and be it &c. That all sadlers, girdlers, coard wayners, & al other artificers, suche as make males, hengets, leather pottes, tankerds, boare hides, or any other wares of lether, shall or may buy, all such kinde of tanned leather, as is or shalbe necessary for their occupying, to be wrought & made by thẽ or by their seruants, in or about their said wares, any thing before mẽcioned in this act to ỹ contrary notwõstanding. Prouy- Prouisio
ded also, ỹ euery girdler, & other artificer before mencioned in this act, may at his frẽ will & pleasure sel their neckes, wõbes & shreds of tãned leather (such as they or any of thẽ cannot occupy about ỹ wares they vse to make) to any persõ or persõs, wout incurring any forfeiture, payne or penaltie before erpressed in this acte, anie thing herein cõteined to ỹ contrary notwõstandinge. Prouided also & be it &c. ỹ it shalbe lawful to or for euery persõ or persons, which nowe haue, or hereafter shall haue, ỹ kings maiesties special licence or licences to trãspoꝛt, carry or conuey ouer ỹ seas, any kind of tãned leather, to buy for ỹ furniture of their said licence or licẽces in opẽ faire or market such & so much tanned leather, as he or they be, or shalbe licẽced to trãspoꝛt, carry, or conuey: So ỹ the same licence or licẽces be presented & shewed vnto ỹ chief officer or officers, ỹ Officers
now haue or hereafter shall haue the gouernaunce of anye citie, towne, faire, or market, whereas the said leather, or any part thereof, shalbee bought. And so that the said officer or officers, seing the same licence to be good & perfect, do truly & truly write vpõ the backside of euery such licence or licẽces, how much tanned lether he or they shal there haue bought, and the certaine daye, time & place of buying the same, ỹ therby it may manifestly appere howe and when euery such licence or licences bee or shalbee satisfied, any thing in this act to the contrarie notwithstanding. And be it &c. that after the first day of May next comming, no person or persons shall shippe or cause to be shipped (to Shipped
thintẽt to cary, transpoꝛt or conuey ouer the seas, as marchaundile to bee solde or chaunged there) any shoes, bootes, buskins, startops, or slippers, vppon payne to forfeit al and euery such shoes, bootes, Shoes Bootes Buskins Startops Slippers
buskins, startops, or slippers, so shipped Foꝛf.
contrary to the true meaning of this act, Mottie
or the value of the same. The one mottie of the said forfaiture to bee to the king &c. and the other moity to him or them that shall sease or sue for the same &c. Wherein no wager of lawe, essoigne, protectiõ,

or

or iniunction, shalbee admitted or allowed for the defendant. Prouided alwayes and bee it &c. that this act ne any thinge therein conteyned, shall not in any wyse extende to be preiudiciall or hurt full to any person or persons, beinge the kinges subiectes, for transportinge or carryinge ouer the sea vnto Caleys, (Transporting to Calleis is repealed by 5. El. ca. 8. here 21) or the marches of the same, and vnto the Ile of Man, so much or as many of ỳ foresaid made wares (as bootes, buskines, startuppes, and slippers, heretofore recyted) as shalbe necessary and conuenyent for the wearing and furniture of ỳ kings subiectes in them, or any of them: Any thing in this last act conteyned to the cõtrary hereof in any wise notwithstandinge. Prouided alwayes, and bee it &c. that no sadler, girdler, coxdwainer, or other artificer dwellinge within the Citye of London and ỳ suburbes of the same, which shall cut the same tanned leather as is aforesaid, to ỳ intent to make wares thereof) shall currye or dresse any of the aforesayd tanned leather, in his or their owne house or houses, or by hys or their seruaunt or seruants, vppon payne of forfaiture al and euery the said tãned leather so to be curried. The one moity &c. to the king and the other moity &c. that will sue for the same &c. wherin no wager of law, essoygne, protection, or iniunction shalbee admitted or allowed for the defendaunt.

Made Wares

Sad'er Girdler Coxdwainer Artificer London

Curry

Forf.

Moitie

Repealed *

An. 5. E. 6. ca. 15. Part of this vvas repealed by 1. Mar. cap. 8. But reuiued by 1. Eliz. ca. 9.

18 ¶ An. 1. El. ca. 11. an act was made to continue for certaine yeres, that ỳ carrying of leather, Tallowe & rawe hydes out of this realme for merchandise should be felony. And it was reuiued. Anno 14. Eliz. cap. 3. And repealed, Anno 18. El. capitulo 9.

21 ¶ Whereas notwithstanding many former statuts made, leather was neuer woxs Tanned, Curried or wrought then now it is. Be it enacted that from & after the feast of Pentecost next cõminge no Butcher or other person, shall gashe slaughter, or cut any hide of any Bull, Ore, steere, or Cowe, in fleing thereof or otherwise, wherby ỳ sãe shal be empayred or hurt. And ỳ no Tanner or other person or personnes vsing or occupying ỳ craft or mistery of tanninge of leather, shall after the feast of Saint Michael the Archaungell next commynge, by hym selfe, or any other person or persons, offer or put to sale any such hyde or skinne so gashed, slaughtered or cut, vpon payne of forfayture for euery such hyde or skinne offered or put to sale xx.d. And be it enacted by the auctoritie aforesayde, that no Butcher or other person or persons after the sayd feast of Pentecost shall kill any calfe to sel, being vnder fiue weekes olde, vppon payne to forfayt for euery calfe so to be killed and solde vj.s. viij.d. And be it enacted by auctority aforesaid, that no person or persons occuppynge the craft or occupation of a butcher, shal after ỳ feast of Pentecost next comming, occupie or vse by him selfe or any other person or persons, the feat, craft, or misterie of a Tanner, duringe the time that he shal so vse the craft or occupation of a Butcher, vpon paine of forfaiture of vj.s. viij.d. for euery day that hee shall so vse the feat, craft or misterye of a tanner. And bee it further enacted by the auctoritie aforesayd, that no person or persons which at the feast of Saint Michael the archangel which was in the first yere of ỳ Quenes Maiesties raigne ỳ now is, had not lãds, tenementes, rents, profites, or hereditamentes of estate of inheritaunce: or for terme of lyfe or liues of ỳ clere yerely value of xl.li. or aboue: or whose tanne house was not at the sayde feast, is, or shalbee hereafter in any Citie, borough, Towne, corporate or market towne, where searchers and sealers of leather hath bëne and shalbe vsually appointed (except such perse and persons as then had any tanne house, and vpo then occuppe the mistery of tanninge of leather, and except an apprentice or apprentices to a Tanner or Tanners, and except such as were then, or since, or hereafter shalbee brought vp, instructed, or taught as couenaunt or hyred seruant for that purpose by the space of seuen yeres in the mistery or craft of tannynge of leather, and except the wife and such sonne or sonnes of a Tanner as hath bëne brought vppe and hath vsed the mistery of tanninge of leather by the space of fower yeres aforesayde, or the sonne and daughter of a tanner, or such person who shall marry such wyfe or

Butcher

Butcher

b. weeks. Calfe Forf.

Butcher

Tanned Forf.

xl.li.

Citie

Exception

Apprentice

or daughter to whom he hath or shal leane a Tannehouse, and saltes shall tanne any leather, or shal vse, take, or haue any profit, game, or commoditie, of or by the said mistery or craft of tanning of leather, vpon paine of forfeiting of all such leather by him or them so tanned, or whereof he or they shall receiue any profit or commodity by tanning, or the iust value therof. And bee it further enacted by the authority aforesayde, that after the feast of Pentecost next comminge, no person or persons whatsoeuer, which shal after the sayd feast of Pentecost, occuppe or vse by him or them selfe, or by any other person or persons the craft or mistery of tanning of leather, shall suffer any hide or skinne to lie in the limes any longer tyme then the heare falleth of, or may bee taken of, nor in any wise to bee put into the lymes after the heare may bee taken of, nor shal vse, employ, occupy or put by them selues or by any other personne or personnes any thinge in any lycour, stuffe or workemanshippe, in or about the tanning of leather but onely lime, Culuer dung or Hen dung, & that in cold water onely, & woles made of colde water & Oken barke onely wbout any mixture of any other thinge or thinges, nor shal by him selfe or by any other person or persones put any hyde or skinne in any tanne woles or lycoure made whot or warmed in any fatte or vessell, to bee set or covered in any tannehill, or otherwise, nor shall ouer lime any hides or skins in the lyme pittes, nor shal put any hides or skins into any tan fates or vessels before ỳ lime be well & perfectly softened and wrought out of them and euery of them, nor shal suffer his or their leather to be laid, or to hang, or to lie wet in any frost vntill the same be frosen, nor shal dry or parch the leather with ỳ heate of the fier, or of ỳ sommer sonne, nor shal tanne, or cause to be tanned, any hyde or skinne beinge putrified, rotten or tainted by longe lying, eyther before the putting of it into ỳ lymes, or after in the water or licoure, or by any other meanes, nor shall negligently worke the hydes in ỳ woles nor shal not remue and make stronge the woles as often as shalbee requisite, nor shall suffer the hydes for vtter sole and cloute leather to lie in the woles any lesse tyme then twelue monethes at the leaste, and the hydes for vpper leather in lyke woles any lesse tyme then nine monethes at the leaste, nor shal insufficiently or imperfectly tanne any hyde or skin, nor shal tanne any Ore hydes, Steere hydes, or Cowhides but whole, without cuttinge of any belleis commonly called wambs, or peeces from the same (hydes for cloutinge leather, to be cut into three or fower bendes or peeces, ouerthwarte the whole hide onely except) nor shall after the feaste of saint Michael the Archaungel next cõminge put to sale any tanned hide or skin which is or shal be raysed in or by the tãninge, workemanshippe or otherwise, or by vsinge any other thinge or stuffe, or in any other sort then by this statut is limited and appointed, vppon paine of forfaiture of euery Ore hide, steere hyde, cowe hide or skinne tanned, vsed or put to sale contrarye to the true meaninge of thys present act, or the iust value thereof. And bee it further enacted by the authority aforesayd, that from the feast of Pentecost next comminge, no personne or persones whatsoeuer shal put or cause to bee put to sale, exchange, or otherwise depart wt any kind of tanned leather, red & vnwrought, but in opẽ fair or market, in ỳ places therfore commonly accustomed, and therfore prepared, nor before the same be searched and sealed, accordinge to the lawes and order in thys estatute hereafter mencyoned, nor shal after the feast of saint Mychael the Archaungel nert comminge, put to sale, exchainge or otherwyse departe with any tãned leather red & vnwrought, but sufficyentlye and well tanned, and throughly dried, nor shall put or cause to be put to sale, exchainge or otherwise departe with any Ore hyde, steere hyde, or cowe hide, but only whole without cutting any bellies called wombes, or other pieces from it (clowting leather cut into bẽds as is aforesayd, onely excepted) before the same bee searched and sealed vppon paine of forfaiture for euery hyde or peece of leather solde, exchanged or otherwise departed with, contrary to the true meanynge of this act vi.s. viii.d. & for euery dosen of calues skins iij.s. iiij.d. & ỳ hide or hides, skine or skins, & leather in any other wyse sold, exchanged, or bought, or the value thereof.

And

Tanhouse

Forf.

Lyme
Culuer dãg

Oken barke

Tanhill

Rotten

Clout leather
to many.hs

Owne Woxbes

Forf.

Red leather
Faire
Market

Sealed

Dried

Clouting
leather

Forf.

Calues skins

Forfeiture

And bee it further enacted by the auc-
thoꝛitie afoꝛesayd, that no person oꝛ per-
sons vsinge the misterye of tanninge of
leather by himselfe oꝛ by any other person
oꝛ persons, from and after the sayd feast
of Pentecost, shal (during that time that
he shall vse the said mistery) occupy oꝛ vse
the craft oꝛ mistery of a shomaker, cur-
rier, butcher oꝛ of any artificer vsinge oꝛ
exercising, cutting oꝛ woꝛking of leather,
vppon paine to foꝛfayt and lose all and e-
uery such hyde and hydes, skin and skins
so by them oꝛ any of them wꝛought oꝛ tā-
ned during the tyme that he shall vse the
mistery oꝛ craft of tanning afoꝛesaid, oꝛ ẏ
iust value therof. It is also enacted by the
aucthoꝛity afoꝛesaid that no person vsing
the mistery of tanning of leather by him
selfe, oꝛ by any other person oꝛ persones,
shall after the feast of the Natiuity of S.
John Baptist nert comminge tanne any
Bullhide, Hoꝛse hyde, oꝛ shæpeskinne, oꝛ
put to sale, exchange, oꝛ other wise depart
with any Hoꝛse hide, Bul hide, oꝛ shæpe
skynne tanned, vppon payne to foꝛfayt
euery such bull hyde, hoꝛse hide, oꝛ shæpe
skinne so tanned oꝛ put to sale, oꝛ the iust
value thereof. And be it further enacted
by the aucthoꝛitie afoꝛesayd, that no per-
son oꝛ persons after the feast of Pente-
cost nert comminge, shal bargayne, buy,
make any contract foꝛ, oꝛ bespeake any
rough hyde, oꝛ calues skins in the heare,
but only such person oꝛ persons as by ver-
tue of this act may lawfully vse the craft
oꝛ mistery of tanninge of leather, and shal
tanne the same, oꝛ such person oꝛ persons
as shall take the same, (except salt hides
foꝛ the necessarye vse of shippes) vppon
payne to foꝛfayte and lose all and euery
such hides & skins so bought, oꝛ ẏ iust va-
lue thereof.

And bee it further enacted by the auc-
thoꝛitie afoꝛesayd, that no person oꝛ per-
sons shall oꝛ may after the feast of Pen-
tecost nert commyng buy, bargayne, be-
bespeake, oꝛ take pꝛomise to haue any tā-
ned leather, not wꝛought and conuerted
into made wares, but onely such persone
and persones as will and shall woꝛke &
conuerte the same leather into made
wares, vppon payne of foꝛfayture of
the leather so bought, oꝛ the value
thereof.

Shomaker
Curryer
Butcher
Artificer
Foꝛf.

Vnwrought

Foꝛfeiture

Pꝛouided alwayes, and bee it enacted
that all and euery artificer and other per-
son and persons vsing to conuert tanned
leather into made wares, aswell straun-
gers boꝛne as other, may lawfully buy al
kinde of tanned leather, to make oꝛ con-
uert the same into made wares, at Lea-
den hal in London vppon euery Sunday,
the same beeinge first duely searched, sea-
led, and regiſtred, as is hereafter ly-
mitted.

Leaden hal

Sealed

Pꝛouided also ẏ Sadlers & Girdlers
may sell their neckes & shꝛedes of tanned
leather red, without incurring any paine
oꝛ foꝛfaiture foꝛ the same.

Sadlers
Girdlers

And foꝛasmuch as barke is nowe be-
come scant by the vnreasonable felling of
Oke out of the barking time, and thereby
the tanners be destitute of such barke as
is necessary: Be it further enacted by the
aucthoꝛitie afoꝛesayd that no personne oꝛ
personnes shall from and after the feast
of Saint Michaell the archangell nert,
fell oꝛ cause to bee felled any Oken trees
meete to bee barked, where the barke is
woꝛth two shillinges a cart loade, ouer,
and aboue the charge of barkinge and pil-
ling (timber to bee employed oꝛ bestowed
in oꝛ about buildinge oꝛ reparation of hou-
ses shippes oꝛ milles, oꝛ any of them, one-
ly except) but betwixt the first day of A-
pꝛill, and the last day of June, vppon paine
of foꝛfaiture of euery such Oken tree so
felled oꝛ the double value thereof. And foꝛ
the better pꝛeseruation of timber, which
by the takers of timber is spoiled through
the gꝛeedy desire of gayne of the loppes,
toppes, oꝛ barke of timber trees: Bee it
therfoꝛe enacted, that no taker oꝛ takers,
puruey our, oꝛ puruey ours of timber, oꝛ
his oꝛ their deputie oꝛ deputyes, shall fell
oꝛ cause to bee felled foꝛ the vse of the
Quenes maiestye, her heires oꝛ succes-
sours any Okē timber tree, oꝛ trees, mete
to be barked, but in ẏ barking time (trees
to bee felled foꝛ buildinge, oꝛ repairinge
of any her maiestyes houses oꝛ shippes
onely excepted) oꝛ shall in any wise take
oꝛ receiue any manner of pꝛofit, gaine oꝛ
commodity by any lops, toppes, oꝛ barke
of any tree to bee taken by them oꝛ any of
them, oꝛ shall in any wise, take, cary a-
way, geue, sell, oꝛ dispose from the owner
any moꝛe of any tree, to be taken as is a-
foꝛesayd, then onely the timber of ẏ same
tree oꝛ trees, to bee vsed and bestowed,

Wall hyde
Hoꝛsehyde
Shepeskins

Oke

Timber
Reparations

Oke
Foꝛf.

Timber

Loppes

Purueyors

Barke

Houses
Shippes

oꝛ

or employed onely in, vppon, or about the Quæenes maiesties buildinges, or ships, vppon payne of forfayture to the partye græued, for every tree, and for the loppes, tops, or barke of every tree take cõtrary to the meanynge of thys artycle fourtye shillinges, and that it shalbee lawful to ỹ party of whom such tree or trees shalbee taken, or to any other for hym in his name, to retaine, withholde, take and keepe to hymselfe all the barke, loppe and toppe, of such tree or trees: Any commissyon or other matter whatsoeuer notwithstandinge.

Fl. sh.

And for asmuch as no leather can bee so wel tanned, but it may bee marred in the currying. Bee it therefore enacted by the authoritie aforesayd, that from and after the feast of Saint Michael the archaungell nert, no person or persones shall currye any kinde of leather in the house of any Shomaker or other personne, but onely in hys owne house, situate in a corporate or market Towne, nor shal curry any kynde of leather except it bee well and perfectly tanned, nor shall after the feast of Pentecost nert, currye any hyde or skinne beinge not throughly dry after his wet season, in which wet season hee shall not vse any stale, vrine, or any other deceiptful or subtill mixture, thinge, waye, or meanes to corrupt or hurt the same, nor shall currie any leather meete for vtter sole leather, wt any other stuffe then with hard Tallowe, nor with any lesse of that, then the leather will receyue nor shall curry any kind of leather meete for ouer leather and inner soles, but with good and sufficient stuffe beinge fresh and not salt, and thoroughly lycoured till it cann not receiue no more, nor shal burne nor scalde any hyde or leather in the curryinge, nor shall shaue any leather to thinne, nor shall gashe or hurt any leather in ỹ shauing, or by any other means but shall worke the same sufficientlye in al pointes and respectes vppon payne of forfayture for euery such offence or acte done contrarye to the true meaninge of this article (other then in gashing or hurtinge in shauing) vi.s. viii.d. and the value of euery such skinne, or hyde marred by his euil workemanshippe, and for euery offence to bee done agaynst thys article, in gashing or hurting, by shaunge, double so much to the partie græued, as the leather shall be empaired thereby, by the iudgement of the Wardens of the courriers, and the Wardens of the company whereof the partie græued shalbee. And be it &c. that no Cordewainer, Shomaker, or other person or personnes dwellinge or inhabitinge within the Citie of London or the lybertye of the same, nor any persone or personnes that now is or hereafter shalbee free of the Citie of Lõdon dwelling wthin iij. miles of ỹ said city, and occuppynge wet curried leather in his art and occupation, shall put, or cause to bee put any leather to bee curryed, but to such person and personnes as be or shall be free of the company of the curriers of the Citie of London, vppon paine of forfaiture of all such curryed leather or the value thereof. And be it further enacted, that no person or persones, shall by any means occupy or put in any made wares within the City of London or three miles of the same Citie, any curried leather, before the same shalbee searched, and allowed by the Wardeins of the curriers of London for the tyme beinge, or such persons as they shal there to assigne, and be sealed with a seale therefore to bee prepared, vppon paine that euery shomaker, or other artificer cutter of leather, offending against this article, shal forfayt for euery hide or skinne otherwyse curryed or imployed as is aforesayd vi.s. viii.d. and the value of curry such hyde or skinne. And be it &c. that no person occuppynge the feat or mistery of a currier, shall vse or exercise the feate or mistery of a tanner, cordwainer, shomaker, butcher, or other artificer vsinge cutting of leather duringe the time that he shal so vse or occupy the misterie of a curryer, vppon payne of forfayture of vi.s. viii.d. for euery hide or skinne ỹ he shall curry during the time ỹ he shal occuppye or vse any of the misteries aforesayde contrarye to the meaninge of this article. And further bee it enacted, that no courrier or courriers vsinge the art of curryinge of leather shall after the feast of Pentecost nert, refuse to curry any leather to him or thẽ for the purpose brought by any such artificer as is or shalbe a cutter of leather, the same artificer or hys seruaunt bringing with him or them good & sufficient stuffe, as is before mencioned,

Wardens

London

Fork.

Ward

Fork.

Curry

Owne house

Tanned

Serched

Stale vrine

Seale

Dishes

Fork.

Solethes

Tallowe

Curry

Butches

Burne

Shaue

Fork.

Shomak. Bootes Shoes

Artificer

for

for the perfect licouringe of the same leather, & that the said leather in the presence of the said artificers cutters of leather, his seruaunt or seruants (if he or they wil bee present,) shalbe licoured and curried in all thinges and degrees perfectly, and if he or they wil not be present, it shall neuertheles bee likewise licoured and curried in his or their absence perfectly, with as conuenient spæde as may be, not exceadinge fiue daies in the Summer, & x. daies in ỹ winter, after hée shall or may take it in hand, vppon payne to forfayt to the partie greeued for euery hyde & piece of leather not in this manner curried, and well and spædelye dressed, ten shillinges. And be it further enacted by aucthoritie aforesayde, that the Wardens of the curriers for the time beeing, or such persõs as they shall assigne or appoint, shall from tyme to tyme, searche and trie all such curryed leather, as shalbée brought to any of their company to be curryed, and shall with a seale therefore to be prepared, with conuenient spæde not exceedinge one day after the curryinge and request made, seale such leather as they shal finde sufficiently curryed, takinge for euery hyde so sealed after the rate of j.d. for the dyker, and for euery six dozen of Calues skinnes j.d. and not aboue, to bée payde by the currier, vppon payne of forfaiture for euery hyde which shall not be searched and sealed as is aforesayd vj.s. viij.d. And for as much as leather well tanned and curried, may by the negligence, disceipt or euil workemanship of the cordwayner, or shoemaker, be vsed deceiptfully, to the hurt of the occupier or wearer of it. Be it further enacted by thaucthoritie aforesayd, that no person or persones which after the sayde feast of Pentecost shall occuppe the misterie or occupation of cordwainer or shomaker, shall make or cause to be made any bootes, buskins, shoes, startoppes, slippers, or pantofles, or any parte of them of Englishe leather wett curried (other then oxeskins, Calue skins, or goteskins, made or dressed or to bée made or dressed like vnto Spanishe leather) but of leather well and truely tanned and curryed in manner and fourme aboue specyfied, or of leather wel and truely tanned onely, and well and substantially sewed with good threede, well twisted and made, and sufficiently wart with ware wel rasoned, and the stitches harde drawen with hand leathers, as hath bene accustomed without mingling or mixinge ouerlethers, that is to say parte of the ouerleather beinge of neates leather, and part of Calues leather, nor shall put into any parte of any shoes bootes buskins, startoppes, slippers, or pantoffles, any leather made of a sheepeskinne, bul hyde, or horse hyde, nor into the vpper leather of any shoes startuppes, slippers or pantofles, or into the nether part of any bootes (thinner sole and heele of the shoe onely except) any part of any hide from which the sole leather is cutte, called the wombe, necke, flanke, poll, or cheeke, nor shall put into ỹ vtter sole, any other leather then the best of the ore or steere hide, nor into the inner sole, any other leather then the wombes, neckes, pole, or cheeke, nor in the treswelles of the double soled shoes, other then the flankes of any the hydes aforesayd, nor shall make or put to sale in any yere betweene the last of September and the twentye of April, any shoes, bootes, buskins, startups, slippers, or pantoffles, mete for any person to weare exceading the age of iiij. yeres wherin shal bee any dry Englishe leather (other then Calues or Goates skins, made or dressed, or to be made and dressed like vnto Spanishe leather, or any part therof) nor shall shewe to the intent to put to sale any shoes, bootes buskings, startupts, slippers or pantoffles, vpon the sunday before the deuine seruice vsed in the forenoone, bee done and ended, vppon payne of forfayture for euery paire of shoes, bootes, buskins, startuppes, slippers and pantoffles made solde, shewed or put to sale contrarye to the true meaning of this act iij.s. foure pence, and the iust and full valne of the same.

And be it further enacted for the treine execution of this estatute, that the Maire of the Citye of London, and the Aldermen of the same for the time being, or the more part of them vppon payne to forfayt fourtye poumde for euery yere that they make default (the one halfe whereof to be to the Quéenes maiestie, her heires and successours, and the other halfe to him or them that will sue for the same) shal yerely appoint fower or more, expert

persons

Foyl. — Wardens — Seale — Dyker — Foyl. — Shomaker Bootes Shooes — Dressinge Goatskins — Foyl. — Sheepeskins Bullhyde Horsehyde — Dry leathers — Sunday — Foyl. — Maior London — Foyl.

Serchers

persones of their discretyons to bee Searchers, who shalbe sworne before the sayd Maior and aldermen for the tyme beinge to do their office truely. Which sayd Serchers shall by vertue of this act fower times in ẏ yere at ẏ least, ẏ is to say, once every quarter of ẏ yere or oftener if nede require, as they shall thinke good, make true search & view of & for al boots, shoes, buskins, and other wares & thinges whatsoever made of tanned leather, in all and every house & houses place & places aswel within the said Cities and suburbes therof as in every other place within iii. myles of the same Cytie where any shoemaker, Sadler, Stroler or other artificer bringe cutting of leather, doth or shall dwel or occupie any of thoccupations of cuttinge of leather, and after every such search and view, to make true presentment in writing before the sayd Maior and aldermen for the time being, of every default ẏ they or any of them shal find in the makinge, selling, or putting to sale of any boots, buskings, Startups, shoes, bridles, saddles, or other things, stuffe, or ware made of leather contrary to the true meaning of this statute. And be it further enacted, that ẏ said Maior of the said city of London & the Aldermen for the time beinge, vpon the like paine like wise to be leuyed & employed, shal like wise yerely appoint 4. or more other skilful, expert & honest persons, whereof one shalbe a sealer, & kepe a seale for ẏ sealing of leather to be prepared, who shal also be sworne before the said Maior, and Aldermen for the time beinge, to do their office truely, which said searchers & sealer, shal view and search all and every tanned hide skin, or leather, which shalbe brought aswel to the market at Leaden hall, as to any other lawfull faire or market therefore vsually appointed, vpon three myles of the said citie, whether the same be well and sufficiently tanned according vnto the purport and true meaninge of this statut, or no. And finding it sufficiently and wel tanned in such manner and fourme as by this statute is appointed and as it ought to bee, shall seale the same with the sayd seale for that purpose to be prouided and prepared.

Sadler Girdler

Bridels Saddels

Seales

Leaden hall Faire Market

And be it further enacted by the authoritie aforesayd, that al other Maiors, Bailifes, and other head officers for the time beinge, in al other Cities, Boroughs and market townes of this Realme, and al Lordes of Liberties, faires and markets, out of the circuite or compasse of the said three myles, shall vppon like paine of xl. li. likewise to bee leuied and employed euery yere that they make default herein, appoint and sweare yerely ii. iii. or more persons, of the most honest & skilful men within their seuerall offices or liberties, by their discretion to serch & view within the precinct of their sayd offices, liberties, and authoritie, which shall as often as nede shal be or they thinke good, make like search within their limits, and shall haue a marke or seale prepared for that purpose, and that the sayd searchers or one of them shall kepe the same seale or marke and with the same shall seale or marke such leather as they shall finde sufficient, and no other. And if the sayd searchers or any of them do find any leather sold, or offred to be solde or brought to be searched or marked, insufficiẽtly tãned, or insufficiently curried, or any boots, buskins, shoes, startuppes, slippers, brydles, saddles, or any thinge made of tanned or curried leather, insufficiẽtly tãned, curried, or wrought, contrary to the true meaninge of this statut it shalbe lawfull to the searchers or any of them to sease as forfaited, al such leather, shoes, & wares made of leather, and to retaine the same in their custody vntill the same be tryed by vj. expert mẽ, appointed by such Maior Bailife, or other hed officer, or lord of lybertie, or his sufficient deputye, within whose precinctes or liberties such seasure shall happen to bee, the same triall to bee within fifteene dayes after such seysour at the furthest, vpon the othes of the said triers.

Foyl.

Serch

Seale

Foyl.

Trial

Seisour

And bee it further enacted by the authoritie aforesaid, that all red tanned leather which shalbe brought into the Cyty of London (whether it be sold, or bought before hand or no) shalbe brought to Leaden hall before it be housed in his or their houses, and there vpewed, whether it hath beene searched or sealed, or no, and shall also be registred by the searchers to bee appointed as is aforesayd, with halfe such fee therefore to be payd as is hereafter expressed for leather to be solde in Leaden hall, vppon payne that euery person

Red leather

London Leaden hall

Registred

Maiors Bailifes Officers

houslinge

houſinge or not bringinge his leather to leaden hall as is aforeſaid, ſhal forfait for euery hyde or ſkine vi.s. viii.d. Prouided that this Article ſhall not extend to any leather to be bought in Bartilmew faire, or Southwarke market, being ſearched, ſealed and regiſtred, according to the true meaning of this act. And alſo be it further enacted, that if any perſonne will after the ſayde feaſt wylfullye withſtande or denye any ſuch ſearche to bée made according to the tenour of this act as is aforeſayd, or will not ſuffer the ſayd ſearchers ſo appoynted to enter into his or their houſe or houſes, or other place to viewe and ſearch at their wyll and pleaſure all manner of tanned leather, and all manner of ſhoes, bootes males, ſaddles, and al maner of wares wrought and made, or to bée wrought and made of leather, and to ſeaſe and carye away all ſuch leather, ſhoes, and wares as they ſhall finde inſuffycientlye tanned curryed or wrought or made of euyll ſtuffe, that then all and euerye ſuch perſon and perſonnes ſo denyinge and withſtandinge, and not ſufferinge the ſayde ſearchers or any of them ſo ſworne and appoynted for the tyme béeinge, to enter and make ſearche, and ſeaſe as is aforeſaide, ſhall loſe, and forfayt for euery tyme ſo denyinge and wythſtandinge fiue pounde. And bée it further enacted by aucthoritie aforeſayd, that yf the perſonnes ſo to bée appointed for the ſeuerall ſearchers of leather, and wares made of leather, as is aforeſayd, doe refuſe wyth conuenyent ſpéede to ſeale leather ſufficyentlye tanned do make default in their ſearch, or do allowe, that wheych ſhalbe inſufficyently tanned, curryed, or wrought, contrary to the true meanynge of thys acte, or ſhall eyther for affectyon or corruptyon conceale the faultes of any of them founde in that behalfe, that then the Maior, Bailifes, Lordes of lybertyes, and other perſonnes wheych by vertue of this act ſhall appoynt ſuch ſearchers and ſealers, ſhall forfayte and loſe for euery ſuch default and effence fourtye ſhillinges, the one moity of which forfaitur ſhalbe to our ſoueraigne Lady the Quéene her heires & ſucceſſours, and the other moitye to hym or them that wil ſue for the ſame in any of the Quéenes Maieſties courtes of recorde, by bill, playnt, information, or otherwiſe.

Foyl.

Bartholemew faire Southwarke

Refuſe

Beyls

Foyl.

Refuſe to ſeale

Conceale

Maior Bayliffe Lords

Foyl. Mouie

And for as much as heretofore great deceyt hath béene vſed in cuttinge of the wombes from the backes, for that the tanner dyd not cut of ſo much as was mete, but left more to the backe, where of vtter ſole leather was made, then was conuenyent and méete. And for as much alſo as if the curryer ſhulde curry the whole hyde together, the ſhomaker myght then put that part of the hydes called the wombes into vtter ſole leather, which is méete but for inner ſole leather, to the great deceypt and damage of the wearer of ſhoes, bootes, or other ſtuffe made by the ſhomaker, or cordewayner. Be it &c. by the auctheritye aforeſayd, that ſuch perſonnes as ſhalbée ſo appoynted Searchers or ſealers as is aforeſayde, ſhall after the true tanninge and before the currynge of any leather brought to bée ſearched and ſealed as is aforeſayd, by their diſcretyons cut of ſo much of the hyde truely tanned, to bée ſolde to a ſhoemaker, cordewaner, or cobler into wombes as they ſhall by their othes thinke vnméete to make vtter ſole leather of, vppon payne that the ſhoemaker, cordewaner, or cobler, ſhall forfayte for euery ſuche hyde not cutte as is aforeſayde three ſhillynges foure pence.

Wombes

Cutt

Foyl.

And bée it &c. that ſuch perſonne and perſonnes as hereafter ſhalbée aſſygned and appoynted ſearchers and ſealers of tanned leather by vertue of this act, ſhall within the lymittes and precinctes of euerye of their ſearches, kéepe one booke, or regiſter, wherein they ſhall entre all ſuch bargaynes as ſhalbée made for leather, hydes or ſkinnes, by any perſonne or perſones duringe and by all the tyme of the faire and market, béeinge thereto required by the buyer or ſeller, and alſo the pryces of ſuch leather bought and ſolde wyth the names and dwellynge places of the buyer and ſeller, takinge for hys and their payne and trauel therein to bée taken as well for the ſealinge of ſuch leather, and cutting of ỹ wombes as is aforeſayd, as for regiſtringe thereof, of the ſeller of euery diker of leather ſo

Bookes Regiſter

Faire Market

Sellers

so entred vi.d. and so after the rate, and for euery vi. doslin of calues skins ii. d. & of the
Byer buier after ỳ same rate & no more or greater sũme or summes of mony to be paied
Forf. for entring of ỳ same vppon paine of forfaiture for not entring & registring, or not cuttinge of, of the wombes as is aforesayd, for euery diker of leather three s. iiij. d. and for euery dosen of Calues skyns iii.s. viii. d. and so after that rate. And be it &c. that by the authoritye aforesayde, that no personne or persones, shall after the first day of Marche next comminge, sell, exchange and put away, or cause to be sold, exchanged or put away any manner of tanned leather, redde & vnwrought
Tanned leather except he or they register or cause to be
Register registred the said tanned leather, and euerie part and parcell thereof, and the price
Forf. thereof vppon payne of forfaiture of the value of the leather so solde, exchanged, and put away, and not registred. And be it &c. that by the authoritie aforesaid that it shal not be lawfull to or for any person or persons to buy any tanned leather be-
Serched Sealed fore the same shalbee serched and sealed, nor to cary or cause to be caried out of the
Forf. faire or market, any leather til it be registred as is aforesaid vppon paine to forfait the said leather or value therof, so bought and not searched & sealed, or caryed away not registred.

And be it further enacted, ỳ no cordwainer, shomaker or cobler, shal cary or cause
Cobler to be caryed any ore or stãre hyde stanned whereof any sole leather shalbee cut, out of any faire or market whole, before the wombes be cut of as is aforesayd, vp-
Forf. pon payne of forfayture for euery hyde otherwise caried out of the same faire or market vj.s. viij.d. and the hide or the value thereof.

And be it further enacted by the authoritie aforesaide, ỳ if any currier within
London the said city of London, or three miles cõpasse after ỳ feast of saint Michael tharchangel next, do curry any leather insufficiently tanned, or after ỳ said feast next do not curre such leather, as he doth or shall curry, substancially & wel according to ỳ meaninge and purport of thys act, or if any shoemaker, cordwainer, or cobler, wõ-
London in the citie of London or three miles compasse of the same, after the sayd feast of saint Michaell tharchangell next, or any tãned leather, any shoes, bootes, buskins, startuppes, slippers, pantofles, or other things made of tãned leather, which shal not be well and perfectlye tanned, according to the purport and true meaninge of this act, or after the said feast do put any curried leather in any boots, buskins, startups, shoes, slippers, pantoffles, or other things made of leather, which shal not be well and sufficiently tanned & curried, & also sealed as is aforesayde, or do make bootes, buskings, shoes, startuppes, slippers, pantoffles or other things made of English tanned leather, in other manner then is aboue specified & ordeined, or if any Shomaker, sadler or other artificer vsinge cuttinge or working of leather, do make any wares of any tanned leather insufficientlye tanned, and of tanned or curried leather being not sufficientlye tanned, & curried as is aforesaid, or do not make their wares belonginge to their seueral occupations sufficiently & substancially, that the Wardens of euery of Wardens
the said cõpanies of sadlers, curriers, shomakers and other artificers, vsing & exercising cutting of tãned leather, for ỳ time being, shal forfait & lose, for euery such de- Forf.
fault and offence to be committed or done by any personne or persons vnder their order, survey and search v.li.

Prouided alway, & be it enacted that no maner of person or personnes shal after the said feast of S. Michael vtter or sell, or cause to be vttered or sold, within the said citie of London or within ỳ said three London
miles compasse of the same, any manner of wares apperteyninge to the craft or misterie of any artificer, vsing cutting of leather but onely in open shop, common Open shop
faire or market, whereby the said Wardens may haue the true search of ỳ same Faire Market
in anoiding the penalties vpon the by this act set, vpon paine of forfaiture of all such Forf.
wares so sold, & x.s. for euery time.

Prouided alway and be it enacted that Artificers
all and euery artificer dwelling or inhabiting, or which hereafter shal dwell or inhabite within the city of London or three London
miles compasse of the same, vsinge or exercising any manuel occupatiõ of cutting or working of leather into made wares, shall contribute pay & be vnder the survey and search of the wardẽs of such compa- Wardens
nies of the said citie of London, as the ar-

tificers

tificers comm only vsing the like occupation being freemen of ẏ same city of Lõdon & of the same cõpany be, touchinge & concerning only their wares & stuf made of or with leather in like maner & forme as other freemen of ẏ same cõpanye doth to ẏ wardẽs of their cõpany wõin ẏ sayde city. All which paines, penalties, & forfaytures aforesaid, of sũmes of money aforesaid (except such paines, penalties, & forfaitures as are before or hereafter by this act shal otherwise be disposed) shalbee deuided into iij. equal parts, one part wherof shalbe to our soueraign lady ẏ Quéene her heires & successors, & an other part to him or them ẏ shall first sue for the same in anye of the courtes of recorde of the Quéenes maiestie her heirs or successors, by actiõ of det, bil, plaint, information, or otherwise, in which suit no wager of law or essoine, shalbee admitted or allowed, & the iij. part thereof shal be to the citie, borough, towne, or lord or lords of liberties where ẏ offence shalbe cõmitted or done. And al such leather, shoes, bootes, buskins startups, slippers, pantofles, wares, stuf, & other things whatsoeuer, made of tanned leather, or curried leather, which shal be sealed by vertue of this acte, or shalbee found insufficiently wrought, tanned or curried & declared by this act, to be forfaited, & shalbe sealed by ẏ said searchers, or any other person findinge ẏ fault thereof shalbee dystributed, as hereafter enlweth. That is to say, such leather or stuf so sealed within the citie of London or within iii. miles compas of ẏ same to be brought to the Guilde hall in London, there to be praysed by indifferent persons, & ẏ value therof to be deuided into iij. parts, wherof one part to be to ẏ first sealer & sealers of the said vnlawful stuff, & an other part to ẏ vse of the Chãber of London, & the other part to be distributed to ẏ poore folkes aswel being within ẏ new Hospitall of Saint Barthelmewes in London, as to such poore houlsholders as shalbe inhabiting wõin ẏ city of Londõ, or ẏ circuits aforesaid, at the discretions of suche persons as the Maior of the same Citie, and fower Aldermen of the same for ẏ tyme being shal appoint for the same. And that all suche leather, bootes, shoes, saddles, wares, stuffe & thinges made of or with leather as is aforesaid, which shalbe foũd

Fork.

iii. parties

Maior

within any other citie, borough, towne, or place, within this Realme out of the said Citie of London and three miles cõpasse, vnsufficiently wrought, tanned, or curried, as is forfaited, and shalbee sealed and taken as aforesaid, shalbee brought to the common hall of ẏ sayde suche citie, borough, and towne, or to some conuenient and opẽ place to be appointed by the lord of the liberty, or his deputy, where no cõmon hall is, there to be praysed as is aforesaide, one part of the said value therof to bee disposed vnto the poore, and in other deedes of charitie in these parties after the discretion of the Maior, bayliffes, hedborroughes, and lordes of liberties, an other part to be deliuered to the Maiors, Bayliffes, and other head officers of ante citie, borough, or town corporat to the vse of the comminaltie, of such Citie borough or towne corporat, and where no such officers be, then to the Lord or lordes of the lybertie where any such forfaiture shall bee commytted or seasour had, and the thirde parte to the first sealer or sealers of such leather stuffe or wares insufficientlye tanned, curyed or wrought, as is aforesaid for his & their paines.

Poore people

Comminaltie

Lord of liberties

Prouided alwayes, that no person to whome any such vnlawfull leather or stuffe shalbe geuen by this act, shall geue or sel any such leather or stuffe to any person or persons that shall sell the same, vpon payne that the buyer shall forfait for euery parcell of such vnlawfull leather or stuffe to be sold contrary to the true meaninge of this last clause, three shillinges iiii.d. Prouided alwaye, ẏ this act nor any thinge therein conteyned, shall not in any wise bee preiudiciall or hurtfull to the Chaũcellours, vicechaũcellors, proctors, taxors, & schollers, their officers munisters, assignes, or fermours of the vniuersities of Oxeforde or Cambridge or any of them, of, for or concerning the authoritye of search of tanned leather, or any of the forfaytures of the same which they lawefully hadd or might have had before the making of this present act, so as they do in al thinges obserue such order in, and about, or for searching sealinge and registringe of leather, as by this act is prescribed and appointed vpon the paines herein conteined, any thinge therein cõteined to the contrary hereof notwithstandinge.

Fork.

Chaunceloꝛs
Vicechaunceloꝛs
Proctoꝛs
Oxford
Cambꝛidge

What skins be called leather

And it is &c. that the hides and skinnes of ore, steere, bull, cowe, calfe, deere, red and fallow, goates, and sheepe, beyng tanned or tawed, and euery e salt hide, is shalbe, and euer hath ben, reputed and taken for leather. And bee it &c. that al Justices of

Just. of al. Just. of gaol. Just. of p.

assise Justices of gaole deliuerie, Justyces of peace, and stewardes of fraunchises leetes and lawdaies, within their seuerall precincts, iurisdictions, and liberties, and Maior of London for the tyme being within the said citie, and within iij. miles compasse of the same citie, and all

Stewards of L. Maior of London

Baylifes Officers

other Maiors, Baylyfes, and other head officers of cities, boroughs, and townes, within their seuerall iurisdictions, lyberties, precinctes, offices and auctho-rities, shall enquire of all the premisses in their sessyons, leete or lawdaye, and heare and determine the same, and also by their discretions examine al persons suspected to

Enquire Determine

Examine Discretions

offend this act, or any parcel therof. And be it &c. that where any manour, liberty, or fraunchise, immediatly appertaineth or shal appertayne to the Quenes Maiestie, her heires or successours, the steward for the time beynge of euerie suche manour, libertie, & fraunchise shall haue the like auctho-rities, powers, iurisdictyons and aduauntages, and also shal beare & pay al the like paines, penalties & forfaitures as are geuen, appointed, lymitted, or layed, by this estatute, to or vpon ẏ lords, and liberties, and fraũchyses, as in this statute is expressed. And be it &c. that al currying & dressing of leather commõly called dry currying, and fressing, shalbe cõstrued to be dressing & currying after ẏ manner of spanish leather, of what colour so euer it bee, & that to all artificers, other then shomakers verely betwene ẏ last of Sept. & the xx. of Ap. it shalbe lawful to vse al kinde of leather dressed & curried in ẏ maner of dry currying & fressig, as they lawfully might before ẏ making of this act, so ẏ the same leather so to bee vsed be wel & sufficiently tãned according to the forme prescribed in this act, & also wel & substãcially dressed, curried & fressed, in the kinde of dry currying, and fressing aboue-said. And be it &c. that this acte & euery part therof shalbe construed and adiudged to extẽd to Wales as amply as it doth in this realme of England to all intents, constructions, and purposes. Be it &c. that if any leather wrought, cutt, or vnwrought, to the intent to bee solde or bartred, shal hereafter vnlawfully be trãsported or purposed to be transported into the parts beyond the sea, from and out of any port, hauen, or creeke of this realme or Wales, euery comptroller, customer, surueiour, collectour of tonnage and pondage, and searcher & deputy or any of thẽ, or any other person hearing or knowyng by any waies of any leather ment to bee transported, from any place within hys office, & do not his best endeuour to seale the same, or being transported do not disclose or cause to be disclosed that sãe within xl. daies next after such knowledge or hearing the same, in some court of record, so as the offendour may bee punished according to the lawes in that case prouided: shall for euery the first offence committed against this article, forfayt a hundred pound, & for the seconde offence shall forfait his office. And bee it &c. that euery customer, officer or officers deputy, ẏ shal make any false certificat of the arriuall of any leather in any port creek or place of this realme, shal also forfait for euery such offence a hundred pounde. Prouided alway that neyther this act or any article, exposityon, or thinge therein conteyned, shall extende to any scottish hydes to bee brought into the towne of Berwike, out of the Realme of Scotland, beinge registred in a booke therfore to bee kept, by such person and personnes as the Maior of the said Towne for the time being shal therunto name and appoynt, with the name and surname of the buier and seller, to ẏ intent the English hides may be knowen from the scottishe, but that the inhabytaunts of the sayd Towne of Berwike may send carry and transport, such scottish hides, as they lawfully myght transport before the making of this act. Be it &c. ẏ the statutes hereafter mencioned, that is to say. One statute made in 25. E. 3. ca. 4. And one other statute made in 13. R. 2. cap. 12. And one other acte or Statute made in 4. Hen. 4. cap. 35. And one other acte made 2. H. 6. capitulo 7. And an other acte made Anno 4. Edvv. 4. intituled, Cordvvainers and Coblers. And one other acte made 1. Hen. 7. intituled, an act against Tanners and Cordwainers.

Transported

Comptroller Customer

Forf.

Forf.

Scottish hides Berwike

Dry currying

Wales

Repeal

Repeale

And one other act made in the 19. yeare of the raigne of the said kinge Henry 7. intituled for Curriers and Cordwainers. And one other act made in the 3. yeare of the raigne of our late soueraigne Lorde king Henry the eight, intituled an act for Curriers to haue search of leather. One other act made in 5. H. 8. intituled an act for Straungers for buying of leather in open market. One other act made in the viii. or xv. yeares of our saide late Soueraigne lorde, intituled an act concerning ỹ liberte of Cordwayners & Shomakers. And one other act made in the 22. H. 8. intituled, an act concerning Tanners and Couchers. And one other acte made in 4. H. 8. intituled, an act concerning true Tanning and currying of Leather. And one other act made in the 2. & 3. yeares of the raigne of our late soueraigne Lord king Edwarde 6. the 9. cap. and reuyued in the first yeare of our soueraigne Ladie the Quéenes maiestie, intituled an acte for true currying of leather. One other act made in the 3. and 4. yeare of our sayde soueraigne Lord king Edwarde the first, intituled, an act for buying of rough hides and calues skinnes. And as much of an act made in the 5. and 6. yeare of our said late soueraigne Lord king Edwarde the 6. intituled, an acte against regrating of tanned leather (before 17.) as doth prouide or géeue libertie to any person or persons to carrie ouer any shoes, bootes, buskins, Kartupes, slippers, and other made wares to the towne of Calice. And one other act made in the first yere of our soueraigne lady the Quéenes maiestie, intituled, an acte touching shomakers & curriers. And one other act made in the said first yeare, intituled an act touching selling of tanned leather, shal from and after the said feast of Saint Michael next comming be vtterly repealed. An. 5. Eliz. ca. 8. Repealed

* See the next Statute here following.

22 ¶ Be it enacted by the Quéene our Soueraigne Lady, and by thauctoritie of this present Parliament, that the sayde act against transporting of leather (before 18.) and made in the said first yere, and continued in the first Session of this present Parliament, shalbe repealed, & that so much of the said acte concerning Tanners &c. (before 21.) made in the said fifth yeare, and the Prouisoes therein contayned, as do or doth concerne the transporting of Leather or Hydes, shalbee continued, and duely put in execution. And bée it further enacted, that it shal not be lawfull for any persone or persons, to lade, shippe, or carrie in any vessell or shippe, or otherwise, any Leather, Tallowe, or raw Hides, of intent to transport or cary the same into any place or places of the partes beyonde the Seas, or into the Realme of Scotland, by lande or by seas, other then Scottish hydes, accordinge to the said prouiso in the said act made in the said fifth yeare, vpon the paynes and forfeitures hereafter ensuing: that is to say, vpon the paine of the forfaiture of the said Leather, Tallowe, or raw Hydes so laden or transported, and treble the value thereof, to bée forfayted by the owner or owners, and also the owners of the said shippes or vessells, knowinge of such offence, to forfait the saide shippes or vessels, with all their apparell and furniture to them and euerie of them belonginge, and the Maisters and Mariners knowing of such offence, to forfaite all their goods and cattells, and to haue imprisonment by the space of one yeare, without baile or mainprise, the one moitie of all which forfaitures to bée to the Quéenes Maiestie, her heires and successours, the other moitie to hym or them that will sue for the same, by action of debt, or information, in any Court of Recorde, in which suit, no protection, nor wager of law shal be admitted. Prouided alwaies, that if any owner of any such shippe or vessel, or any Maister or Mariner knowinge any such transportation of Leather, Tallow, or raw hydes, shal within three moneths next after his knowledge thereof, or after his returne into this Realme, géeue good information Bona fide, before any of the Barons of the Quéenes maiesties court of Therchequer, or before the Lord President or counsell in the North, or in the Marches of Wales, or before the head Officers of any Port where he shall first arriue, vpon his or their othe, of the number and quantitie of Leather, Tallowe, and raw hydes, so carried, conueyed, and transported, and by whom, where, and in what shippe or vessell, and afterwardes shalbe ready vppon reasonable warninge by processe, to iustifie & prone the same for

Transport
Scotland
Scottish hydes
Forf.
Damages
Owner
Forf.
Maisters
Mariners
Forf.
Goods
Imprison
Moitie
Owner
Information
Barons
Exchequer
L. President
Oths
Proces

the Quænes Maieſtie, ẏ then ſuch owner or owners, maſter, mariner, or mariners ſhal not forfait his or their ſhippe, veſſell or veſſells, nor incurre the forfeitures aforeſaid: any thing herein contained to the contrarie notwithſtanding. And be it further enacted by the auctoritie aforeſaid, that every perſon or perſons whatſoever, that ſhal ſhip, or carie any leather, tallow, or raw hydes, otherwiſe then by force of the ſaid Proviſo made in the ſaid 5. yeare into the parts of beyond the ſeas from henceforth, ſhall pay to the Quæns maieſtie, her heires & ſucceſſors, for every hide ſo to be carried, by the name of Subſidie, the ſumme of x. s. and for every dozen of Calues ſkins iii. s. iiii. d. and for every C. pound weight of Tallowe vi. s. viii. d. And further, that all Cuſtomers, Comptrollers, Farmors, & ſuperviſours of cuſtomes & ſubſidie, ſhalbe accomptant to the Quænes maieſtie her heires & ſucceſſors, to pay the ſaid cuſtome and ſubſidie, for al ſuch goods entred & laden, vpon the paines and penalties contained in the Statute made for falſe concealments of cuſtomes and ſubſidie, in the 3. yeare of the raigne of kinge H. 6. Anno 18. Eliz. cap. 9.

Pay

Subſidie

Cuſtomers Cõptrolers

Goods

¶ Corne and Graine.

Corne

IT is accorded, that the paſſage of corne ſhalbe forbidden in al the ports of England, ſo that none haue licence nor warrant to paſſe with ſuch corne in any wiſe, vnles it be to Calets or Gaſcoine, or to other ſpecial places, which it behoueth that the king do to be furniſhed of the corne of England, and that by his owne ordinãce and licence. An. 34. E. 3. cap. 20.

Calets

Malt

2 ¶ The Malt which ſhalbe made in the counties of Huntington, Cambridge, Northampton, & Bedford, which ſhalbe ſold & brought to ẏ citie of London, to vitaile the kinges houſhold, and other lords houſhold & gentils there dwelling and repairing. And alſo for ſuſtenance of all the people of the ſaid citie, ſhalbe wel & conuenably ſifted, clenſed & purified, before the ſale of the ſame, from duſt & al other filth, ſo that the buyers may haue viii. buſhells of cleane Malt for the quarter. And that the Maiors, Bailifes, and Wardens of townes and places where ſuch Malt ſhal be ſolde, ſhall haue full power at euery mans ſuit that wil complaine, to ſee and ſearch the ſaid Malt, & if default be found, thereof to make due redreſſe. An. 17. R. 2. cap. 4.

Clenſed

Quarter

3 ¶ The kinge at the requeſt of the Commons to him made in this preſent Parliament, hath graunted licence to all his lyege people of his realme of Englãd, to ſhip and carrie corne out of the ſaid realme, to what parties ẏ pleaſeth thẽ, except to his enemies, paying the ſubſidyes & denoters thereof due: notwithſtandinge any ordinance, proclamation, or any defence made before this time to the contrarie: Neuerthcles he wil, that his counſell may reſtrayne the ſaid paſſage when they ſhall thinke beſt for the profit of the realme. An. 17. R. 2. ca. 7. Quære, if this Statut expired by the death of R. 2.

Shyp corne

Paſſage

4 ¶ The ſaid Statute (that is to ſay, An. 17. R. 2. cap. 7. before 3.) be holden & kept in all points, ſo ẏ his Counſel may reſtraine the ſaid paſſage when to them ſhall ſeeme neceſſarie for the profit of the realme. An. 4. H. 6. cap. 5. Quære if this Statut expired by the death of H. 6.

5 ¶ Anno 15. H. 6. cap. 2. It was enacted to endure to the next Parliament, that Corne might be carried out of England, when it was at certaine prices expreſſed in the ſtatute. And after An. 20. H. 6. cap. 6. this act was continued for x. yeres. And after An. 23. H. 6. cap. 6. it is made perpetual, See theſe iij. Statutes at large.

Tranſport Corne

Prices

6 ¶ No perſon from the feaſt of ſaint John the Baptiſt next comming, ſhall bring nor conuey into any place or port of this Realme, by way of marchandiſe, nor other wiſe any Wheat, Rye, or Barley, which is not of the growing of this land, or of any Iſle perteyning to the ſame, or of the growing of the countrey of Irelãd, or Wales, at any time that the quarter of wheat doth not exceede the price of vi. s. viii. d. the quarter of rye doth not exceede the price of iiii. s. And the quarter of Barley iii. s. of lawfull money of England, vnto in the place or port where ſuch wheat, rie, or barley ſhall happen to be brought, vpon paine of forfeiture of the ſaid wheat, rye, & barley. The one halfe to the vſe of our ſoueraigne Lord the king, & the other half to him, which ſhal happen to ſeiſe ſuch wheat rye,

Merchandiſe

Bring in

Price

Forf.

Moitie

rie, or barly. Prouided alwaies ẏ this act extẽded not to any wheat, rye, or barly, taken by any of ẏ kings liege people vpõ ẏ sea without fraude or couin. An. 3. E. 3. ca. 2.

7 ¶ For ẏ suppressing of ẏ number of drouers of cattell, & badgers, laders, kidders, & carriers of corne & graine, ẏ haue bene allowed thereunto by the Justices of peace, since the making of the statute against regrators, forestallers, & engrossers An. 5. E. 6. ca. 14. (after in Forstallers 4.) Be it enacted that no drouer of Cattell, badger, lader, kidder, carrier, buyer, or transporter, of corne or graine, butter and cheese, be from and after ẏ feast of Easter next after the first day of this preſet parliament, licenced, admitted, alligned, or allowed, to those offices or doings, or to any of them but onely in the general and open quarter Session of the peace, to be holden in the shire where suche person or persons so to be admitted, alligned, or allowed, doth or shall dwell, & hath or shall haue dwelled there by the space of three yeares next before the Feste of this sayd lycence. And that no person or persones after the first day of May next cõminge, be admitted to the said offices or doings, or to anye of them, but such only as be or haue bene maryed men, and shalbe married, at the time of such licẽce to be grãted, housholders, and not household seruaunts, not retayners to anye person or persons, and of the age of xxi. yeares at the least. And ẏ all lycences being made and graunted as is aboue said, shall haue continuaunce and be good onely for one yere next after the date therof, and for no more nor lõger time, which said lycences every of thẽ, shall beare date of ẏ day and place where ẏ said sessions shalbe holden, & shalbe signed & sealed wt ẏ proper hãds & scales of three of the said Justices of the peace being present at the same Sessiõs at the least, whereof one to be of ẏ Quorum, upon pain, that every person or persons that shal take any licence contrarye to this ordynance to lose, & forfayt to our soueraigne Lady the Quẽne, her heires, and successours fiue poundes sterling. And that al licences made & graunted, or hereafter to be made and graunted, other wise then is afore expressed, shall from & after the said first day of May next commyng, be void & of none effect.

Drouer Badger Butter Cheese

Licence

Quarter Sessions

Maried men

Houholders

But one yere

3. Just. of p. One of the Quorum

Forf.

And further be it enacted by the authoritie aforesaid, that the Justices of the peace, in the said generall and open sessions, shal or may by their discretions, take bonde and suertie from time to time, by Recognisances, of such as shalbe admytted or allowed hereafter a common drouer of cattell, badger, lader, kydder, carrier, or buyer of corne, grayne, butter or cheese, that they, nor any of them, shal by colour of his, or their licence, forestall or ingrosse, or other wise practise or do anye act or thing contrary to the tenour and true meaning, or in defrauding the sayde former statut, or of any matter or thing therin cõteined. All which licences, & entrie of thẽ, & the said Recognisances, shall be made & writte by the clerke of ẏ peace in every county where such licence shalbe graunted, or by his lawfull deputye, & by none other person or persons. And every person that shal haue any such licence shal pay to the Clerke of the peace, or his deputy for making therof vis. viii. d. at the most, & for every recognisãce in fourme aboue said to be made & knowledged viij. d. at ẏ most, & for registring of the same licence and recognisaunce iiij. d. at the most. For which sayd fee, the said Clerke or his deputie, shal haue & keepe one register booke, and therein shal register and write al the names, surnames, and dwellinge places of such as shalbe licensed as is aforesayd, with a briefe declaration or entry of the said licence, and of the day, time, & place, where such a licence, or lycences shalbe graunted. Which booke or Register, the said Clerke of the peace, or his deputye, shal haue & bring to every sessions, to the intents that it may appeare what number of licẽces be & shal be, frõ time to time graunted, whereby ẏ better consideration may be had thereof.

Drouer Badger Carrier Butter Cheese Forestall Ingrosse

Clerke of the peace

Registringe

Register booke

Sessions

Prouided alwaies, and be it further enacted by thauthority aforesayd, that no person or persons, shal or may by authority of any such licence aboue mencioned bury any corne, or graine, out of open faire or market to sel againe, vnlesse such person & persons shalbee thereunto licenced, and shall haue speciall and expresse words conteined in such licẽce and licences, that he or they may so do, vpõ paine to forfait for every such time that any such person or persones shall do to the contrary v. li.

Open market Buy to sell againe Corne

Forf.

Moitie

The one moitie of all which forfaytures afore rehearsed, shalbe to the Quæne our soueraigne Ladye, her heires and successours, & the other moitie, to hym or them that will sue for the same, in anye of the Quænes courts of record, by bill, plaint, action of debt, or information, in ỳ which bill, plaint, actiõ, or informatiõ, no wager of law, essoigne, or protection, shal be admitted. Be it also enacted by the auctho-

Iust. of p. Wales

ritie aforesaid, that the Justices of ỳ peace in euerie countye within thys realme or Wales, at ỳ quarter Sessions, shal haue full power & auctority by vertue of thys

Oyer & ter.

act, to enquire, heare, & determine, al and euery the defaultes & offences, perpetrated, cõmitted, or done cõtrary to this act, wỉn ỳ county where any such Sessyons shalbe kept, by inquisition, presentment, bill, or information, before thẽ exhibited,

Examine

& by examination of two lawful witnesses, or by any of ỳ same waies or meanes by the discretion of ỳ said Justices, and to

Paynes

make proces theruppon, as though they were endicted before thẽ by inquisition, or by verdict of twelue men or mo. And vpon the conuictiõ of the offender, by in-

Ext reates

formation or suit of anye other then the Quæne, to make retracts of the moity of the forfaitures to be leuied to ỳ Quænes vse, as they vse to do of other fines and of amerciaments, growen in ỳ Sessions of

Execution

peace, and to award execution of ỳ other moitie for the complainant, or informer, against the offender by Fieri facias or Ca-

Fieri fac. Capias

pias, as the Quænes Justices at Westminster may do and vse to do. And if any such conuiction or attainder shall hereafter happen to be at the Quænes suit onely, that then the whole forfaitures to be extracted & leuied to ỳ Quænes vse only.

Prouiso

Prouided alwaies, that this acte or anye thing therein contained shall not in anye wise extend to the preiudice of the liberty

Citie

of any citie or towne corporate, but that they & euery of them shal & may lawfully assigne & licence, Purueyors for ỳ prouision of the same City or towne corporat. in such maner and fourme as they might lawfully haue done before the making of

Prouiso

this act. Prouided further that this acte nor any thing therin conteined, shalbe in any wise hurtfull or preiudicial vnto any ỳ inhabitantes wỉn ỳ counties of Westmerland, Cũberland, Lãcaster, Chester, & Yorke, or any of thẽ, but ỳ they may do as heretofore they haue lawfully vsed to do: Any thing in this present act to ỳ cõtrary notwỉstanding. An. 5. El. ca. 12.

¶ Learne if the two last prouisoes of this statut do now remaine in force, by reason of a prouiso in the stat' of 13. El. ca. 25. (which See after in Forestallers 4.) for as much as the statute of 5. E. 6. ca. 14. of Forstallers (which see there also) was discontinued from An. 8. vntil. 13. El.

8 ¶ For the better increase of tillage & of ỳ Nauy & mariners of this realme, Be it enacted, ỳ from and after the feast of the Natiuitie of Saint John Baptist nert cõminge, it shalbe lawfull to all & euery person & persons, being subiects of ỳ Quænes maiesty, her heirs & successors, & inhabitinge wỉn her highnes Realmes & dominions, (onely out of such ports and crekes where are or shalbe resident a customer, or collectour of subsidie, of Tonnage & Pondage, or one of their deputies, & not elsewhere) to loade, cary, or trãsport

Transport

any Wheat, Rye, Barly, Maulte, peale, or Beanes, into any parts beyõd ỳ Seas being in amity with this Realme, & not prohibited by any restraint or proclamation, only to sel as a marchandise in ships

Merchandise

craiers, or other vessels bearig crosse seals wherof any English borne subiect, inhabiting within her highnes Realmes & dominions, then shalbe ỳ onely owners, at

Prices

al such times as the seueral prices therof shalbe so reasonable and moderate in the seueral counties, where such trãsportatiõ shalbe intended, as ỳ no prohibition shall be made either by ỳ Quæns Maiesty, her heirs or successours, by proclamatyon to be made in ỳ shire towne, or in any port townes of ỳ county, or els by some order of the Lord President or counsell in the

L. President Wales

North, or ỳ lord President and cõsell in

Iust. of all.

Wales, wỉn their seuerall iurisdictiõs, or

Iust. of p.

the Justices of Assises at their sessions in other shires out of ỳ iurisdictiõ of the said two Presidẽts & coũsels, or by the more part of ỳ Justices of the peace of ỳ county, at their quarter sessions, in this matter following: that is. The said lord presidẽts and coũselles for ỳ shires within their iurisdictions, the Justices of assise at their

Iust. of all.

seueral sessions in other shires out of the sayd iurisdictions, belonginge to the sayd coũselels

counsells in the Northe, and in Wales, yearely, shal vpon conference had wyth the inhabitaunts of the countrey, of the cheapnes and dearth of any the said kinds of graine, within the counties within the iurisdictions of the said counsells, or in other the countreis within the limitts of the said Justices of assise, by their discretion determin, whether it shalbe mete at any time to permit any graine to bee caried out of the Realme, by any port within their seueral iurisdiction or limits, and so shall in writting vnder their hands and seales, cause and make a determination, either for permission or prohibition, & the same cause to be by the Sherife of ỹ counties published and affixed in as many accustomed market townes and ports with in the said shire, as they shall thinke conuenient, & in such maner, as the Quenes maiesties proclamations are vsually published & affixed: which determination of the said Presidents and Counsels in their iurisdictions, & of the Justices of assise in their limits, shall continue in force for the time, place, and maner therein expressed, vntil the said Presidents and Counsells shal otherwise order, or vntil the Justices of Assise, at their beeing in their said cyrcuits, in euery of the said counties, shall alter, or otherwise order the same, except the same shalbee otherwise in the meane time altered or countermaunded by the Quenes Maiestie, her heires or successours, or by some order of the Justices of peace in the counties, situate out of the iurisdictions of the saide two Counsels in their quarter Sessions to be holden in the mean time, or the greater part of them, shal finde the same determination of the Justices of Assise to be hurtfull to ỹ coũtie by meanes of dearth, or to bee a great hinderance to tillage by meanes of two much cheapernesse, and shal by their wrytings vnder their hands and seales, make any determynations to the contrarye, eyther for permission or prohibition of cariage of any kinde of graine out of the realme, and the same determination shall cause to be in like maner published and affixed, as aboue is said: which determination shal also continue in force, except the same shalbe altered by the Queenes Maiesty, her heires and successours, or vntill the Justices of Assise, at their beeing in their said circuites, in euery of the sayde counties afore to them limitted, shal alter or otherwise ordeine the same, who shall and may vppon new conference had, by their discretions from time to time alter and change the said determynations in the whole, or in part, as to their discretiõs shal seme mete, & ỹ same shal also cause to bee published, as is before prescribed. Prouided neuertheless that neither any of the said Presidents and Counsels, nor the said Justices of Assise, nor the saide Justices of peace aboue mencioned, shall publish any their determinations aboue mencioned, vntill the same shalbe first by writting notified to the Quenes maiesty, or to her priuie counsel, & by her Maiestie, or her priuie coũsel shalbe liked & allowed. Prouided also, that the Quenes maiesty, her heires and successors, shall haue & receiue by the Customers and Officers of her ports, for the custome or pondage of euery quarter of wheat to be transported by force of this statut, xij.d. and of euery quarter of any other graine viij.d. and of euery quarter of wheat that shalbe by any speciall lycence hereafter to be graunted transported out of the Realme, and not by force of this statut, ij.s. and euery quarter of other graine xvi.d. notwithstanding any maner of words that shalbe conteined or inserted in any licences to the contrarye: which said seuerall summes so to bee had or taken, as customs or pondage, to be in full satisfaction of al maner of custome or pondage for the said corne or graine, by any constitution, order, statute, law, or custome, heretofore made, vsed, or taken for transportinge of any such maner of Corne and Graine.

Conferre — Determin — Permit Prohibit — Publish — Alter — Counsell — Allowed — Customs — Licence

Prouided also, and be it enacted by the auctoritie of this present Parliament, that the Quens Maiestie, her heires and successours, may at all times by her writ of Proclamation to be published generally in the whole Realme, or in the Counties of the realme where any port townes are, commaund that no person shall by vertue of thys acte, transport or carrie out any maner of graine to any parts out of her dominions, either generally out of any port in ỹ Realme, or particularly out of any special ports, to be in the same proclamation named, & that it shal not be lawfull for any person to carrie out any such

Proclaime

Alter — Just. of p. — Quarter Sessions — Dearth — Tillage

craine, contrarie to the tenor of the same proclamation, vpon such paines, as by the lawes of this realme, are, & hath ben pronuced (viz. by 1. & 2. P. & M. cap. 5. after in vitaile 15.) An. 13. Eliz. ca. 13.

¶ Coroners.

FOr asmuch as meane persons and vndiscrete, now of late are commonly chosen to the office of Cozoners, where it is requisite that persons, wise, lawful, and discrete, should occupie such offices: It is prouided, that thozough al shires, sufficient men shalbe chosen to be Cozoners, of the most wise & discrete knights, which know, wil, & may, best attend vppon such offices, & which lawfully shal attach & present pleas of ỹ Cozon. And the sherifs shal haue counterpaines wt the Cozoners, as wel of their appeals, as of enquests of attachmẽts, & of other things, which to that office do belong. And ỹ no cozoner demãd any thing, noz take any thing of any man to do his office, vpon pain of great forfeyture to the king. West. 1. cap. 10. An. 3. E. 1. See this some vvhat altered after in Murder 2.

Knights

Shirikes

Appeales

Fork.

2 ¶ A Cozoner ought to enquire these things, if he be certified by ỹ kings Bayliffes, oz other honest men of the countrey. First he shal go to the places where any man is slaine, oz sodeinly dead, oz wounded, oz where houses are broken, oz wher treasure is said to be found, & shal forthwt command iiii. of the nert towns, oz v. oz vi. to appeare before him in such a place, & when they are come thither, the Cozoner vpon the Othe of the shal enquire in this manez: ỹ is to wite, If they know where ỹ person was first slaine, whether it were in any house, field, bed, tauerne, oz in companie, & who were there: Likewise it is to be enquired who were culpable, either of ỹ acte, oz of the forze, & who present, either men, oz women, & of what age soeuer they be (if they can speake, oz haue any discretion) & how many be found culpable by the enquest, in any of the said maners, where vpon they shalbe taken & deliuered to the sherife, & shalbe committed to the gayle, & such as be founden, & be not culpable, shall be attached vntil the comming of the Justices, and their names shalbe writtin in rolles. If it fortune any man bee slayne sodeinly, which is found in the fieldes, oz in the woods, first it is to be sene, whether he were slayne in the same place oz not. And he were brought & laide there, they shall doe so much as they can, to follow their steppes that brought him thither, whether he were brought vpon a horse oz in a cart. It shalbe enquired also, if ỹ dead person were knowen, oz els a straunger, & where he lay the night before. And if any be found culpable of the murder, ỹ coroners shal immediatly go vnto his house & shal enquire what goods he hath, & what corne he hath in his graunge: and if he bee a freeman, they shall enquire how much land he hath, & what it is worth pearely, & further what croppe he hath vpon the ground. And when they haue thus enquired vpon euery thing, they shal cause al the land, corne, and goods to be valued, in like maner as if they should be solde incontinently, & thereupon they shalbee deliuered to the whole to wneship, which shalbe answerable before the Justices for all. And likewise of his freeholde, how much it is worth perely, ouer & aboue the seruice due to the lozds of the fee, & the land shall remaine in the kinges hands, vntil that the lozdes of the fee haue made fine for it, And immediatly vpon these things being enquired, the bodies of such persons beeyng dead oz slaine shalbe buried. In like maner it is to be enquired of them that be drowned, oz sodeinly slaine oz strangled, by the signe of a corde tyed straite about theyr neckes, oz about any of their members, oz vpon any other hurt found vpon their bodies, whereupon they shal proceede in the fourme abouesaid, & if they were not slain, then ought the Cozoner to attach the finders, & al other in the company. A Cozoner also ought to enquire of treasure that is founden, who were the finders, & lyke wise who is suspected thereof, & that may be well perceyued, where one liueth ryotously haunting Tauerns, & hath done so of long time, hereupon he may be attached for this suspicion, by iiii. oz vi. oz moe pledges, if he may be found. Further if any be appealed of rape, he must be attached, if ỹ appeal be fresh, & they must see an apparant signe of truth, by effusion of blood, oz an open crie made, & such shalbe by iiii. oz vi. pledges, if they may be found. If the appeal were wout crie, oz wout any manifest

Baliffes

Treasure

Othe Enquier

Shirife

Attach

Culpable

Goods

Corne

Freemen

Valued

Cornerthip

Justices

Freehold

Fine

Drowned

Strangled

Treasure

Rape

Appeale

mikest signe or token, two pledges shalbee sufficient. Upon appeale of wounds, specially if the wounds be mortal, the parties appealed shalbe taken immediatly, & kept vntil it be knowen perfectly, whether he ỳ is hurt shal recouer or not, & if he die, the defendant shalbe kept. And if he recouer healthy, they shalbe attached by iiii. or vi. pledges, after as ỳ woũd is great or smal. If it bee for a Paime, he shall finde no lesse then fower pledges, if it bee for a small wounde, two pledges shall suffice. Also al wounds ought to bee viewed, the length, bredth, & depenes, & wt what weapons, & in what part of ỳ body the wound or hurt is, & how many be culpable, & how many woundes there bee, and who gaue the wounde, all which thinges must bee inrolled in the rol of the Coroners. Moze ouer if any be appealed of an act done as principal, they ỳ be appealed of the force, shalbe attached also & surely kept in ward, vntil the principal be attainted. Concerning horses, boats, carts &c. whereby any are slaine, ỳ properly are called deodand, they shalbee valued & deliuered vnto the Townes, as before is said. Concernyng wzecke of the sea, wheresoeuer it be foũd, if any lay hands on it, he shalbe attached by sufficiẽt pledges, & ỳ price of the wzeck shalbe valued & deliuered to ỳ townes. If any be suspected of ỳ death of any man being in daũger of life, he shalbe taken & imprisoned as before is said. In like maner hue shalbe leuied for al murders, burglaries, & for men slain, or in peril to be slain, as other where is vsed in England, & all shall follow ỳ hue & steps, as neere as can be. And he ỳ doth not, & is conuict therevpon, shalbe attached to be afore Justices of the gaile &c. Officiũ coroñ. An. 4. E. 1.

Pledges

Imprison Principal

Horses Boats Deodand

Wzecke

Imprison Huy & Cry Burglary

3 ¶ It is prouided & ordeined, that the Enquirors shal cõmaund the Sherife of the place, ỳ he cause to appeare at a certain day, & at a certaine place, (which to him shalbe alligned by ỳ forsaid Enquirors) all the bailifs of the wapentakes, hũdreds & franchises, which be, or haue ben Beadels (if they be liuing) in the time that P. of C. was Coroner to our Lord the king in those counties, & hee shall geue knowledge thereof to al the Bailifes & Beadels which are, or haue ben within the precinct of his Bailywike, & appertaining to the same Coroner, and to others also if nede be. And that he also cause to come before them the Coroner, of whom they shall take the enquests, with all the rolls of his time whyle he was Coroner to our Lord the king, & the Enquirors shall put theyr seals to ỳ rols of the said Coroner, & being so sealed, shal redeliuer thẽ to ỳ coroner, so ỳ he may haue them in a redines when ỳ Justices in eire shall come to sit in ỳ coũtie, or ỳ the king shal ordein other wise for the same. And if the Coroner be dead, the same order shalbe vsed wt his heire for the time of his father, so ỳ neither the Coroner, nor his heire, nor their Clerkes may not forge their rolls, before ỳ comming of ỳ Justices, nor otherwise to do any thing against the crowne in prejudice of ỳ king. in damage of his people, & to ỳ hinderãce of right, as before this time hath ben vsed. And then ỳ said Enquirors, shal cause the bailifes aforesaid to swere, ỳ wel & truely they shall do those thinges wherewt they shalbe charged by ỳ king & his Counsel, & they shal not conceal any thing, & after ỳ they are al sworne, each bailife of wapentake, hundred, & fraunchise shalbe particularly charged, ỳ he bring before ỳ said enquirors, at a day & place certein (which to him shalbe alligned) the names of all the towns, villages, & hamlets, wtin his wapentake, hundred, or franchise, written in rolls, & at ỳ day, & at the same place, shal deliuer thẽ to ỳ forsaid enquirors, & then shal ỳ said enquirors geue charge to ỳ said bailifes, ỳ they shall cause to come before thẽ at a certein day & certein place, which they shal appoint, out of euery towne viii. men, out of euery village vi. & out of euery hamlet iiii. men, of the wisest & honestest there inhabiting (except ỳ lords of the said towns, villages, & hamlets aforesaid) out of which nũber, ỳ forsaid enquirors shal chuse ỳ graũd enquest, xii. out of euery wapentake, hundred, & frãchise, & towns, shal aunswere by xii. if there be so many wtin ỳ precinct. And each of the aforesaid viii. vi. & iiii. men, shall haue a seal, & if default be found in ỳ aforesaid towns, villages, or hamlets for ỳ they haue not so many frẽ men, thẽ shal they be chosen of ỳ most honestest & wisest bondmen, and each of thẽ shal haue a Seale, & then shal ỳ enquirors chuse out of euery viii, vi. of ỳ best, & out of vi. iiij. & out of iiij. ii. of ỳ honestest as nere as they may, thẽ shal they charge them wt this

Shirikes

Baililes

Enquest Rolles

Iust. in eyre

Heire

Oths

Graund Enquest Townes

this

Othe

this Othe following for the king. This heare you A. and B. enquirors assigned for the king, That I shall say the trouth, and nothing shall conceale, nor suffer to be concealed before you, for promise nor for gifte, for terrour, nor for doubt, nor for affinitie, alyance, nor for loue, for hatred, nor for abetting, nor for procurement: neyther shall any thing els binde me from saying the truthe, and true presentment to make, of that which you shall geue me in charge in this enquest for the king, so God me helpe and his Saintes, and this Othe shall euery towne, village, and hamlet make severally. And likewise with this othe the Enquirors shal charge the afore named vij. and then shal deliuer to the Juries of eache towne, village, and hamlet, and to each wapentake, hundred, and fraunchises, within the precinct afore said, or without (if neede be) these Articles vnder written, and commaund them in the behalfe of the king, that the Free men vpon paine of their Inheritance, and the bond men vpon paine of perpetuall imprisonment, shall not any thing conceale &c. Stat' de Exon de inquisitione facienda super Coronatores.

Articles

Freemen

Bondmen

¶The Articles made vpon the foresaid Statut, beareth date at Excester vpon the xviij. day of September, in the 14. yere of king Edvvard. See the booke at large.

4 ¶That no Coroner be chosen, vnlesse hee haue land in fee sufficient in the same Countie, wherof he may answere to al maner people. An. 14. E. 3. ca. 7.

Freehold

5 ¶All Coroners of the counties shall be chosen in the full counties, by the commons of the same counties, of the most conuenient and most lawful people that shalbe found in the said counties to do the office, saued alwaies to the king and other lords, which owe to make such Coroners their seigniories and fraunchises. Anno 28. E. 3. cap. 6.

Chosen

Franchises

6 ¶See Murder 2. vvhat a Coroner shall do vvhen one is slayne, and vvhat his fee is. An. 3. H. 7. cap. 1.

Fee

7 ¶For almuch as since the makinge of the Statut of 3. H. 7. ca. 1. (vvhich see after in Murder 2.) Coroners haue refused to enquire vpon the view of bodyes slaine by misaduenture, and not by mans hand, except they haue for their labours xiij. s. iiij. d. which is contrarie to the law, and to the great annoiance of the people. Be it &c. that vpon a request made to a Coroner to come and enquire vpon the view of any person slaine, drowned, or otherwise dead by misaduẽture, the said coroner shall diligently do his office vpon the view of the body of euery such person and persons without any thing therefore: vpon payne to euery Coroner that wyll not endeuor himselfe to do hys office (as afore is said) or that he taketh any thing for doing of his Office vpon euery person dead by misaduẽture, for euery time xl. s. And that the Justices of assises, Justices of peace wythin the countie where any such default of the Coroners be, haue authoritie and power to enquire thereof and determine the same, aswell by examination, as by presentment. An. 1. H. 8. ca. 7. *

Misaduentur

Without fee

Paine

Just. of ass.

Just. of p.

¶Corporations.

ANno 15. H. 6. cap. 6. an acte vvas made to endure at the kings pleasure against Corporations for making of ordinances.

2 ¶No Master, Wardens, and felowships of Crafts or Misteries, nor any of them, nor any rulers of guildes, or fraternities, take vpon them to make any actes or ordinances, ne to execute any actes or ordinances by them heretofore made in disheritance or diminution of the Prerogatiue of ỳ king, nor of other, nor against the common profit of the people, but if the same acts or ordinancee be examined and approued by the Chauncelor, Treasorer of England, or chiefe Justices of either benches, or three of them, or before both the Justices of assises in their circuit or progresse in the shire where such acts or ordinances be made, vpon paine of forfeiture of xl. li. for euery time that they doe the contrarie. And ouer that it is enacted, that none of the same bodies corporat take vpon them to make any actes or ordinances to restraine any person or persons to sue to the kinges highnes, or to any of hys Courts for due remedy to be had in theyr causes. Ne put ne execute any penaltie or punishment vpon any of them for any such suyte to bee made, vpon paine of forfaiture of xl. pound for euery time that they do the contrarie. An. 19. H. 7. ca. 7.

Wardens

Guildes Fraternities Ordinances

Prerogatiue

Chauncelor

Just. of B.

Just. of all.

Fork.

Fork.

Ordinance

Fork.

3 ¶No Master, Wardens, or felowshippes

Wardens

Crafts

Apprentice

Forf.

Mottie

shippes of craftes or milleries, or any of them, nor any rulers of fraternities, take from henceforth of any apprentice, or of any other person or persons, for the entre of any prentice into the said felowship, above the summe of .iij.s.viij.d. Nor for hys entre when his yeares and terme is expired and ended, above .iij.s.iiij. pence, upon payne of forfeiture of .xl. pound for euery time that they do the contrarie: the one halfe to the king our soueraigne Lord, the other halfe to the partie that therfore shal sue by action of debt, information, or otherwise, and that in the action aforesaid, no protection, nor essoine shalbe allowed. An.22.H.8.cap.4.

Wardens Crafts

Prentice Othe Bond Journeyman

Licence

Prentice

Forf.

Mottie

4 ¶ No Maister, Wardens of felowships of craftes, nor any of them, nor any rulers of fraternities, guildes, or brotherheads, from henceforth compell, or cause any prentice or iourneymen, by Othe or bond heretofore made, or hereafter to be made, or otherwise, that he, after his apprentiship or terme expired, shall not set vp, nor kepe any shop, house, or seller, nor occupie as a Free man with out licence of the Maister, Wardens, or felowshippe of his or their occupation, for any concerning the same, nor by any mean exact, or take of any such prentice or iourneman, nor any other occupying for them selues, nor of any other persons for the, after his or their said yeares expired, any summe of money or other thinges, for or concerning his or their fredome or occupation, otherwyse or in any other maner then before is recited, limited, and appointed in the said former act, made in the said xxij. yere of the raigne of king Henry 8. vpon the paine to forfeit for euery time that they or any of them shal offend contrary to this act xx.li. The one halfe thereof to the king &c. and the other halfe to the partie that will sue &c. in which &c. no protection nor essoine &c. An. 24.H.8.cap.5.

Founder Colledge Hospital Corporation Lease

5 ¶ All and euery peculier acte, order, rule, and statut heretofore made, or hereafter to be made by any founder or founders, of any Hospital, Colledge, Deanry, or other Corporation, at or vpon the foundation of any such hospital, colledge, deanrie, or corporation, whereby the graunt, lease, gift, or election of the Gouernor or ruler, of such hospital, colledge, deanrie, or other corporation, with the assent of the more part of such of the same hospitall, colledge, deanrie, or corporation, as haue or shall haue voice of assent to the same at the time of such graunt, lease, gift, or election hereafter to be made, should be in any wise hindered or let by any one or moe, being the lesser number of such corporation, contrarie to the fourme, order, & course of the common law of this realme of England, shalbe from henceforth clerely frustrate, void, & of none effect. And that all Othes here tofore taken by any person or persons of such hospital, colledge, deanry, & other corporation shalbe for & concerning the obseruance of any such order, statut, or rule, demed void, & of none effect. And that from henceforth, no maner person or persons of any such hospital, colledge, or deanry, or other corporatio shalbe in any wise compelled to take any othe for the obseruing of any such order, statut or rule vpon paine of euery person geuing such othe, to forfeit for euery time so offending .x.li. the one mottie therof to the king &c. & the other mottie therof to any &c. wherin &c. An.33.H.8.ca.17.

Othe

Order

Forf.

Mottie

¶ Corpus cum causa and habeas corpus.

Certiorare

Writ Prisoner

Mainprise

IF any such writt of Certiorari, or corpus cum causa, be graunted or shalbe graunted at any time hereafter, & vpon the said writt the prisoner, which is so holden in prison, be condempned by iudgement geuen against him, the incontinent he shalbee remanded where he shal remaine continually in prison after the lawe & custome of the land, without beinge let to go, by bayle, or by mainprise against the wil of the said plaintifes, vntill grce be made to the same of the summes so adiudged. An.2.H.5..ca.2.statut primo.

¶ Cosinage, Aile & besaile.

Mordaunceſter

Heirs

Judgement

WHere as the Iusticers in a plee of Mordaunceſter haue vsed to admit the answere of the tenant, that the plaintife is not next here of the same auncestour, by whose death he demaundeth the lande, & is ready to enquire the same by assise: It is agreed, that in writtes of cosinage, apel & besaile, which be of the same nature, hys answere shalbe admitted & inquired, & according to the same inquisition, they shall proceede to iudgement. W.2.ca.20.

¶ Counter-

17. FOr as much as many light & euill disposed persons, not minding to get their things by truth, according to the lawes of this Realme, but compassing and deuising dayly how they may vnlawfully obtayne and get into their handes and possessyons, goods, catels, and iewels of other persons, for the maintenance of their bytrayty living. And also knowing that if they come to any of the same goodes, cattells, and iewels by stealth, that then they being thereof lawfully conuicted, according to the lawes of this Realme shall dye therefore. Haue now of late falsely and deceitfully, contriued, deuised, & imagined many Tokens and counterfeit letters, in other mens names, vnto diuers persons their especial frindes and acquaintances, for the obtayning of money, goods, cattells, and iewels, of the same persons their frindes and acquaintances, by colour whereof, the said light and euill disposed persones, haue disceiptfully, and vnlawfully, obteyned and gotten great substaunce of money, goods, cattels, and iewels, into their handes and possessions, contrarie to right and conscience. For reformation whereof, be it ordeyned and enacted by auctoritie of this present Parliament, that if any person or persons, of what estate or degree soeuer he or they bee, at any time after the first day of April next comming, falsely and deceiptfully obteine or get into hys or their handes or possession, any money, goodes, cattells, iewels, or other things of any other person or persons, by colour and meanes of any such false token or counterfait Letter, made in any other mans name as is aforesaide, that then euery such person and persons so offending, and being thereof lawfully convict by witnesse taken before the Chauncelor of England for the time being, or by examination of witnesses, or confession taken in the Starre chamber at Westminster, before the kinges most honorable Counsell, or before the Justices of assise in their circuites for the time being, or before the Justices of peace within any part of the kinges Dominion in their generall Sessions, or by action in any of the kinges Courts of record, shall haue and suffer such correction and punishment by emprisonment of his bodye, settinge vppon the Pillorie, or other wise by any corporall payne (except paynes of death) as shalbe vnto hym or them limitted, adiudged, or appointed by the person or persons, before whom hee shalbe so conuict of the saide offences or of any of them. And bee it &c. that aswell the Justices of assise for the time being, as also two Justices of peace in euery County whereof one to bee of the Quorum, shall haue full power and auctoritie to call or conuent by processe, or otherwise to the said assises or generall Sessions, any person or persones, being suspected of any the offences afore saide, and to commit him or them to ward, or let him or the to bail, till the next assises or generall Sessions, there to be examined, & further to be ordered by theyr discretions, as is aboue said.

Money Goods Cattels Jewels

Convict Chauncelor

Examination of witnesses

Starre Chamber

Just. of all. Just. of p.

Action

Imprison Pillory

Just. of all.

Just. of p.

Just. of quo.

Proces Sessions

Bayle Examined

Prouided alwayes, and bee it &c. that Justices of the peace within euery Citie, Burough, towne, and fraunchise within this Realme or other the kinges dompnions, shall haue like iurysdiction power and auctoritie, at their generall sessions, and other wyse, to doo and execute all and euery thinge and thinges in al pointes, as other Justices of assises in their circuites, or Justices of the peace in the countien by vertue of this act be limitted and appointed to doo, and execute, for the punishement and correction of lyke offendours, as by this aforesayd act is specifyed and declared. Sauinge to the partie greeued by such disceipt, such remedye by way of actyon or otherwise of and for the same money, goodes, cattels, iewels, or other thinges so obtayned, as hee might haue had if this act had neuer bene had ne made, any thing in the same contayned to the contrary in any wise notwithstandinge. Prouided alwayes and be it &c. that the kinges highnesse counsel of his Towne of Calleis, or three of them for the tyme being shal haue such and lyke auctority for the examination, baylement and punishement of such offendour or offendours, and for such offences hereafter to be committed and done within the Towne and marches of Calleys and county of Guynes, as the foresayd Justices of assise, or Justices of peace haue by force of this act within their iurisdictions and auctorities. Anno 33. H. 8. ca. 1.

Auctority

Sauinge

Action

Prouiso

Calliet Guynes Just. of p.

¶ Countie

NO Countie from henceforth shalbée holden, but from moneth to moneth, and where greater time hath bene vsed, it shalbe kept so still, nor no Sherife nor his Bailifes, shal make their tourne thorough the hundred but twise in a yeare. And no where but in due place and accustomed, that is to say, once after Easter, and agayne after Michelmas. And the view of frankpledge shalbe then made at the tourne of Michelmas, without occasion: So neuertheles euery man may haue his liberties, which he had or vsed to haue in the time of king H. our graund father, or which he hath purchased since. And the view of frankpledge shalbe made thus: That our peace may be kept, & that the leete be kept whole, as it hath ben accustomed, And that the Sherife seeke no occasions, and that he be content with so much, as the Sherife was wont to haue for his view making, in the time of kinge Henry our graund father. Magna charta capit' 35.

Sherife Bayliffe Hundred

Frankpledge

2 ¶ For the tournes of Sherifes, it is prouided, that Archbishops, Bishoppes, Abbots, Priours, Earles, Barons, nor any religious men or women, shall not neede to come thither, except their apparance be specially required therat for some other cause, but the tourne shalbe kept as it hath ben vsed in the times of the kings noble progenitours. And they that haue tenements in diuerz hundreds, shall not be bound to appere at any turnes, but in ỹ Baillywykes where they bee dwelling. And the turnes shalbe kept after ỹ forme of the great Charter, & as they were vsed to be kept in the times of king R. & king John. Marleborough cap. 10. Anno 52. Hen. 3.

Sherifes Archbishops Bishops Abbots Earles

Hundreds

3 ¶ No Sherife shall suffer any barettours or mainteinours of quarrels in their countie Courts, neither stewards of great lords nor other (vnlesse he be attorney for his Lord to make suit) to giue the iudgements in the counties, nor to pronounce the iudgements, if he be not specially required & praied by al the suitors, and attourneis of the suitors which shalbee at the court. And if any do, the king shal punish graciously both the Sherife and him that so doth. W. 1. cap. 32. An. 3. E. 1.

Sherife Barretours Maintenors Stewardes

Judgments

Punish

4 ¶ Euery Sherife from henceforth shal make his turne yerely one time with in the moneth after Easter, and an other time within the moneth after the feast of saint Michael, & if they hold them in other maner, ỹ then they shall lose their turne for the time. An. 31. E. 3. cap. 4. stat' 1.

Sherifes

5 ¶ See Iurrour 12. of Iurrours in turnes, and what indictments in turnes be voide.

Iurrours Indictments

6 ¶ See Sherifes 31. of plaints, suytes, amercements in county Courts.

7 ¶ The Shire court for ỹ shire (s. of Sussex) shalbee holden & kept one time at Chichester aforesaid, & nert time at the borough of Lewes, which borough is in ỹ mids of the shire, & so to be kept alternis vicibus forever. And euery shire court holden to the contrarie hereof, & all thinges therin done, to be void. An. 19. H. 7. ca. 24.

Chichester Lewes

Voide

8 ¶ See Chester 4. 5. concerning the keeping of the countie dayes in the shire of the county Palantine of Chester.

9 ¶ No county Court or Courts here after to be kept within this realme, shalbe longer deferred but one moneth from court to court, and so the said courts from henceforth shalbe kept euery moneth and none otherwise: Any vlage, custome, statut, or law heretofore had or made, to the contrarie in any wise not withstandinge. And be it &c. that the Sherife of Northumberland from henceforth shal kepe the county Court of the shire in the towne or castel of Alnwike, & in none other place, any later vse late began and brought in, the contrarie notwithstandinge. Anno 2. E. 6. cap. 25.

Sherife Northumberland

Alnwike

¶ Cowpers.

TO redresse the abuses of Ale & Bére Brewers, in making of Barrels, kilderkins, & firkins in their owne houses of lesse quantitie then they ought to be. Be it &c. that no bére Brewer, nor ale brewer, that shal brew to sale, Bére or Ale, shall from henceforth occupie by himselfe, nor by any other to his vse, in his house, nor els wher, ỹ misterie or craft of Cowpers, nor make any barrels, kilderkins, firkins, or other vessels by himself, nor by his or their owne seruants, whereby they shal put their bére or ale to sale, but ỹ all such barrels, kilderkins, & other vessels of wood wherewith they shal put their bére or ale to sale, shal from hẽceforth be made and

Bere brewer Ale brewer

Barrels Kilderkins Firkins

Marke

Fork.

and marked according as hereafter shalbe expressed by the common Artificers of Cowpers, exercised and practised in the said occupation, vppon paine to forfayte and pay for euery such barrell, kilderkyn, firkin, or other vessells hereafter to bee made contrarie to the tenour of this acte iii.s. iiii.d. And bee it also enacted, that euery artificer of the craft or misterie of Cowpers, that will exercise or practise to make any of the said vessells for bere or ale to be put to sale, shall make the same vessels and euery of them, of good & seasonable wode, and put his proper marke vp on euery of them. And that euery barrell for bere shal containe xxxvi. gallons, euerie kilderkin for bere xviii. gallons, and euery firkin for bere ix. gallons of the kings Standerd gallon. And that euery barrel for ale shal containe xxxii. gallons, euery kilderkin for ale xvi. gallons, and euery firkin for ale viii. gallons of the kinges Standerd gallon. So that they shalbe of good and iust measure, or els aboue and not vnder. And that no Cowper shal make any other vessel for bere or ale to bee solde within this Realme, of any greater or lesse number of gallons then is aboue said, vnlesse he shall cause to bee marked vppon euery such vessell that hee shall so make of greater or lesse number of gallons, the true and certaine number of as many gallons as euery such other vessel shall containe, to the intent that euery person may know the content there of. And that no such artificer of cowpers, shal enhaunce the prices of any such barrels, kilderkins, firkins, or other vessels in the sale of them to anye Alebrewer, or Bere brewer, or other persons, but kepe the rates of such prices as hereafter ensueth, and not aboue, vppon paine to forfait for euery barrell, kilderkin, and firkin defective or enhaunced in price in any point contrarie to this acte iii.s. iiii.d. That is to say, for euery bere barrel ix.d. for euery bere kilderkin v.d. & for euery bere firkin iii.d. And the ale barrel xvi.d. the ale kilderkin ix. pence, the ale firkin v.d. And be it further enacted by the said authoritie, that no bere bruer nor ale brewer at any time after the feast of Lammas now nexte comming, shall put their bere or ale to sale to any person or persons to be spent and occupied within this Realme, in any other barrells, kylderkins, firkyns, or other vessels of wode, other then shalbee made and marked by an artificer of cowpers aboue said, whereof euery barrell for bere shall containe and holde xxxvi. gallons, euery halfe barrel or kilderkin xviii. gallons, and euery firkin ix gallons. And euery barrell for ale shall containe xxxii. gallons, euery kilderkin xvi. gallons, and euery firkin viii. gallons of full and iust measure or aboue, and not vnder the measure. And that euery bere bruer and ale brewer shall not take ouer and aboue for euery such barrell, kilderkin, or firkin, of ale and bere, but after such prices and rates as shalbee thought conuenient and sufficient by the discretions of the Justices of peace, within euery shire where such bere bruer, and ale brewer shall dwell, without any citie borough, or towne corporate where no head officers, as Maires, Bailiffes, sherifes, and other head officers haue none authority nor rule, and in euery citie, borough & towne where their be Maiors, sherifes, or other head officers the same rates and prices to bee named & ceassed by them and euery of thē by their discretions. And that the sayd ale brewers or bere bruers at any time hereafter shal not sel their bere nor ale at any higher rates or prices, then shalbee to them assigned after the fourme aboue rehersed, vppon payne to lose and forfayt for euery barel so put to sale contrarye to this estatute vi.s. for euery halfe barrell or kilderkin, iii.s. fower pence, and for euery firkin ii.s. and for euery vessell containinge greater number of gallons x.s. and for euery other vessel containing lesser number of gallons xii.d. The one halfe of all the which penalties and forfaitures to be to the king our soueraigne Lorde and the other halfe to him that will sue for the same by action of debt, bill. plaint or information in any of the kings courtes in which action and suit, the defendaunt shall not wage his lawe, nor any essoine, protection, or priuiledge to be admitted. Be it also ec. that all manner of Sope makers within this Realme of Englande which shal put to sale any Sope by barrel, halfe barrell, firkin or other vessell, shall from Lammas now nexte commynge, make or cause to bee made their barrels, halfe barrels, firkins and other vessels, according

Seasonable wood
Marke

Barrel xxvi.
Kilderkin xviii.
Firkin ix.

Barrel xxxii.
Kilderkin xvi.
Firkin viii.
Standerd

Prices

Fork.

Price

Prices

Justices of peace Discretion

Maiors Sheriffes

Beere Ale

Fork.

Marke

Moitie

Sope makers

Sope

to

Content & weight of lope vessels

to the rates, contents, weights & assises of olde time vsed and accustomed, that is to say, euery emptie barrell to hold and containe xxxii. gallons or aboue, and to be in weight xxvi. pound & not aboue, of ful and iust measure, and euery halfe barrel emptie to be in weight xiii. pound & not aboue, & to holde and containe xvi. gallons or aboue, and euery firkin empty to way vi. pound & a halfe and not aboue, & to holde & containe viii. gallons or aboue, vpon paine of forfeiture for euery such barrel or halfe barrell, firkin, or other vessell hereafter to be made, had, or vsed, contrarie to thys act iii.s. iiii.d. And also be it &c. that the Wardens of the occupation or mistery of cowpers within the city of London, from henceforth at all times hereafter, when they shall thinke conuenient and expedient, taking with them an Officer of the Maiors, shal haue full power and auctoritie by vertue of this act, to search, viewe, and gauge all maner of such barrels, kilderkins, firkins, and other vessells to bee made or occupied, for Ale, Beere, or Sope to be put to sale within the city of London and suburbes of the same, & within two miles compasse without ỳ same suburbs, to viewe and see that the same barrels, kilderkins, firkins, & other vessels, aswel in liberties as without, be made & marked well and sufficiently, & beare and containe their true contents, rates, and measures, according to the effect of this estatute. And also to marke euery such barrel, kilderkin, firkin, and other vessel by them so viewed & gauged, bearing & containing their true contents, with the Signe and token of a Saint Anthonies crosse, the same Wardens to haue for the search & gauging of euery such barrell, kilderkin, firkin, & other vessel by them so searched, viewed, gauged, & marked one farthing, & not aboue, of the owners or makers of ỳ said vessels. And shall & may haue auctoritie by vertue of this act, to retaine euery such vessell as they shal so gauge, searche, and marke, vnto such time as they shalbe satisfied therof. And in case they shal find any of the said vessells defective not bearing their contents, that then by auctoritie of this act they may seise, take, & retaine euery such vessel, and cause the same to bee marked or amended, according to the true contents, or els cause the same to be burned. And also the partie owner of such vessels, to lose and forfait for euery such vessell not being of the full contents after the rate aboue expressed, xii.d. to bee recouered and employed as is aboue sayd. And bee it &c. that in all other cities, boroughes, & townes wherein no such wardens of Cowpers be, ỳ the Maiors, Sheriues, Bailifes, Constables, or other head Officers in such cities, boroughes, and townes, shall haue power and auctoritie to search, viewe, & gauge all such barrells, kilderkins, firkins, and other vessels to be made hereafter in any such citie, borough, or towne, and to haue and take all such auantage thereby, & in like maner & forme as the Wardens of Cowpers within the citie of London, or other persons by thys act shoulde or may haue or take on euery behalfe. Prouided alwaies ỳ euery beere brewer may kepe in his house, one or two seruants of the mistery or craft of Cowpers, to hewe and amend his barrels, kilderkins, firkins or other vessels, wherein they shal put their beere to sale frō tyme to tyme, this act or any thinge therin cōtained to the contrarye in any wise notwithstandinge. And bee it &c. that if any person at any time after the saide feast of Lāmas next cōminge, do minish or cause to be minished any maner of barel, kilderkin or firkin, to ỳ deceit of any ỳ kigs subiects, by reason of taking out of ỳ head of any such vessel or taking out of any staffe, out from any such vessell, that then euery such vessell, to the brent, & the offendour to forfayt for euery such offence iii.s. iiii.d. the one moity thereof to be to the king our soueraigne lord, & ỳ other moity thereof to him or thē of ỳ kings subiects ỳ will sue for the same, to be recouered in maner and forme aboue rehersed. And the party so offendinge to be further punished by the discretion of the head officer or officers, before whom such default shalbee presented. It is &c. that notwithstanding any thinge contained in this act of brewers and coupers whereto this Cedule is annexed, it shalbee lawfull to euery Ale brewer mencioned in the same act, to haue and retaine in his seruice one person of ỳ mistery or craft of Cowpers, to exercise in his seruice the craft of a couper, only in binding, hoping & pinning his maisters ale vessels, recited by ỳ sayd act, and in none other-

Fork.

Maiors Shrifes Bailifes

Prouifo Beer Brewer

Minish

Fork.

Moitie

Punish

Ale Brues

Wardens London

Auctoritie Serch Gauge

Marke

Gauge

Farthing

Beith

Amend

otherwise to vse or exercise any making of vessells concerning the craft or mistery of a Cowper whiles that he is in the service of any Ale brewer. Also it is enacted that euery Cowper, which hereafter shal make any Ale vessell specified in the said act, shal from the feast of Pentecost next comming, make euery such vessell according to the assise specified in the treatyse called, Compositio Mensurarum (which see after in Weightes 4.) that is to say, Content euerie barrell for Ale shall containe xxxij. gallons of the saide assise or aboue, of the which viij. gallons make the cõmon bushel to be vsed in this Realme of Englãd, euery kilderkin for Ale xvi. gallons of the said assise or aboue, & euery firkin viij. gallons of assise or aboue, vpon paine of forfeiture of iii.s.iiij.d. for euery of the same vessels by him vntruely made contrary to this act, thone halfe of the same forfeiture to be to the king, & the other to him ẏ will sue for the same by action of debt, bill, plaint, writ, or otherwise: In which action none essoine, protection, or wager of law shalbe allowed. And be it also enacted ẏ euery Cowper marke his vessel vñ his owne marke, vpon paine of iij.s.iiij.d. to be leuied & recouered after like maner and forme as is aboue said. And ẏ no' maner of person in the search making for the true ganging of any such vessels, shal put out ẏ Ale of any such vessell, whereby the same ale shalbe the worse. And that it shalbe lawful to euery ale brewer to bring, cary, and cause to be brought & carried, their ale to the houlholds of our soueraigne lord ẏ king, the Quéne, the princes, & to eueris Archbishops, Bishops, Dukes, Marquesses, Earles, Barons, or other honorable mens houses, in tunnes, buts, pipes, hogsheds, or other vessells of greater & larger quantitie then is expressed in this present act, as before time hath bene vsed in that behalfe. And also it shalbee lawful to the said ale brewers, to bring, carrie, or cause to be brought, conueied, or carried their ale to euery mans house in barrells, kilderkins, & firkins, bearing and holding their true contents, according to the purport & effect of this present act, any thing contained in the same acte to the contrarie hereof notwithstandinge. An. 23. H. 8. cap. 4. Part of this Statute concerning the price of vessels, is repealed & altered by 8. Eliz. cap. 9. as followeth.

Forf.

Monie

Marke Forf.

Tunnes Buts Pipes Hogsheds

Altered

2 ¶ For asmuch as the price of cleue borde is greatly risen, since the making of the statute 23. H. 8. cap. 4. (before 1.) be it enacted &c. that as much of euery article, clause, and sentence compriled in the said estatute, made in the said xxiij. yeare of the raigne of the said late king, as doth touch or concerne the prices of barrells, kilderkins, firkins, and other vessels, & all and euerie paine and forfeiture expressed & declared in the said acte, for selling of any of the saide kind of vessells, aboue the prices before specified, from the tyme of new prices to be set, in forme hereafter expressed, for such places only as the same new prices shalbee set, shalbe clerely repealed, frustrate, and made voide. And ẏ from hencefoorth the prices of all barrels, kilderkins, firkins, and other vessels to be solde, for ale, beere, or Sope, to be vttered therin, shalbe rated and tared by Maiors, Bailifes, and other head Officer or Officers of euery citie and towne corporat, where any such vessels shalbe made or offered to be solde. And where such vessells shalbe made or sold out of any citie, borough, or towne corporat, the prices thereof shalbe rated and tared by the Iustices of the peace, or the more part of them, being present in the general or quarter Sessions, yearely next after Easter at such reasonable prices, as they shal thinke reasonable by their discretions. The said statut made in the said xxiij. yeare of ẏ raigne of the said late king Henry 8. or any other lawe, custome, or vsage to the contrary thereof, in any wise not withstanding.

Prices Forf. Ale Beere Sope Measure Bayliffes Iust. of peace Quarter Sessions Easter

And be it further enacted, that if the said Cowpers or any of them, shall not make sale according to such prices as shalbe rated, as is aforesaide, after proclamation thereof made: that then euery person and persons so offending, shall for the same, incurre the paines and forfeitures mencioned in the said Statute, made the saide xxiij. yeare of the raigne of the saide late kinge: That is to wite, for euery barrell, kilderkin, and firkin, which shalbe sold at greater price then shalbee rated and tared as is aforesaid, the summe of iij.s.iiij.d. of lawfull money of Englande, whereof the one moitie to be to the Quénes highnesse, her heires and successours, and the other moitie to such person or persons as will

Prices proclamation Forf. Moitie

will sue for the same, by action of debt, in anye court of record, wherein no protection, essoygne or wager of lawe shalbee allowed or admytted. Anno 8. Eliz. capitulo 9.

¶Courtes.

Accompts

ANno 7.H.8.cap. 8. a long acte was made concernynge a certaine maner and forme for the reuenues and accõpts of dyuers of the kynges lands, authorising certaine persons to be surueiours of the same lands, reuenues and accompts, wyth dyuers articles concerninge those matters, to endure to the dissolutiõ of the next parliament. And Anno 14.H.8. the said act of 7.H.8. expired, and then in 14. H.8. There was an other acte made of much like effect as the former act ẏ was made An. 7.H.8.cap.8. which act made An.14 H.8. was made to ẽdure to thẽd of the next parliament, and after An.27. H.8.ca.27. a great acte was made for ẏ execution and authoritie of the court of Augmentations, and ẏ the Abbey lands should be in ẏ suruey of ẏ court. And An. 27.H.8.cap.28. the said acte made An. 14.H.8. was made perpetual with some other clauses adioyned. And after Anno 32.Hen.8.cap.45. the court of the first fruites and tenthes was erected, and by that acte, the officers appointed, and the cõposition for the first fruites should bee made by the officers of the court, and that the obligations taken therefore, shalbe of like force as statutes staple and lyke execution thereupon, and there be diuers articles for these matters & for the accõpts of these debts. And after Anno 33.H.8. cap.39. the said actes made Anno 14.H. 8. and An.27.H.8.capit.28. were made voyde and repelled. And by the act of 33. H.8.cap. 39. is made an erection of the court of general surueyours, of dyuers of the kynges lands, with authoritie to them, to make leases for yeres, and to take recognysaunce, & to make woodsale, and there be manye articles concerninge that court, and for the leuying and true payment of the reuennes of the lãds appointed to the court, and dyuers officers made and appointed for the court, and after in Anno 7.Ed.6.cap. 2. it appeareth that H.8. by his letters patentes had dissolued as well the sayd court of the Augmentations erected by parliament Anno 27.H.8.cap.27. as the said court of general surueyours of the kynges lands, erected by parliament 33.H.8.capit.39. And that after H. 8. by letters patentes erected a court called the court of Augmentations and reuenues of his crowne. And after An.7.Ed.6.cap.2. the saide letters patents were confirmed, and authoritie geuen to king E.6. during his life to alter, vnite or dissolue, by his letters patẽts the said last erected court, and also ẏ court of the first fruites and tenthes, the court of the kings wardes, and the court of the duchy of Lancaster, with dyuers articles concerning those matters, but Ed.6. died before any such alteratiõ, vniting, or dissolving. And after Queene Mary dyssolued the said courtes of the Augmentations & first fruits & tenthes, as appeareth in this title. 13.

Wardes

¶Note that in the sayd act of 33.H. 8. capitulo. 39. be dyuers matters enacted which yet remaine in force as heare next followeth.

Augmentations

First fruits

Obligations Sta. Staple

Repealed

Surueyours

Leases Recognisance Woodsale

Letters patents

2 ¶ All obligations and specialtyes, wherby after the first daye of Maye next comming shalbee made for any cause or causes touchynge or in any wyse concerning the kinges most royal maiestie, or his heires, or to his or their vse, commoditie or behoofe, shalbe made to his highnes and to his heirs kings, in his or their name or names by these wordes, Domino regi, and to none other person or persons to his vse, & to be paid to his highnes by these wordes. Soluend' eid' domino regi, hered' vel executoribus suis, with other wordes vsed and accustomed in cõmon obligations. And that all such obligations & specialties so to bee made, shalbe good and effectual in the law, to al purposes and intents, and shalbe of the same nature, kinde, qualitie, force and effect to all intents and purposes, as the writings obligatory taken and knowledged according to the statute of the staple at Westminster, hath at any time before the making of this present acte, bene taken, vsed, exercised, & executed, against any laye person or persons, any lawe, vsage or custome to the contrarye thereof notwithstanding. And that all suche obligations and specialties, the debt whereof beynge

Obligations

Sta. Staple

not paied nor contented in the life of the kinge, shall come, remaine, and be to the heires or executours of the king, at the free liberte, disposition, assignement, and appointment, of the same king, to whom such obligations or specialties shalbe made as is afore. And if any person or persõs in hys or their owne proper person or persons, after the first day of May make or take any obligation or obligations, to the vse of the kinges maiestie, or of hys heires kinges, otherwise then is before expressed, that then such person or persõs onely that shall so offend contrary to this present acte for his or their so doing, shall haue & suffer such imprisonment, as shalbe assessed and aomaged by ỹ king or his most honorable counsel, dayly attendant vppon his highnesse moste royall person. And that all suites to be made after the first day of Aprill next comming for the recouery of or in any the kinges debtes in any the kinges courtes mencyoned in this acte (S. Eschequer, Duchy of Lancaster, Augmentations, Surueiours general) of or vpon any obligation or specialtie, dated, or delyuered before the makyng of this present act, or which shalbe dated and delyuered to the king or to his vse, afore the second day of May next cõming, shalbe taken, sued, and pursued in ỹ name of the kynge, and in the name of none other person or persõs, to whatsoeuer person or persons the sayde obligations or specialties, or any of them be, haue bene or shalbe made to the kinges vse. And ỹ all suites, processe, iudgements, decrees, and executiõs hereafter to be taken, pursued or geuen for the king in any ỹ kings courtes, mencioned in this act, of, for or vpon any of the same obligations last afore mẽcioned, shalbe of the same or like strength, force, and effect, intent in the lawe, to al purposes onely against al and all manner such person and personnes as bene bounden in such obligations or specialties, as well spirituall as temporall, as against their heires, successors, executors, and administrators, and euerie of them, & against none other, as wrytings, obligatories taken and knowledged according to the statut of the staple of winchester, at ante time before the makyng of this present acte, haue bene vsed to be taken, executed and executed, against any lay person or persons. And that the kinge in al suites hereafter to be taken or vpon any obligatiõ or specialties, made or hereafter to be made to the king, or any to his vse, shall haue and recouer the iust costes and damages as other common persons vse to do in suites and pursuites for their debts. And that al such suites as now be depending in the name of any common persõ to his graces vse, wherof no verdict is, or before the feast of Easter next cõming shalbe geuen or passed, or no exigẽt awarded, shal abate, be void, and of none effect. And nevertheless the king by the auctoritie aforesaid, shall haue his suit & remedy for the said debt so being in action and proces, in fourme as is aforesaid, in any of the courtes in this acte mencioned, any thing in this acte to the contrary thereof notwithstanding. And it is ẽ. that all and euery suite and suites which hereafter shalbe had, made, or taken, of, for, or vppon, any debt or duetie which heretofore hath growen or be due, or that hereafter shal growe or be due to ỹ king, in the seuerall offices and courtes of hys Eschequer, duchy of Lãcaster, Augmentations of the reuenues of his crowne, Surueyours generall of hys mannours, landes, and tenementes, Master of the wardes and liueries, and court of the first fruites and tenthes, or in any of them, or by reason or auctority of any of thẽ, shalbe seuerally sued in suche one of the sayde courtes and offices, in the which court and office, or by any reason of the which court and office, the same debt or dutie did first grow or become to be due, or hereafter shall growe or become due, or in the which office or court, the recognisaunce, obligation, or specialties, is or shal be or remaine. And euery such seuerall suit and suites shall be made in euerie of the sayde seuerall offices and courtes vnder the seuerall seales of the saide seuerall courtes, by Capias, Extendi facias, Sub pena, Attachement, and proclamation of allegeance if neede shal require, or any of them, or otherwise as vnto the saide seuerall courtes shall be thought by their discretions expedyent, for the spedie recourre of the kinges debtes. And that the sayd court of Eschequer, and all and euerie of the sayde courtes, shal haue whole and full auctorite, and power to heare and

Suites
Debt
Kings Eschequer
Recognisans Obligation
Writtes
Eschequer

and determine all and euerie ſuche ſuite and ſuites as hereafter ſhalbee taken, cõmenced and purſued for the intent aboue ſpecified, and thereupon to award, make and doe execution, by and vppon the bodyes, landes, and goodes, of the partie or parties that ſo ſhalbe condempned accordingly. And alſo ſhal haue fullpower and auctoritie, to heare and determine, all & all maner of debtes, detinues, treſpalles, accomptes, reconings, waſts, diſceptes, negligences, defaultes, contempts, complaints, riots, quarels, ſuites, ſtrifes, controuerſies, forfaitures, offences and other thinges whatſoeuer they ſhalbee, whych hereafter ſhal growe, bee moued, ſtirred, procured, or ariſe, in, for, or vpõ any matter, cauſe or other thing, aſſigned, cõmitted, or appointed, or hereafter to be aſſigned, committed, or appointed to the ſeuerall directions, orders, and gouernances of the ſame courts, or any of them, or for or vpon any maner of thinge or thinges, which may or ſhal touche, or in any wiſe concerne the ſame, wherein the king ſhal bee onelye partie. And alſo all manner of ſtates for terme of yeres betweene party and partye concerning the premiſſes, and to correct and punish by their diſcretions, all and euery perſon and perſons, which before them ſhalbe conuicted of any of the premiſſes, according to the nature, qualitie and quantitie, of his or their offence or offences, cauſe or cauſes, matter or matters, all & all maner of treaſõs, murders, felonies, eſtates, rightes, titles & intereſts, as well of inheritaunce as of freeholde, other then iointers for terme of life, only excepted and alwaies reſerued. And be it &c. ẏ if any perſõ or perſõs ſhal make or pretend, any claime, right, title, intereſt or poſſeſſiõ, in or to any manors, lands, tenements or hereditaments, bargained, ſold or exchanged, or hereafter to be bargained, ſolde or exchaunged, by the king our ſouereigne lorde, to any perſon or perſons in fee ſimple, or fee taile, by his highnes letters patentes made or to bee made therof vnder his great ſeal of England, vpõ which letters patẽts there is or ſhal be reſerued any ãnual rẽts or ferms patable to ẏ kinges highnes his heires or ſucceſſors in his ſaid court of Augmentation, or demaunde or aſke any rents, annuities, offices, fees or other profites, in, out, or of, any ſuch mãners, landes, tenements, or hereditamentes, contained or to be cõpriſed in any ſuch letters patentz, made or hereafter to be made as is aforeſayde: Or if our ſayd ſoueraigne lord his heires or ſucceſſours, ſhall make or pretende any claime, ryght, title, intereſt or poſſeſſion, in or to any manors, lãds, tenements, or hereditamentes, bargained, ſolde, or exchanged, or to bee bargayned, ſold, or exchanged, by the kinge his heires or ſucceſſours, to any perſon or perſons in fee ſimple, or fee taile, by his or their letters patents, therof made or hereafter to be made, vnder his or their great ſeale of England, vpon which letters patents is or ſhalbe reſerued any annuall rentes or ferme payable, or which ſhalbe patable to the king, his heirs or ſucceſſors in his ſaid court of Augmentations: Or if the king, his heires or ſucceſſours, demaund or aſke any rentes, annuities, or other profits or hereditamẽts, of any eſtate of inheritãce, in, of, or out of, any manors, lands, tenementes, or hereditamentes, conteyned or compriſed, or to bee conteyned or compriſed, appoynted, or to bee appointed, or aſſigned, to the ſaide court of Augmentations, in any letters patentes made or hereafter to be made, as is aforeſaide: That then the Chaunceller of the ſayde court of Augmentations by the aſſent of the counſayle of the ſayd court, or the more parte of them, ſhal haue power and auctority, by auctority of this act, to examine all ſuche demaundes, rights, titles, intereſts, and poſſeſſions, rentes, annuities, offices, fees, and other profits and hereditaments, whatſoeuer they ſhalbee, & euery of them ſo to be demaunded, prelented, claymed, or aſked, as is aforeſayde, and by witnes, prowes, and other waies and meanes, by their diſcretions, to heare and determine the ſame. And in caſe the kinges patentees in anye ſuch letters patents as is aforeſaid, or any of them, their heires, ſucceſſours, or aſſignes, ſhalbe compelled by thauctority of the ſaid court of Augmentatiõs, by decree or iudgement of the ſame court to render and yelde to anye perſon or perſons in fee ſimple, or fee taile, the landes, tenements, or hereditamentes compriſed or ſpecified in any ſuch letters patẽts, or anye parcell of them, or to ſuffer anye

Execution Body Lands Goods

Debts Treſpalles

Riots

King

Punish

Treaſons Murders Felonies

Letters patents

Great ſeale

Rents

Chaunceler

Examine

Patentees

Decree Judgement

Offices

person or persons to haue and enioy ante offices, rentes, annuities, or other profites or hereditaments in fee simple, or in fee taile, out of ẏ same, or out of anye parcell thereof. And that it shal appeare in ẏ said letters patents, ẏ the kinge, his heires, or successors, is or shalbe bounden, or of right & equitie ought to recompence & satisfie, the said patentees, their heirs or successors executors or assignes, or any of them, of & for such manors, landes, tenementes, or hereditaments, annuities, rents, offices, fees, or other profits recouered in fee simple, or fee taile by decree or iudgement of the said court as is afore said, or els to discharge & acquite the said patentees, their heires, successors, executors and assignes, of, or for any rents, annuities, offices, fees, or other profits aforesayde, recouered by decree or iudgement in fee simple or fee tail, as is aboue said. Or if it shal appeare vnto the said court of Augmentations or vnto the more part of them that ẏ king, his heires or successors, of right and equitie ought to haue, recouer or enioye in fee simple, or fee taile, any manors, landes, tenementes, or hereditamentes, in anye such letters patentes comprised: or anye rentes, annuities, offices, fees, or other profits, in, oute, or of the same: That then in all and euerie suche case and cases the said Chauncellor of Augmentations for the time being with the assent of three or more such persons as hereafter shalbe named by the kinge, his heires or successors, shall haue full power and authoritie without any bill or warrant to be signed or sued from the kinge, his heires or successors for the same, as well to recompence and satisfy ẏ partie or parties greeued, so much in money of the kins treasure remaining in the said court of Augmentations, as the sayd manors, lands, tenementes, rentes, annuities, offices, fees or other profits or hereditamentes, lost or recouered by decree or iudgement of the saide court of Augmentations, as is aforesayd, shalbe worth to bee solde: or otherwise discharge and acquite suche person or personnes thereof, according to his or their letters patents, as also to make and take order, direction, decree & iudgement for the king, his heires, and successors, for the recouery attaining and hauing of all & singuler such manors, lands, tenementes, rentes, annuities, offices, fees, profits and hereditamentes and all and euery other thing and thinges which the king, his heirs and successors by and vpon such examination and examinatyons, ought, shoulde and shalbee iustly intitled to haue, recouer, possesse, or enioye in fee simple, or in fee taile. And the same decree, direction, order, and iudgement to be good and effectuall in the law, to binde all parties and priuies to the same, to al intentes and purpoles. And where anye decree or iudgement which shalbee geuen in the said court of Augmentatiõs for any the premisses, extende to the iolle of ẏ kings patente or patentees, their heirs, successors, executors or administrators, but for terme of life or liues of the demãdant or demãdãts, plaintif or plaintifs, or for terme of yeres, ẏ iolle whereof ẏ king is bounden & ought to recõpence discharge or acquite by his letters patents, then the said Chauncellour of the Augmentatyons, shal haue full power and authority to recompence or discharge the same in money as is aforesaid, or els to recompence the same of the lands, teniements, hereditaments, and possessions, ỳmitted to the suruey and gouernance of the sayde court of Augmentations, to bee graunted vnder the seale of the same court by the discretion of the sayde Chauncellour, as shall seeme to him best for the kings profits, wõut any bill, or warrant to be sued or signed, by or from the king for ẏ same. And ẏ euery such recompence, satisfaction, & discharge to bee made by authoritie of this act to any person or persons by ẏ said Chauncellour as is aforesaid, shalbee good and effectuall against the king, his heires, and successours, any lawe, vsage, or custome to the cõtrary thereof notwithstandinge. And it is &c. that euery of the said courts shal haue full power and authoritie by force of this acte, to sette suche fines, penalties, and amerciaments, vpon parties, sheriffes, officers, & other persons, for his and their defaultes, cõtẽpts, negligences or misdemeanors, as vnto the said courts or vnto any of thẽ, shalbe reasonably considered and thought expedient. And that al and euery triall, & trials of all and all manner of suites, billes, plaintes, informations, declaratyons, complayntes, aunswears, replications, allegati-

Fee simple
Fee taile
Augmentations

Rents
Annuities
Offices

Chauncellor

Warrant

Recompence

Discharge

Examination

Decree
Iudgement

Demaundant
Plaintife

Seale

Without warrant

King

Fines
Penalties
Amercements
Sheriffes
Officers

Triall

allegatiõs,c aules, matters and iſſues,or any of them,to be purſued, made or tried in the ſaid ſeueral courts or any of them, Examination ſhalbe made and tried,by due examination of witnes,writings,proues,or by ſuch other waies or meanes,as by the ſaid ſeuerall courtes,or by any of them ſhalbee thought expedient. And that al and euery Judgement ſuch iudgement and iudgementes,decree or decrees,examination and examinatyons,ſhalbe good,perfect,& in ful ſtrẽgth, force and effect in the law, to al intents, conſtructions,and purpoſes. And where diuers and ſundry perſons ſtand boundẽ to the kings highnes in diuers great and Recogniſãce Debts notable ſummes of money, by recognyſance or other bondes, in the ſaid ſeuerall courts for debts due to ẏ kings highnes, as wel for the purchaſe of lands & goods, and performance of conditions, as allo for diuers and ſundry other cauſes. And albeit the ſame perſõs haue well and truly ſatiſfyed contented and payd the ſame debtes,or performed the conditions of ẏ ſame recogniſances, or other bondes,yet the ſame recogniſaunces or other bondes cannot bee made voyd without the kings Warrant eſpecial warrant, which ſhould be much vnquietnes to the kings maieſtie,and alſo very chargeable to hys graces ſubiects to ſue to his highnes from time to time for the ſame. In conſideration whereof, and for as much as ẏ ſaid perſons beinge ſo bounden by recogniſaunce , or in other bõds,may by diuers caſualties, loſe their Acquitance acquitances, whereby great daunger and peril may grow to them,their heires,executors and ſucceſſors: Bee it &c. that vpõ the ſight of the acquitances,made or to be made for the paiment of the ſayd debt or debtes,or ſumme or ſummes of money, growen or to be growen,or due,and ſufficiẽt proofe made or hereafter to be made before the ſaid ſeuerall head officers for ẏ time being of the ſaid ſeueral courts, as ẏ caſe ſhall ryſe or grow,or if the condition Condition performed of the ſame recogniſance or bond be performed or kept: That then euery ſuche ſeuerall head officer, for the recogniſance taken or to be taken by him or any of his predeceſſors , or for any other bond for ẏ tyme being within his charge and cure, ſhall haue full power and auctoritie to Cancell cancel and make voide the ſaid recognyſaunce or other bond, calling to him ſuch of the ſame court as to him or them ſhall ſeeme moſt conuenient for the cancellation of the ſame recogniſaunce or other bonde. And bee it &c. that ẏ ſame cancellation ſo made, ſhalbee a ſure & ſufficient diſcharge of the ſame recogniſaunce or Diſcharge other bõd,to al & euery ſuch perſon or perſons , as do or ſhal ſtand bouñden in ẏ ſãe recogniſaunce or other bond ſo cancelled, againſt the kings highnes,his heires,executors and ſucceſſors for euer. And be it &c.that the ſame ſeueral head officers for the time being,in euery of their ſaid ſeueral courts, ſhal haue full power and auctoritie to diſcharge,cancel,or make void Diſcharge by his or their diſcretion, all and ſinguler Cancell recogniſaunce nowe made,or hereafter to bee made in the ſayd court,for any apparance or other contempt. And that the ſame head officer or officers,and the parties ſo bounden and to be bounden, to bee diſcharged againſt ẏ king our ſoueraigne lord, his heires, executors,and ſucceſſors for the cancellation of the ſame recogniſance. And where the kings maieſtie ſythen ẏ making of ẏ ſame eſtatut in ẏ ſaid xxviij.yeare of his noble raigne(S.ca.27. before.1.)of his owne mere motion,liberalitie,& benignitie,hath freely geuen & graunted by his ſundry letters patentes Letters vnder his great ſeale of Englande, vnto patents diuers & ſũdry of ẏ nobles,& lords as wel ſpiritual as temporall of this his realme, & alſo vnto diuers & many other perſons & bodies politique,to their heires & ſucceſſors,& to the heires of their bodies or for terme of life or liues,diuers & many ſundry honors,caſtels, manners, landes,te- Honors Caſtels nements,rectories,pencions,pozcions,& other hereditamẽts, which then were in the order, gouernance,& ſurvey of ẏ ſame court of the Augmentations of the reuenues of his graces Crown, or out of any other of the ſaid ſeueral courts,reſeruing vnto hys maieſty, his heires and ſucceſſours by the ſame letters patentes, one yerely rent in the name of one tenth , or Rent the tenth part of the yearely value of the Tenth ſame premiſſes,or any other rent payable and to bee payd in the ſame courts,or to the officers of the ſame courtes,deputed and aſſigned for the ſame, at one certaine feaſt or day in the ſame letters patents mẽcioned and declared, which ſayd perſons ſo aduaunced not withſtandinge,

they haue sithen and after the making of the same letters patent ꝛ peaceably enioied the same manoꝛs, lands, tenements ꝛ hereditaments so geuen, and therof haue quietly perceiued ꝛ taken the issues, reuenues, and pꝛofits therof, yet neuertheles diuers of ỹ same persons haue not at the daies ꝛ feasts assigned, and limitted vnto thẽ in ỹ same letters patentes, noꝛ yet in long time after ỹ same daies ꝛ feastes of paimẽt therof, contented ꝛ paied in ỹ sãe courts, oꝛ to ỹ officers of the same courts assigned ꝛ deputed foꝛ the same, the saide yerely rẽt oꝛ rents so reserued to ỹ kings highnes, contrary to their duties against all reason and good conscience. In consideration whereof bee it ꝛc. ỹ if anye person, of what estate, degree oꝛ cõdition soeuer hee bee, oꝛ body politike, to whom ỹ kinges maiestie hath by hys letters patents vnder his great seale of Englande, oꝛ vnder the great seale of ỹ same court of Augmentations, geuen oꝛ graunted, oꝛ hereafter shall geue oꝛ graunt, with lyke reseruation of rent oꝛ rẽts, any manoꝛs, landes, tenementes, rectoꝛies, oꝛ other hereditaments whatsoeuer, which were oꝛ hereafter shalbee in the oꝛder, gouernaunce and suruey of the same courts, oꝛ any of them, to be had to them ꝛ to their heires oꝛ succeſſours, oꝛ foꝛ any other estate of inheritaunce of, oꝛ foꝛ terme of life oꝛ liues, yelding and reseruing to the same our sayde soueraigne loꝛd the kyng his heires and succeſſoꝛs, one yerely rẽt, at one certaine daye oꝛ feast in the same letters patents expꝛesſed, mencioned and declared, and to bee paid in the sãe courts, that if the same persons bodies politique their heires, succeſſours, oꝛ assignes, oꝛ any of them do not truely content oꝛ paye oꝛ cause to be contented oꝛ paid, vnto the treasoꝛer of the said seuerall courts, oꝛ to the generall oꝛ perticuler receyuer of the same seuerall courtes, deputed and assigned foꝛ the same, foꝛ the time being, to ỹ vse of the kings highnes, at ỹ day oꝛ feast limitted by ỹ same letters patẽts, oꝛ võ in thꝛee moneths next immediatly after the same day oꝛ feast of payment therof, all suche summes of money which bene oꝛ hereafter shalbee due, reserued to the kinges maiestie, his heirs and succeſſoꝛs by the same letters patents, oꝛ by any of them, oꝛ make sufficient tender therof to the said treasoꝛer oꝛ generall oꝛ perticuler receiuer: that then euery of the same persons bodies politike, their heires oꝛ succeſſours oꝛ assignes, foꝛ lacke, and default of paiment of the same rent, to foꝛfayt and lose to the kings maiestie, his heires and succeſſoꝛs, as much money as ỹ foꝛth part of the same rent so reserued, oꝛ hereafter to be reserued foꝛ one yeare, doth oꝛ shall amount vnto, foꝛ ꝛ in the name of one paine ouer and aboue the same rente reserued, oꝛ hereafter to be reserued. And if it happen the same persons, bodies politike, their heires, succeſſoꝛs, oꝛ assignes, oꝛ any of them do not within one halfe yeare next after the daye oꝛ feast expꝛesſed in the same letters patentes, content oꝛ pay, oꝛ lawfully tender vnto the same treasourer, oꝛ generall, oꝛ particuler receyuer, to the vse of the kynges maiestie, his heires, oꝛ succeſſours, as well the saide yearely rent so reserued, oꝛ hereafter to bee reserued, as also the sayde summe of money foꝛfaited foꝛ and in the name of a paine, that then the same persons bodies politike, their heires, succeſſours, oꝛ assignes, so offendinge shall foꝛfait and lose to the kynges maiestie, his heires and succeſſours, so much money as the moity oꝛ halfe deale of the same rente reserued, oꝛ to bee reserued foꝛ one yeare, doth oꝛ shall amount vnto, ouer and aboue the sayd rent reserued, oꝛ to be reserued, and so to foꝛfait and lose foꝛ euery halfe yere after, so much money as the whole rente reserued oꝛ to be reserued, foꝛ one whole yeare, doth oꝛ shall amount vnto, vntill the same rent so reserued, oꝛ to bee reserued, and the arrerages of the same, ꝛ also the sayde summes of money so foꝛfayted and lost foꝛ a paine, bene vnto the same treasoꝛer oꝛ generall, oꝛ particuler receyuour, truly satisfied, contented, and payed, to the vse of the kynges hyghnes, his heires, and succeſſours. And bee it ꝛc. that it shalbee lawfull to the same treasoꝛer and generall, oꝛ particuler receyuer, to distraine as well foꝛ the same rent so reserued, oꝛ to bee reserued, and foꝛ the arrerages of the same, as also foꝛ the said summes of money so foꝛfaited, oꝛ to bee foꝛfayted and lost, foꝛ and in the name of the paine afoꝛesaid. And also the head officer oꝛ officers of either of ỹ same courts foꝛ the tyme beinge, vppon certyfycate to him

Pꝛofits

Rents

Letters patents

Do not pay

Receiuoꝛ

3. moneths after

Tender

Foyl. iiii. part Paine Halfe a yere Foyl. Halfe the rent Foyl. Vse Distraine Foyl.

to him made or to bee made, of the same default and contempt, shall and maye awarde such proces out of the same courts against the same offender for not paying of the sayd rent so reserued, or to be reserued, and also for the same summes of money forfayted, and to bee forfaited by this acte, as by his or their discretion shal seeme conuenient. And bee it &c. that if any person or persons hereafter make lawful payment, to any of the said treasorers or generall or particuler receyuer, of ame of the same courts, deputed and assigned for the same, of anye summe or summes of money, due to the kynges highnes, hys heires or successours, or anie yearely rent or tenth, and vppon or after such patment offer vnto the same treasorer or generall or particuler receiuer, one lawful and sufficient acquitance redy made to be assigned by the same treasorer, or generall or particuler receyuer, witnessing ẏ receipt of the sayd summe or summes of money so payed, that then the sayd treasorer, generall or particuler receyuour, shall with his owne hande assigne the same acquytance, without taking any fee or rewarde for making of the same acquytance, vpon paine to forfayt and lose for euerie tyme offending contrarie to this acte. xl.s. one moytie whereof to bee to the kings highnes, and the other moytie to the partie that will pursue for the same. And if the parties which hereafter shall happen to pay to the same treasorer or generall or perticuler receyuer, any suche summe or summes of money, and do not bringe an acquitance with thē to be signed as is aforesaid, that then if the same treasourer, or general or particuler receyuer, vppon request to him made, shal make and deliuer vnto the same partie one suffycient acquitance, testyfyinge the same receypt, that then the same treasourer or generall or perticuler receyuour, or anye of hys clerkes, shall not receyue or take of the same partie for the makinge of the sayde acquitaunce, not aboue sower pence, vpon paine to forfait for euery such acquytance xx.s. for which he or they shall happen to take aboue the said summe of viii.d. to bee recouered as is aforesaid, that is to say, ẏ one moitie thereof to the vse of the kingz highnes, or his heirs and successours, and the other moitie thereof to the party that will pursue for the same. And bee it also enacted, that the same acquytance shalbe a sufficient discharge according to the tenor and effect of the same. And be it &c. ẏ if anye of the same generall or particuler receyuers, which nowe bee, or hereafter shalbee, within anye of the saide courtes, happen to paye to any person or persons any annuitie, pencion, or other rent, that then if the same person or persons, vppon the receipt thereof, deliuer vnto the same generall or particuler receiuer, one suffycient and lawfull acquitance sealed, and signed, testifying the same receypt, that then the same generall or partyculer receyuour, shall receiue the same acquitāce, without taking or receiuing any fee or rewarde, for the making of the same. And if the same party to whom the said general or particuler receyuer, hath so contēted and paid any such annuity, pencion, or rēt, do not bring vō him one such sufficyent acquytance signed and sealed, testifying the receipt of ẏ same money, by reason whereof the same generall or partyculer receiuour by him selfe or his clerke, maketh one acquitance for the receypt of the same annuitie, pencion or rent, ẏ then the same receiuour or his clerke shall not receiue or take for ẏ making of any suche acquitance, which hee shall so happen to make, not aboue sower pence, vpon pain to forfait for euery such acquytance which he shal happen to refuse being redy made and offered to bee deliuered to him as is aboue xx. s. And for euerye acquitaunce which he shall hereafter happen to make for any of the payments aforesaid, and to receiue for the making of the same acquitance aboue the saide summe of sower pence, to forfaitt twenty shillings, the one moytie to be to the king, ẏ thother moity to the party ẏ will sue for the same. And also that the same generall or particuler receiuors, or their deputies, which hereafter shal happen to pay any such annuitie, pencion, or rent, shal not reteine, or take of the partie to whom hee shall happen to pay the same in ẏ way of reward or otherwise, not aboue ẏ summe of sower pence of euery pound, which ẏ same general or particuler receiuer, shal so happen to paye, vppon payne to forfayt vi.s. viii. d. for euery peny which hee or they shall happen to receyue aboue the sayde

Proces
Discharge
Pay
Annuitie
Acquitance
Acquitance
Signe
Forf.
Moitie
Acquitance
Forf.
Moitie
Receiuor
Moitie
Reward

Moitie.

Suites

Letters patents

Leales

Enroll

Forf.

Moitie

Auditor

Proclaime

Forf.

Moitie

summe of iiij.s. for euery pounde which he or they shal so happen to pay, the one moity of the same forfaiture to be to the king, and the other moitie to the partie ẏ will sue for the same. And that al the said suites, concerning ẏ said forfaitures, may be commenced and pursued by bil, informacion or action, in which suit none essoine, protection, or wager of law to bee admitted. And bee it further enacted, that if any person or persons, hereafter happē to tēder or offer vnto any of the auditors of the said seueral courts for the time being, any of the kings letters patents decrees of any of the same seuerall courtes, grauntes, indentures of leases, aswell for the terme of yeres, as for terme of lyfe or lives, to bee inrolled before the same auditour, according to his office, that thē the same audytour vpon the same tender or offer, shall inroll the same, or as much of the same letters patentes, decrees, grauntes, or indentures, as shall appertaine to hys said office. And if any of the said auditours, or any of their clerkes, or any other to their vse, or to the vse of ante of them, receiue, & take for the inrolment of ante of ẏ same letters patents, decrees, grauntes, or indentures, or for the allowaunce of the same, aboue the summe of three shillinges fower pence, ẏ then the same auditour or his clerke, so offending, shall forfait fire shillinges viii. pence for euery peny, which the same auditour or any of them shall happen any time hereafter to receyue, contrarye to the fourme aforesaide, the one moity of the same forfaiture, to bee to the kinges highnes, and the other moitie to him ẏ will sue for the same, by suche manner & fourme as is aforesaid. And be it &c. ẏ euery auditour of euery of the said seueral courts, yerely in euery county within their seueral limits, by the space of xx. dayes or more, before their audite, shall proclayme and declare in fower seuerall markets, or other places, the place and dates, where and whē they will keepe their seuerall andites, in ẏ same shire, vpon paine to forfayt for euery time doing the contrary fiue pounde, the one moitie whereof to bee to ẏ kings highnes, and the other moitie to the partie that will sue for the same, in forme aforesaid. And that also euery of the audytours of the sayd seuerall courtes beynge seuerally assigned to their seuerall limits, and euery of the particuler receiuour of ẏ same seuerall courtes, being also seuerally assigned, and ioined with the same seuerall auditours, in their said seuerall lymittes, after and betweene euerie of the feastes of saint Michel the archangel and Christmas, shall direct and award their seuerall warrantes and preceptes, vnder their seales, to euerye of the receyuours, baylifes, reeues, and other officers whatsoeuer, accomptable before the same auditours, and by the same warrant or precept, to charge and cōmaund in the name of our said soueraigne lorde the king, euery of the said receiuours, baylifes, reeues, and other officers to appeare before them at one certain day and place, in the same warraunt or precept, to them prescribed, there to declare and make a iust and true accompt of all such receipts, wherof they bee accomptable & owe to accompt. And after, if the same audytours and particuler receyuours, do repaire vnto the same place, and there keepe their audite, according to the same proclamations, precept, and warrant, that then if any receyuour, baylife, reeue, or other officer, beinge accomptable of, or for, any of the mannors, landes, tenements, or other whatsoeuer hereditamēts, now remaining, or which hereafter shal be, & remaine, in the order, gouernance, or suruey of any of the same seueral courtes, bee lawfullye warned, as well by the same proclamation, or by precept or warrant in writing, & sealed, & in ẏ name of any of ẏ auditors of ẏ sayd seuerall courtes, personally to appeare by him selfe, or by his sufficient & lawful deputy, before ẏ same auditor & receiuor, at one certain day & place in the same warrant or precept prescribed, there to make & declare a iust & a true accompt of all the receipts of his said office. And if the same receiuour, reeue, baylife, & other officer so beinge lawfullye warned, do not appeare before the same auditour and receyuour, at the same day & place in the sayde warrant expressed: Or if the same receyuor, baylife, reeue, or officer, do at the same daye and place to them prescribed, appeare, and will not accompt before the same auditor, according to the tenor and effect of the same precept or warraunt, or if the same receyuour, baylife, reeue, or other

Warrants Precepts Receiuors Baylifes Accompt

Warned

Do not appeare

Will not accompt

other officer accomptable, do by him selfe or by his sufficient and lawful deputy appeare before the same auditour or receyvour, & thē & there, enter into his or their accōpt before the said auditour, & after the sāe accompt finished & ended, if ỳ same receivour bailife, receue, or other officer, do not content & pay vnto ỳ treasorer of the same seueral courtes, or to the general or particuler receivour of the same countye for the tyme beinge, as the case shall require, within three wekes next & immediatly after the same accōpt fully finished & ended, al such summes of money, which vpon the determinatiō of his sayd accōpt he shal happen to be founde in arreages, and the same default and contempt being duely proued before the head officer or officers of the sayd seuerall courtes for the tyme beinge, that then euery such receyvour bailife rēeue or officer, so offending, to forfait & lose his said office, & also hys fēe which he or they had and perceived for the exercising of the same office. And be it also further enacted by aucthoritie of this present parliament, ỳ if any of said receivours bailifes, rēeues or other officers, vpon the declaration of their sayd accōptes do willingly conceale and withdrawe, any rent, reuenue, fine, heriot or other casualtie whatsoeuer it be, of ỳ which he ought to haue made accompt, and the same duely approued before the said head officer or officers for the time being: that then euerie such receivour bailife rēeue or other officer so offending, to forfait & lose his sayd office, and fēe which he had for the exercisinge of the same, and also three times as much as hee hath so concealed & withdrawen. And that the said head officer, or officers of the same seuerall court for the time being, immediatly vpon certificat to him made of the same default, concēpt or offence, shall awarde proces in nature of attachement, agaynst the same receyvour bailife, rēeue, or other officer, aswell for the same arrerages remayninge in ỳ handes of the same receyvour, bailyfe, rēeue or officer, as also for the penaltie of their recognisance or bonde, in which the same receivour bailife rēeue or officer stāndeth bounden to our said soueraigne lorde the kinge, as also for the contempt and payne limitted and appointed by this act. And be it further enacted by auctharitye aforesaid that in all actions and suites to be taken or pursued in any the courts aforesayd, for the recouery of any debt or debts which now be, or that hereafter shal happē to appertaine, accreue, remaine, or be to the king, by reason of attayndour outlawrie, forfeiture, gift of the partie, or by any other collaterall way or meanes, it shalbee sufficient in the lawe to shewe and alledge in the said suit generally, that the partie to whom the said debt or debts were due or did belōg such yere and day, dyd gēeue the same debt or debtes vnto the kinge, or was attainted outlawed or other offēce, forfaiture, dēede, act or thing, committed or done, by reason whereof the sayd debt or debts, did accrue & ought to remaine come and be, to the king. And that the same matter so to bee shewed alleaged or declared, in a generaltie, without shewinge and declaringe the circumstaunce thereof, shal bee of as good force and effect in the lawe to all intentes constructyons and purposes, as if the whole matter thereof had beene or were alleadged and declared at large in euery poynt accordinge to the due order of the common lawes of this Realme. And bee it further enacted &c. that yf any suyt bee commenced or taken, or any proces bee hereafter awarded for the Kinge, for the recouerie of any the kings debtes, that then the same suit and proces shalbee preferred before the suyt of any other personne or personnes. And that our sayde Soueraygne Lorde, hys heires and successoures, shal haue fyrst execution vpon agaynst any defendaunt or defendaunts, of and for his sayd debtes, before any other personne or personnes, so alwayes that the kinges sayde suyte bee taken and commenced, or proces awarded for the sayde debt, at the suyte of our sayd Soueraygne Lorde the kinge his heires or successours, before iudgement gēeuen for the sayde other personne or personnes. And bee it further enacted &c. that all manoures, landes, tenementes, possessions, and hereditamentes, whych nowe bee or that hereafter shall come or bee, in or to, the handes possession, occupatyon, or seison of any person or personnes, to whome the same manours, landes, tenementes or hereditaments, haue hertofore or hereafter

pay

iii. wekes

Arrerages

Forf.

Receivours Officers Conceale Fine Heriot

Forf.

Certificat

Proces

Arrerages

Penaltie

Contempt

Actions

King Attainder Outlawrye

Forf.

Debte

Suite Proces

Debtes

First execution

after shal descend revert, or remayne in fee simple or in fee taile general or special, by, from or after the death of any his or their auncester or auncesters as heire, or by gifte of his auncesters whose heire hee is, which sayd auncester or auncesters, was, is, or shalbe indebted to ỳ king or to any other person or persones to his vse, by iudgement, recognisaunce, obligation, or other specialtie, the debt wherof is or shal not be contented and payed: that then in euery such case the same manours, lands, tenementes, possessions, and hereditaments, shal be, and stande, by auctority of this act from henceforth, charged and chargeable, to and for the payment of the same debt, and of euery part thereof. And that our said soueraigne Lord, his heires and successors at any tyme hereafter shal not bee barred delayed, foreclosed, or excluded, to demaunde, haue and receiue, his or their iust due and lawfulful debtes and duities, against any of his subiectes, as heire or heires to any person or persones endebted to his highnes, or to other persons to his vse, or which shalbe endebted to his highnes, his heires or successours, al be it this word (heire) be not or shall not be cõprised in such recognisance, obligatyon or specialtye, or ỳ any such person or persons, shal say or alledge, that he or they haue not any manors lands, tenements, or hereditamẽts to thẽ discended, but only such manors, lands, tenementes, or hereditamẽts, as be or shalbe, entailed or geuen to them by any their auncestours, to whom they bee heires, any lawe vses or custome before this time vsed or had to ỳ contrary notwithstanding. Prouided alwaies ỳ ỳ kings maiesty his heirs or successors, may at his or their liberty & pleasure demãd haue & recouer his or their said debt or debts, of & against, any executour or executours, administratour or administratours, of any such person or persones, which is, hath bene, or shalbe, endebted in maner and fourme abouesayd, if the same executour or executours, administratour or administratours, shal haue assetes, in his or their hands in deede or in lawe, any thinge before mencioned to the contrary notwithstandinge. Prouided also that if the sayd mannours, landes, and hereditamentes or any of them, shall hereafter bee recouered or euicted out of or from the possession of any such person or persons, by any iust or former title, wout fraud, or coun, whose mannours, landes, tenements, or hereditaments, ben or shal be charged or chargeable, as is abouesaid, that then al & euery such manours lands & hereditaments, shalbe clerely acquited & discharged, of and for the payment of the said debts, & of euery part therof, any thing before mẽcioned to the cõtrary notwtstãding. Prouided also & bee it &c. that if any person or persons, of whom any such debt or duties, is, or at any time hereafter shall be demaunded or required, alleage, plead declare or shew, in any of ỳ said courtes, good perfit, sufficiẽt cause, & matter in law reason, or good conscience, in barre or dyscharge of ỳ said debt or dutie, or why such person or persons ought not to be charged or chargeable, to or with the same, and ỳ same cause or matter so alleaged, pleaded, declared or shewed, sufficiently proued in such one of the said courtes as hee or they shalbe impleaded, sued, vred or troubled, for the same: ỳ thẽ the said courts & euery of thẽ, shal haue ful power & auctority to except, & iudge & allow the same pleake, and wholy & clerely to acquite & discharge, al & euery person & persons, ỳ shalbee so pleaded, sued, vered or troubled for the same, any thinge in this present act before mẽcioned to the contrarye notwithstange. Prouided also & be it &c. ỳ if any manors, landes, tenementes, or hereditamentes, which be or at any time hereafter shalbe charged or chargeable, to or with the debt of our said Soueraigne lord his heires or successours, and bee or at any time hereafter shalbe, in seison and possession of diuers and sundrye personnes, other then the obligour or obligours, that then al and singuler the sayd manours, landes, tenements and hereditaments, and euery parcel of them, shalbee wholy and entierly, & in no wise seuerally, lyable, & chargeable, to and with the payment, or payments of the said debt & dueties, any thinge before rehersed to the contrary notwithstãding. Prouided also ỳ this act nor any thinge therin cõtained, shal in any wise ertẽd to minish abrogat, or take away, any realties, liberties, priuileges, franchises prehemynences, iurisdictions, fines issues or amerciamentes, appertaininge or belonging to the said Duchy of Lancaster and

Fee simple
Fee taile

Iudgement

King

Heire

Recognisans
Obligation

Debts
Executor
Administrator

Assets

Manors
Lands

Discharge

Manors
Lands
Tenements

Possession
Obligor

Realties
Liberties
Priuiledges

Lancaster

county

Lancaster

county palantine of Lancaster or any of them, but that the same liberties realties priuiledges, fraunchises, preheminences iurisdictions, fines, issues, and amerciaments, and every of them, shal stil continue, remaine and be, to the said Duchy of Lancaster and county palantine, & to every of them, as fully, wholy, and plenalye, as they were before the making of this present act, any thinge in the same conteyned to the contrary notwithstanding. Prouided alway & be it &c. ỳ al maner of proces, processes, & executions for debts, only cõming or growing in ỳ court of ỳ eschequer, shalbe made in ỳ sãe court of ỳ eschequer, by such officer & officers, clerk or minister of the same court, as hath ben afore this time vsed to bee made, after & wt such kind of proces, processes, & executions, as by this act is limitted and declared, Any thing in this act conteyned to ỳ contrary notwithstandinge. Anno 33. Henrici 8. capitulo 39.

Proces

Eschequer

Proces & Executions

3 ¶ The Quæenes highnesse shall or may at any time hereafter duringe her natural life, by her graces letters patẽtes vnder her great seale of Englande at her most gracious wil & pleasure, alter, chãge vnite, transpose, dissolue or determine, all or any of the said court or courtes, (s. the court of the augmentations of the reuenues of the kings crowne, the court of the first fruites and tenthes, the court of the kinges wardes, the court of the generall surueyour of the kinges landes, and the court of the Duchy of Lancaster. And to reduce the same courtes or any of them into one, two or more court or courtes, or to vnite and annexe the sayde courtes or any two or mo of them together, or to any other of her maiesties courtes of recorde, or to erecte of the same, any other newe court or courtes, as to her highnes shal be thought most conuenient, and best, for the better, surer, and more spẽdy aunsweringe of her yerely reuenwes, casualties, or profites, nowe aunswerable in the sayd courts or in any of them. And that all and singuler such alteratiõs chaũginges, vnitinges, transportinges dissolutinges, or determinatyons of the sayde courts, or of any of them so to be altered, chaunged, vnited, ãnexed, transposed, dissolued, or determined, or otherwise newly to bee erected as is aforesayd, and concerninge all and euery order for the true payment of the reuenues rentes, issues, casualties and profites of our said Soueraigne lady the Quæne, nowe aunswerable in the said courtes or in any of them, as shalbee set forth, and declared in any such letters patentes or writinges vnder her highnes great seale of England, hereafter to bee made, set forth and declared: shalbee of such like and of the same force & strength, to al intentes, constructions, and purposes, as though the same were or shoulde haue bene, set forth or declared by thauctoritie of parlyament, the sayd seuerall executions or any other thynge heretofore had or made, to the contrary hereof in any wise notwithstãding. Prouided alwaie & be it &c. ỳ any thinge conteined or to be conteined in ỳ said letters patentes, hereafter to bee made, by the Quænes hyghnes that nowe is, concerninge any paynes penalties, rules, or orders, made or to be made for ỳ leuying of the Quænes reuenues, rentes, issues, casualties, or profites, shal not in any wyse extende to charge any of the Quæns subiects in any other maner or fourme, then they or any of them, ought lawfullye to haue bæne charged by the lawes of thys realme, before the second day of this present session of parliament. Prouided also and be it &c. that any letters patents here after to be made by the Quæns highnes, or any thinge or matter contained in this act, shal not in any wise extende to gæue any power or auctority, to the Chaunceller, and general surueiors of the court of thaugmentations and reuenues of the Quæncs crowne, or to any other officer or officers of the same court, or of any other court or courts, hereafter to be erected by ỳ Quæns maiesty, as is aforesaid, or to any other officer or officers, to be appointed in any of ỳ same courtes hereafter to be erected by ỳ Quænes highnes as is aforesaid, or to any officer or officers, of any court whereunto any of ỳ foresayd courtes shalbee by her highnes vnited, to heare or determyne, any plæ, matter, or cause, but onely where her highnes is only ỳ mære & sole party, against any of her subiects of, for, or cõcerning, ỳ spædy aũswearing, leuying or payment of her maiesties rents, reuenues, issues, casualtyes, profits & debts, being wtin any surucy of

Letters patents

Alter

Ãgmentatiõ

Vnite

Penalties

Chaunceller Surueiours

Officers

Rents

any

Anner Eschequer

Stewardshippes Forestes Parkes Chaces Castels

Determine

Heires Successours Executors Assignes Annuitie Pencion

Letters Patents

Fees Annuities Pencions

Receive

any of the said courts. Prouided alwaies, ẏ if her highnes hereafter shal anner any of ẏ said courts vnto her court of thesche-quer, ẏ then al things wtin the suruey of ẏ said court so ānered, shalbe ordered in like maner to al intēts, as ẏ said court of thel-chequer is or ought to be, by the cōmon lawes & statuts of this realme, sauing to al and euery person & persons bodyes polytike and corporat, & to euery of them, such offices of Stewardshippes, offices of master ships of any game or games, kēpers, of forestes, chaces, parkes, houses and castels, and the profits thereunto belonging, and al rents, annuities & fees, as they or any of them haue or ought to haue if this act had neuer bēne had ne made. Prouided alwaies, & be it &c. that this act nor any thinge therein conteined, shal in any wise extend, or bee construed to take away, extinct or determine, from any per son or persons their heires successours, or assignes, or from any of them, any fees, annuities pencions, stipendes, or annuell payments, of any sūmes of money which they or any of them, of ryght myght, or ought lawfully to haue, by any letters patents, or other sufficient wryting, vnder the seale of the sayd court of Thaugmentatyons, made before the seuenth day of July last past, but that all and euery person and persons their heires, successours executoures, and assignes, and euery of thē which of right haue, or ought to haue, or hereafter shall haue any fee, annuity, stipende, pencion, or annuel payement of any summe or summes of money, vnder the seale of the court of thaugmentatiōs, or beinge lawfully allowed, and payd in the same court, shal and may accordinge to that tenure of the same graūt, perceiue, take, & receiue the same, and shall yerely thereof be paied of the Quēnes treasure, her heires and successours, at the dayes & times compriſed in such letters patentes or other writinges, in any such court or courtes, whereunto the same court or where the same annuyties or yerelye sūmes of money was paid shalbe so vnited & annexed, or in such court or courtes, as shalbe by authority of this act of parliament newely erected and made, in the place of any of the sayd courtes so beinge dissolued, as longe as the same court shall remaine, and haue any beinge, and after in such court or Courtes as please the Quēene newly to erect by the handes of thofficers of the same court, in any of the Quēnes courtes, wherein sufficient reuennes shalbee to aunswere the same of the Quēnes treasure there, by the hands of thofficers of the same Court, in such like maner and fourme as the same person and personnes, their heires executours, and assignes, or any of them, should or might haue done, or bēne payd in any other place or court, if this act had neuer bene had, or made, any thinge in this act conteined or any other thing hereafter to bee done by reason, colour, or authority of this act, to the contrarye thereof notwithstandinge. Prouided alwaies and be it &c. that this act nor any thinge therein conteyned, shal in any wyse extend to be construed to take away, extinct or determine from any person or persones their heires successours or assignes, or from any of them, any fees, annuities pencyous stipendes, or annuall payments of any summes of money, which they or any of them, lawfully haue, or of right might or ought lawfully to haue, by any letters patentes, or other sufficyent writinge, made before the seuenth day of July last past, but that all and euery personne and personnes, their heires successours executours, and assignes and euery of them which haue or hereafter shal haue, any fee, annuity stippende, pencion, or annuel payment of any summe or summes of money payable yerely in any of the said courtes, or by the handes of any officer or officers of any the same courtes, shall and may percepue take and receyue the same, and shall yerely thereof bee payed of the Quēnes treasure, at the dayes and tymes compriſed in such letters patents, or other writinges, in any of the sayde courtes where nowe the same is or ought to be payable, as long as the said court or courts shal remaine & haue any beinge, & after, in such court or courts as shal please the Quēene newly to errect by ẏ hāds of the officers of the same court or courts, & for default therof, in any of the Quēnes courts wherein sufficient reuenewe shall be to aunswere ẏ sāe of ẏ Quēns treasor there by thādes of ẏ officers of ẏ sāe court or courts in such like maner & fourme, as the same person or persones, their heires, executors,

executors & assignes or any of thē should & might haue don, & bene payd in any other place or court, if this act had neuer ben had or made, any thing in this act cōteined, or any other thing hereafter to bee done by reasō, colour, or auctority, of this act, to ẏ contrary therof not withstanding An. 1. M. 1. parlia. ca. 10.

Dissolued

¶ After this statut made, Quene Mary dissolued ẏ court of augmentations & first fruits & tenth.

¶ Crosſebovves & handguns.

Shootinge

ANno 19. H. 7. ca. 4. & An. 3. H. 8. ca. 13. vvere two seuerall actes made against shooting in crosſebovves. And an. 6. H. 8. ca. 13. an act was made against shoting and keeping of crosſebovves & hád gunnes. And an. 14. H. 8. ca. 7. an act was made against shooting in crosſebovves & handguns. And an. 25. H. 8. ca. 17. an other act was made against shooting and keeping of crosſebovves & handguns, & repealing the fower former statuts made in 19. H. 7. & 3. H. 8. & 6. H. 8. & 14. H. 8. And after An. 33. H. 8. cap. 6. al these fovver statuts were repealed as here follovving appeareth.

Repealed

2 ¶ For almuch as notwithstanding the statut of 25. H. 8. ca. 17. many heynous offences haue bene of late committed by the cōmon vse, & carring, of crosſebowes & litle handguns. And also thereby the lawdable exercise of the long bowe is layed a part. Be it &c. That no person or personnes, of what estate or degree hee or they bee, except hee or they in their owne ryght, or in the ryght of hys or their wiues, to his or their owne vses, or any other to the vse of any such person or persōs, haue lands, tenemēts, fees, annuities or offices, to the yerely value of of one hundred poundes, from or after the last day of June next cōming, shall shoote in any crosſebowe, handgunne, hagbut or demy hake, or vse or kepe in his or their houses or els where any crosſebow, handgun, hagbut or demy hake, otherwise, or in any other manner then is hereafter in this present act declared, vppon payne to forfait for euery time ẏ he or they so offende, contrary to this act r. li. And further be it enacted &c. that no person or persons, of what estate or degree soeuer hee or they be, from and after the said last day of June, shal shote in, carry, kepe, vse or haue in his house or els where, any handgun, other then such as shalbe in the stock and gun of the length of one whole yard, or any hagbut or demy hake, other then such as shalbe in the stocke & gunne of the legth of three quarters of a yard, vpō pain to forfait for euery time ẏ he or they shall shoote in, carry, vse or haue, any such gun being not of ẏ length of one whole yarde, or hagbut or demy hake, being not of the length of three quarters of a yard r. li. sterling. And ẏ it shalbe lawful to euery persō & persons which haue lāds, tenemēts, fees, annuities, or offices to the yerely value of one C. li. as is aboue said, to take & seale euery such crosſebowe, & also euery handgunne being in stocke & gunne shorter in length then one whole yarde, and euery hagbut and demy hake, beinge shorter in length thē three quarters of a yard, or any of thē frōm ẏ keping or possessiō of euery such offender cōtrary to ẏ forme of this act, & the same crosſebow or crosſebowes to kepe and retaine to his or their owne vse. And also the same handguns, hagbutes & demy hakes, so sealed & taken vpon xx. daies next after the same seysure or taking, to breake & distroy, vpon payne of xl. s. for euery gunne so sealed & not broken & distroyed, & the same so broken and distroyed to kepe & retaine to his or their owne vse. And be it &c. ẏ no person or persons, other then such as haue lands, tenements, rents, fees, annuities or offices, to the yerely value of one C. li. as is aforesaid, from or after ẏ said last day of June, shall carry or haue in his or their iourney going, or ryding in the kings highwaies, or els where, any crosſebow bent, or gun charged or furnished with pouder, fier or touch for the same, except it bee in time & seruice of warre, vppon payne to forfayt for euery such offence r. li. this present act or any thinge therein conteined to the cōtrary not withstanding. And be it &c. ẏ no person or persōs, from the said last day of June shall in any wise shoote, in or vpth any handgunne, demy hake, or hagbut any thig at large, vpon any city, borough, or market towne, nor vpon one quarter of a mile of any city borough or market town except it be at a butt or banke of earth in place cōuenient, or for ẏ defence of his persō or house, vpō pain to forfait for euery such shote

C. li. reuenues

Shoote

Kepe

Forf.

Handgunne One yard long

Hagbut iii. quarters of a yard

Forf.

Seale

Crosſebowes Owne vse Gunne

Breake

C. li.

Bent Charged

Forf.

Shoote

Market Towne Citie Butt

Forf.

ſhote .r. li. this preſent act or any thinge therein conteyned to the contrary notwſtandinge. And be it &c. that no perſon or perſones of what eſtate or degree ſo euer he or they be, ſhal from or after the ſaid laſt day of of June, commaund any of his or their ſeruants to ſhote in any croſſebow hādgun, hagbut, or demy hake, of his or their ſaid maiſters, or of any other perſōs to any deere, foule, or other thinge, except it be only at a but or bank of earth, or in ẏ time of warre, as is aboueſaid, vpon pain to forfait for euery ſuch offence .r. li. ẏ one moity of al which forfaitures & penalties in this preſent act aboue ſpecified, ſhalbee to the king &c. & the other moity therof to the partie ẏ wil ſue &c. in which ſuit &c.

Seruantes

Deere
Foule
Warre

Forfe.

Moitie

Gentleman
Yeoman
Seruingmē
Lords
Knightes

Prouided alway & be it &c. ẏ it ſhalbe lawful frō henceforth to all gentlemen, yeomē, & ſeruing men of euery lord or lords, ſpirituall or temporal, and of al knightes, eſquiers and gentlemen, and to al the inhabitaunts of cities, boroughs, & market townes of this realm of England, to ſhote with any handgun, demy hake or hagbut at any but or bank of earth, only in place conuenyent for the ſame, ſo ẏ euery ſuch handgun, demy hake, & hagbut bee of the ſeuerall lengths aforeſaid and not vnder.

Length

And that it ſhalbee lawfull to euery of the ſaid lord & lords, knightes, eſquiers & gentlemen, & the inhabitants of euery Citye borough & market towne, to haue & kēpe in euery of their houſes any ſuch handgū or handguns of the length of one whole yard, or any hagbut or demy hake of the length of three quarters of a yard, as is aforeſaid & not vnder, to the entent to vſe & ſhote in the ſame at a but or banke of earth, onely as is aforeſaid, whereby they & euery of them by the exerciſe thereof in fourme aboueſaid, may the better aide & aſſiſt to the defence of this Realme when nede ſhal require, this preſent act or any thing therin contained to ẏ contrary notwſtandig. And be it &c. that it ſhalbe lawfull to euery perſon and perſones whych dwelleth & inhabiteth in any houſe ſtanding & being ſet, diſtant two furlongs frō any city borough, or town, to kēpe and to haue in his ſaid houſe, for the only defence of the ſame, handguns, hagbuts, & demy hakes, being of the ſeuerall lengths aforeſaid & not vnder, & to vſe & exerciſe to ſhote in the ſame at any but or banke of earth

Keepe

Vſe

nere to his houſe, & not otherwiſe, any thing contained in this act to the contrary notwſtanding. And be it &c. that al letters patents, fraternities, & alſo al other placards, licences & billes aſſigned, heretofore had, made, or aſſigned, by his highnes or by any other auctoriſed by his maieſties letters patentes, vnder his great ſeale, to geue licence and placard to ſhote in croſſebowes and handgunnes, or any of them, ſhalbe from and after ẏ ſayd laſt day of June, fruſtrate, voide and of none effect. And alſo &c. ẏ the ſaid ſtatute made in the ſaid xrvb. yere of ẏ kings moſt gratious raigne, & al other ſtatuts heretofore made & prouided, for the auoydinge & reſtreint of ſhotynge in croſſebowes and handgunnes, or for any of them, or for ẏ vſing and kēpinge of the ſame, be from henceforth vtterly void & of none effect.

Letters patentes
Fraternities

Placards
Licences

Voyde

Prouided alwaies, that euery proces, ſuit and informatyon conceued commenced and now depending, for any offence done contrary to the fourme of the ſaid ſtatute made in the ſaid xrvb. yere of the kinges moſt noble raigne, or of any other ſtatute made, prouided, for, and concernynge the ſhotinge in croſſe bowes and handguns not repealed, & for the kēping of ẏ ſame: ſhalbe as good & effectual to the parties ẏ haue commenſed the ſame, & ſhal ſtand & be in ſuch forme, effect, degree and condition, as if this act had neuer bene made.

Proces
Suit
Informatyon

Prouided alſo that this act or any thinge therin conteined be not in any wiſe hurtfull or preiudiciall to any perſon or perſōs now beinge, or ẏ hereafter ſhalbe appointed by the kings highnes to kēpe receiue or take any croſſebowes or handguns, that ſhalbe forfaited or takē within ẏ precinct or liberty of the kings forreſtes, parkes or chaſes, but that he or they may lawfully kepe & retaine the ſāe croſſebowes, or hādguns from time to time, vntil ſuch tyme as the further pleaſure of ẏ kings highnes in ẏ behalfe, be to euery ſuch perſon ſhewed & declared. Prouided alſo that this act extend not to makers of croſſebowes, or handūs, but ẏ they may lawfully kepe croſſebowes & handguns, hagbuts, & demy hakes in their houſes, & ſhote in ẏ ſāe only for the proouing & aſſaying of thē at a but or banke of earth in a place conuenientē, & not otherwiſe: ſo that the ſaid handgūs hagbuts and demy hakes be of the ſeuerall

Kepe

Forreſtes
Parkes
Chaſes

Makers of croſſebowes

Vſe

Length

length in stocke & gunne as is aboue limitted. Prouided also that this act nor any thing therein conteined, extend not to bee
Merchants preiudicial to any merchants, which haue or shal haue any crossebowes, handguns hagbuts & demy hakes, or any of them to sel within this realme, & to none other vse, so ỳ the same handguns, hagbuts & demy hakes, be of the seuerall length in gunne & stocke as is aboue limmitted & not vnder. Prouided also that no manner of person rũne in any daũger or take hurt by reasõ of any penaltie of forfaiture conteyned in
Proclamatiõ this act, vntil such tyme as proclamation be made of ỳ sãe act, wiin ỳ coũtie where ỳ party that shal or may offend contrary to this act dwelleth, by ỳ space of xx. daies next after ỳ making of ỳ said proclamatiõ. Prouided also ỳ if any manner of person bringe or cause to be brought wt him into his lodging or Inne, or to any other mãs
June house, any crossebowe, or handgune, that then the penaltie & forfaiture, if any such be or hereafter shalbe forfaited by reason of this act, to runne & be only vpon the bringer of the said crossebow & handgun, & not to the owner of the same lodging or houseif ỳ said owner of the said lodging or house, cause ỳ bringer thereof to take & to carie away the said crossebow or hãdgun againe with him at his departinge, any thing in this act made to ỳ contrary notwtstandinge. And be it &c. ỳ if any person
Steer or persons, from & after ỳ last day of June next comminge, sée or finde any person or persons, offending, or doing cõtrary to ỳ forme & effect of this act, that thẽ it shal be lawful to euery such person or persons perceiuing, finding, or seing, any such per-
Arrest son or persons so offending contrary to ỳ forme of this act, to arrest & attach euery such offendour or offendours, & to bring or
Just. of p. conuey ỳ sãe to ỳ next Justice of peace of ỳ sãe coũty, where ỳ said offender or offẽders shalbe koũd so offending. And ỳ the
Examinatiõ sãe Justice of peace, vpon due examination & proofe therof before him had or made by his discreation shall haue full power & auctority to send or cõmit ỳ same offẽder or offenders to the next Jaile, there to
Fayl. remaine till such time as the said penaltie or forfaiture shalbee truely cõtented & payd, by ỳ said offẽder. The one moity of
Moitie Bringer the sayd penalty to be paid to the kinges highnes, & ỳ other moity thereof to ỳ first bringer or conueyer of the sayd offender to the same iustice of peace. And be it &c. that if any person or persones do at any time hereafter obtaine get or purchase of the kings maiestie his heirs & successors, any placard, licẽce, or bil assigned, to shote in any crossebow, handgun, hagbut, or de-
Placard Licence my hake, cõtrary to ỳ tenour purport & effect of this present act, that thẽ there shall be conteined in every such placard licence and bil assigned, at what beastes, foules, or
Beastes Foules other things the said person or persons so obtaining any such placard, licence or bill assigned, shal shote at, with any crossebowe, handgun, hagbut or demy hake, or els that euery such placard, licence and bil assigned, hereafter to be obteyned gotten
Voyd or purchased, shal be clerely void, frustrate and of none effect. And also ỳ euery such person or persons so obtainnge any such placard, licence, or bil assigned, before they shote in any crossebow hãdgun hagbut or demy hake, in any such manner or forme as shalbe mencioned in any such placard, licence, or bill assigned, shalbee bound in ỳ kings court of chauncery by recognisance
Recognisance in the summe of xx. li. to the kings vse, wt and vppon condition, that he so obtaining or hauinge the said licence, placard, or bill assigned, shal not shote in any crossebow handgun, hagbut or demy hake, at any o-
Beastes Foules ther beastes or foules, thẽ in any such placard licence or bil assigned, shalbe conteyned & specified, or els al such placards, licẽces, & bils assigned, so herafter to be made to any person or persones, not beinge so bounden by recognisaunce in the court of chauncery as is afore sayd, to bee vtterlye
Chauncery Void void & of none effect. And bee it &c. that it
Just. of p. Stewards Bailifes Laudayes Leetes shalbe lawfull to al Justices of the peace in their sessions, & to al stewards & bailifs in their seuerall leetes & lawdaies, to enquier heare & determine euery such offẽce after ỳ said last day of June to be cõmitted & done, cõtrary to ỳ tenour of this present act, so ỳ al wais no lesse fine thẽ xx. li. be
Fine assessed vpon euery such presentmẽt & cõuiction made, according to the due course of lawe, the same fine so by ỳ sãe iustices
Just. of p. of peace vpon euery such presentment and conuiction made before thẽ in their sessyon, to paied and leuied onely to the kinges vse, and that one moitie of euery fine to
Moitie. be bee assessed by the stewards or bailifes of any leete or lawday, vpon euery presentmẽt & conuiction before thẽ to be made

to

to be paid & leuied to the vse of the kinge our soueraigne lord: and of the other moitie, the one halfe to the owner of the sayd Lete or lawday by distresse or actyon of debt, and the other halfe of the same secõd moitie of the same fine, to be to the partie that will pursue for the same in any of the kings courts, by bill plaint information or action of debt, in the which none essoigne protection or wager of lawe shalbe allowed. And be it further enacted, that if any Jury be sworne & charged to enquire for ỳ king our soueraigne lord, before any Justices of the peace or stewardes of Letes or lawdaies, of any offences committed or done contrarye to this present act, dw wilfully concele any of the same offences ỳ then ỳ said iustices, steward or bailifs, before whom any concelemẽt shalbe had & done, have authoritie by vertue of this present act from time to time to charge & sweare another Jury of xij. or more good & substancial honest persons, to enquire of euery such concelement, & if any such concealement be found and presented by the said Jury so charged to enquire of ỳ same, ỳ then euery one of the said first iury, ỳ so did conceale ỳ same, shal lose & forfait for euery such concealement of euery such offence xx.s. al which forfaitures & penaltie of xx.s. for euery such concealement of euery such offence so found and presented before the same Justices of peace, shall wholie be leuyed and paied to the kinges vse. And the moitie of al the same forfaitures and penalty of xx.s. so found & presented before ỳ steward or bailifes of any lete or lawday shalbee leuied & payed to the vse of the owner of the said lete or lawday, by distresse or action of debt, & the other moity thereof to be to the party or parties that will sue for the same by actiõ information, bill or plaint in any of the kings courts. In the which actiõs, informations, billes or plaintes no wager of lawe, essoigne, nor protectiõ shalbe allowed. Prouided alwayes and be it &c. that if any person or persones hereafter in any part do offend or do, contrary to the purview and remedy of this act, whereupon cause of action for the same offene shalbe geuen to the king his heires or successors, or to any other person or persones ỳ will sue by vertue of this act for the punishement of the said offence or forfaites, that if the king our soueraigne lord his heires or successours within one yere next & immediatly after such offences, and forfaits had and made, do not pursue their action or actions, so geuen by this act, or cause examination vpon such detautes & offences to be had and made, before their counsel, or other presentmentes thereof to be had according to the meaning of ỳ same act, & euery other person, which hereafter by vertue of this act may haue action or actions suit or information vpon this statut, wtin halfe a yere next, & immediatlye after such offences or forfaits had and made, do not commence their suites, informatiõs actions or presentments, of and vpon the said forfaits by action or otherwise as in this present act is limitted and declared: that then aswell the king our soueraygne lord his heires & successors, after one yere next after such offences and forfaites had and made, if no suit in his or their name be taken by action or otherwise, as is before expressed before the same yere ended and determined, as euery other personne after halfe a yere next after like offences and forfaits had and done in the forme aforesayd, if no suit theruppon be taken by none of them, in forme aboue declared, be vtterly excluded and barred of their sayd suites, actions, informations, and examinations, to them geuen by vertue of this sayd act, and the parties and euery of thẽ so offending shalbe of all such offences & forfaytes, clerely discharged and quite, any thinge in this act comprised to the cõtrarye notwithstandinge. Prouided alwaies & be it &c. that this present act ne any thinge therein conteyned, shall in any wise extend or be prejudicial vnto ỳ kings subiectes, resident or inhabiting nere vnto the costes of the sea in any part of this realme, their houses being not aboue fiue miles distant from the same costes, nor also to any of the kings said subiects inhabiting within xii. miles of the borders of Scotland: nor to any ỳ kings subiects, inhabitantes of the Towne & marches of calets, nor to any of the inhabitants of the iles of Gerse, Gerneley, Angleley, and the Iles of Weight and Man, but ỳ it shalbee lawfull for euery of the said inhabitaunts at all times hereafter to haue exercise, and vse their handguns, hagbuts, & demy hakes of the lengthes aboue said within

Action
Jury
Just. of peace Stewards
Conceale
Orthe Jury
Forf.
Just. of p.
Moitie Steward Bailife
Distresse
Action
Prouiso
One yere
Action
Halfe a yere
Suits
Forf.
Actions barred
Discharged
Prouiso
Sea costes
Scotland.
Calice
Gerley
Gerneley
Angleley
Weight
Man

Deere
Peron
Shouelard
Felant
Partrich
Wildswan
Wilde Elke
Prouiso

within ỹ limits, & Iles abouesaid, so ỹ it be at no maner of dere, herõ, shouelard, felant, partrich, wildswan, or wilde elke or any of thẽ, this psẽt act, or any thing therin contained to ỹ contrary not wtstãding. Prouided also that this acte, ne any thing therein conteined, bee in any wise hurtful or preiudicial to any seruãt or plõ, ỹ herafter frõ ỹ said last day of June, shal bend, beare, cary, charge, vse, or assay any crossebowe, or any handgun, demy hake, or hagbut, of the lengthes abouesaid, by ỹ cõmaundemẽt of his Lord & master, so ỹ ỹ said seruãt or persõ, do not shote at any foule, deere, or other game, of what kinde or nature soeuer thei be of: nor also to any such seruant person or persons, ỹ shall after ỹ said last day of June, beare or cõuey any crossebow, handgũ, hagbut, or demy hake, of ỹ lengths aforesayd, to any place or places, by ỹ cõmaũdement of his lorde or master ỹ maye shote by auctoritie of this act, to be amẽded, repaired, deliuered or assayed, so ỹ ỹ said seruãt or other persõ so bringing or cõueying ỹ said crossebow, handgun, hagbut, or demy hake, haue redy to shew to euery person requiring the sight therof, one licence in writing sealed or subscribed by his said lorde or master, to cary & cõuey ỹ same crossebow, handgun, hagbut, or demy hake, to ỹ intent to be amended, repaired, assayed, or deliuered, as is aforesaid. Prouided alwaies, ỹ this act or any thing therein conteyned, shall not extend to any owner of any ship, for hauing & keeping of any handgũ, hagbut, or demy hake, of the seuerall lengths in this act expressed, or vnder, onely to bee had & occupied wt any their ship or other vessel, or for ỹ carryage & recariage of thẽ or ante of them on land, or keeping of thẽ for the only exercise & occupyig of thẽ wtin their said ship or vessel: Any thing in this acte to the contrary in any wyse notwithstãding. An. 33. H. 8. cap. 6.

Wemt
Cary

Licence

Prouiso

Owner of shippe

Cariage

See here next followyng some alteration of this statut. And also see a prouiso in the statut. 4. & 5. Phi. & M. ca. 2. (before in Armour. 8) vvhere some more liberty is geuẽ to such persons & their seruants that be boũd to kepe a haquebut.

☞ 3 ¶ For as much as ỹ libertie to shote in handgũnes, haques & haquebuts genẽ vnto some persons by the statut of 33. H. 8. ca. 6. (before 2.) is muche abused by shoting at dwelling houses, doucotes, & churches, & by shotig of hailshot, which distroied the certeintie of shoting, much requisite in warres. And also it is muche vsed to ỹ great distructiõ of foule & game. Be it &c. that no person vnder the degree of a lord of the parliament, shal frõ hẽceforth shote in any handgun, wtin any city or towne at any foule, or other marke, vpõ any church, house, or doucot, neither ỹ any person shal shote in any place any hailshote, or any more pellets then one at one time, vpon paine to forfait for euery time ỹ he or they shal so offend cõtrary to this act. x. poundes, & imprisonment of his body duryg vj. moneths. Prouided alwaies, & be it &c. ỹ this act or any thing therin cõteined, shal not extend or be preiudicial to any person or persons, authorised by value of land to shote in any hãdgun, or crossebowe, but that they may so do in such forme & order as they should do & might haue done, before the makinge of this act, (hailshote excepted as in deede ỹ kind of shote in ỹ said act was not mẽt) & that all and euery other persone and persons auctorised to shote or otherwise, yf he inhabite in any towne corporate, bee presented to the Maire or other officer of the same (& inhabitinge in the countrey,) bee presented within one moneth after ỹ publishinge of this act to the next Iustice of peace, adioining. In wtch cases ỹ sayd Maire, iustice, or other officer, so takinge ther names as is aforesayd, shall agayne present and record the same, before a iustice of ỹ peace at ỹ next quarter sessions, to the intent the Clerke of the peace of the Countye, may kepe a certayne booke or roll of ỹ names of al such persõs, by ỹ which the kings maiesty may from time to time, be assertained howe many mẽ & able men exercised in ỹ feat, be in euery county, ỹ the sãe may be imployed in his graces service, as nede & occasion shal require, vpon paine ỹ euery persõ offending in this act, presuming to shote in any handgun or halfe hak wout ỹ presenting of his name as is aforesaid, shall forfait for euery shote, ỹ summe of xx. s. the one moity wherof to be to our soueraigne lord ỹ king, & ỹ other moity to him or thẽ ỹ wil sue for ỹ same, by bil, action, plaint, information, or otherwise. The officer ỹ should take their names & present ỹ same

Lord of parliament

Foule
Doucot

Hayleshot

Forf.

Imprif.

Prouiso

Male shoote

Maior

Iust. of p.

Present
Quarter
Sessions
Clerke of p.
Roll

Forf.
Moitie

Paine

as is aboueſaid, to incurre for the lacke of his duty in this part for euery time ſo offēding like pain. An. 2. E. 6. ca. 14.

¶ Croſſes.

FOr aſmuch as many tenauntes ſet vp croſſes, or cauſe to bee ſet vp in their tenements, in preiudice of their lordes to thintents ỳ the tenants might defēd thē ſelues againſt ỳ chiefe lords of ỳ fée, by ỳ priuilege of ỳ tēplers & hoſpitelers: It is ordeined, ỳ ſuch tenemēts ſhalbee forfayt to ỳ chiefe lords or to ỳ kinge, in ỳ ſame maner as is prouided for lands alienes in mortmaine. W. 2. ca. 33. An. 13. E. 1.

Templers
Hoſpitelers
Forf.

¶ Crovves, Roukes, & Choughes.

AN. 24. H. 8. ca. 10. An act vvas made for the deſtructiō of Crovves, Roukes, & Choughs, In vvhich there vvas a braunch concerning the maintenance of netts & sharpes for. x. yeares followving. vz. That in euery pariſhe, townſhip, hāmlet, borough, or village wīn this realme, wherin is at leaſt x. houſholds inhabited, ỳ tenants & inhabitāts thereof, ſhould before ỳ feaſt of S. Michel tharchāgel nert, & ſo during x. yeares nert enſuing the ſaid feaſt, at their owne proper coſts, charges, & expences, prouide, make, or cauſe to bee made, one net, commonly called a net to take choughes, crowes, and roukes, with al things requiſite or belonging to ỳ cāe. And ỳ ſame nett ſo made, or cauſed to be made, ſhall kēpe, preſerue, and renue, as oftē as ſhal nēde: & with & after a ſharpe made wō chaffe, or other thing mēte for ỳ purpoſe, ſhall laye, or cauſe to be laied at ſuch time or times in ỳ yeare, as is cōuenient for deſtruction of ſuch choughs, rookes, & crowes, & in ſuch place & places, as ſhalbe thought expedient to take the ſaide choughs, crowes, & rookes, vpon paine to forfait x. s. The one moitie thereof to bee to our ſouereigne lord ỳ king, and ỳ other moity to ỳ lord or lords of ỳ Court barōs, lētes, lawdaies, or rapes, where any ſuch net ſhalbe lacking & not made & put in execution, according to this act, to be leuied of ỳ ſaid tenants & inhabitants of the ſaid pariſh, townſhip, hamlet, borough, or village, where any ſuch net ſhalbe lacking, & not put in vre & execution, by diſtreſſe of the goods & cattels of ỳ offēders, as other amerciaments in lētes haue bene accuſtomed. And ỳ euery ſuch net, wō al things requiſite thereunto, ſhall one time in the yere at ỳ leaſt, be preſented in ỳ court baron, lēte, rape, or lawday, before the ſteward of ỳ ſame court, lēte, rape, or lawday, whereunto ỳ ſaid tenants, & inhabytants ſhalbe bouūd to ſue & appeare, to be viewed, whether ỳ ſame be ſufficiētly repaired or not, for ỳ forſaid purpoſe: ſo ỳ by ỳ aduiſe of ỳ ſteward, tenants, & inhabitants of ỳ ſaid Court baron, lēte, rape, or lawday, where any ſuch net ſhalbe neceſſary to be vſed, a ſure way & ordynāce may be deuiſed, for ỳ reparation, cōtinuance, & putting in execution of ỳ ſaid net, at times & places cōuenient, as is afore ſaid. This braunch beinge thought very good & beneficiall, is reuiued by An. 8. El. cap. 15. and all the reſt of the ſtatute repealed as followveth here.

Parith
x. yeares
Nette
Renue
Sharpe
Fork.
Moitie
Court
Diſtreſſe
Preſented
Repaire

2 ¶ Becauſe the braunch in the ſtatut of 24. H. 8. ca. 10. (before 1.) concerninge the prouiſion, putting in vre, and maintenance of nettes & ſharpes, is long ſince expired, being neuertheles very good & beneficiall. Be it therefore ordeined & enacted &c. that only the ſaid braunch of the ſame eſtatut concerninge the prouiſion, vſe and mantenance of nettes & ſharps, for ỳ diſtruction of crowes rookes, & choughes & al and euery article, for forfaiture, & penalty conteined in the ſaid branch, for & concerninge ỳ prouiſion & puttinge in vre of the ſame nettes, & for ỳ maintenance thereof accoūding to ỳ forme therin limitted, ſhal from henceforth bee receiued & put in due execution, & that al & euery other braūch & article conteined in the ſame eſtatut, ſhalbe from henceforth vtterly repealed and made voyd to al intents & purpoſes.

Nettes Sharpes
Receiued
Repealed

¶ And further be it enacted by the authoritie aforeſayde, that in euery pariſh, the Churchewardens for the tyme bēinge, with others the paryſhioners, to the number of fyre perſonnes, to bee required by the churchewardens, ſhal after the feaſt of Saint Michael tharchangell nert comminge, yerely in on of ỳ feſtiual daies in the Eaſter wike, and at euery other tyme when as often as it is and ſhalbe nēdeful, taxe and aſſeſſe euery prochiatour, ſermour, and other perſon hauing ỳ poſſeſſion of any land or tythes wō in

Churchewardens
Eaſter weeke
Taxe
Sermour
Tythes

in their seuerall parishes, to pay such sūms of money, as they shal thinke mete, according to the quantitie and portion of such lands or tythes, as the same persons so assessed, do or shall haue or holde. And if the said summes of money, or any of them, so tared and assessed, be, or any shal be denied to be paide, or be not payd within viij. dayes, next after request thereof made by the said Church Wardens, or one of them, then euery person so denying, or making such default of payment, shal forfait for euery time vj.s. and ỳ same together with the said summe or summes assessed and tared, as is aforesaid, shalbe leuied by distresse, of the goods and cattels of such person and persons so assessed, and refusing to pay such summe, to bee taken by the Church Wardens, or one of them, which distresse shalbe ordered and sold, in such maner and forme, as distresses taken for amerciaments, in any leetes, and the same summes so tared and assessed, & the said penalties, if any be so by them leuied, as is aforesaid, shalbe verely by the sayde Church wardens for the time beinge, or one of them, of euery such parish deliuered, by bill or billes indented, to two honest and substantial persons of euery such parish, which shalbe elected and appoynted by the saide Church wardens for the time being, to haue the yerely distribution thereof, & shalbe named the Distributors of the prouision for the distruction of noysfull foules and vermin. And the said distributor so appointed, as is aforesaid, shall geue & pay of the same money so to them deliuered, to euery person that shal bringe to them any heades of old Crowes, Choughes, Pyes, or Rookes, taken within the seuerall parishes, for ỳ heads of euery iij. of them a penny. And for the heads of euery fire yonge crowes, choughes, pyes, or rookes taken, as is aforesaid a penny, & for euery dj. egges of any of them vnbroken a penny. And likewise for euery iij. stares heads j.d. All which said heads & eggs, the said distributors in some conuenyent place shall keepe, & shall euery moneth at ỳ least bring forth ỳ same before the sayd Church wardens & tarors, or iij. of them, & then & there to them shall make a true accompt in writinge, what money they haue laied forth, & paied for such heades & eggs, & for ỳ heads of such other rauenous birdes & vermine, as are hereafter in this act mencioned. That is to say: For euery head of Merton Hawks, Furiett, Holdkyte, Bullard, Schagge, Carmerant, or Ryngtaile ij.d. & for euery two egges of the a peny. For euery Iron or Osprais head iij.d. For the head of euery woodwall, Pye, Jaye, Rauen, or Kyte a penie. For the head of euery birde which is called the kings Fisher one peny. For the head of euery Bullfinch, or other bird that deuoureth the blowth of fruit, one pennie. For ỳ heads of euery Fore or Gray vij.d. and for the head of euery Fichew, Polcat, Wesel, Stote, Faire, Badge, or Wilde catte j.d. For the heads of euery Otter or Hedgehogs ij.d. For the heads of euery iij. Ratts, or vij. Mise j.d. For the heads of euery Moldwarpe or Want a ob. For the heads of euery which birds & vermine last mencioned, the last distributors shall likewise pay and geue to the bringer of them, for euery head, kild and taken within their seuerall parish, as before is limitted, and shall keepe the same to be shewed forth vpon their accompt, in maner and fourme as is aforesaide. All which said heades & eggs, shalbee forthwith, after such accompt made in the presence of the saide Church wardens, and tarors, or of three of them, burned, consumed, or cut in sunder. And if vpon any accompt to be made in the end and determination of the office of any such distributors, it shall appeare that any summe of money is remayning in the handes of the said distributors, or of any of them, then the same shalbe by bill indented, as is aforesaid, deliuered ouer to such persons as be or shalbe elected to the same office, for the yeare next following, by them to be distributed, as is aforesaid.

Penye

Fore.

Distres

Bills indented

Distributors

Pay

Pyes

Reward

Egges

Stares

Accompt

Rauenous birdes

Merton Hawkes
Furiekite
Holdkite
Bullard
Schagge
Carmerant
Ringtaile
Iron
Osprey
Woodwal
Pye
Jay
Rauen
Kyte
Kings fisher
Bullfinch
Fore
Gray
Ratts
Mise
Moldwarpe
Pay
Accompt
Church wardens
Tarours
Money remayning
Bill indented

And for the better execution of this act, be it also enacted by the authoritie aforesaid, that it may and shalbe lawful, to and for euery person and persons, which hereafter will trauel for ỳ taking of Crowes, Rookes, Choughes, & other the vermyne aboue said, to enter for the same purpose & intent, into any place therefore mete and conuenient, with the consent of the owner, or occupier of the same, and there to pse such nettes, engins, and other reasonable deuises, as are mete and conuenyent for the taking and destruction of such

Nettes

Handgunnes Crossebowes vermine, (handgunnes and crossebowes excepted) and shall take and haue all such Crowes, Choughes, Rookes, and other vermyne to his, and theyr owne vses.

Church wardens And if the said Churchwardens, and fyve persons of any parish or parishes, so required by the Church wardens, as is aforesaid, or the persons elected for distributours, or any of them, shall refuse or make default in the execution of this acte, or any part therof, contrarie to the forme aforesaid, then every such person shal forfait for euery such default v. poundes, the

Forf. Moitie one moitie thereof to bee to our Soueraigne Lady the Quæne, her heires & successours, and the other moitie thereof to him or them vsing tillage yerely within the same shire, that shall sue for the same, in any Court of recorde of our Soueraigne Ladie the Quæne, her heires & successors, by action of debt, or byl of information, wherein the defendant or defendants shal haue no protection, essoine, or wager of lawe allowed or admytted.

Prouided alwaies, and be it further enacted by authoritie aforesaide, that this acte, or any braunche therein conteined, shall not in any wise extende to græne any libertie or authoritie to any person or persons, to vse or exercise any meanes or engyn, for the destruction of Crowes, or Rookes, Choughes, or other the vermins aforesaid, in any place or places, to the disturbance, let or destruction of the breeding or breedinge of any e kynde of

Disturbance Haules Herons Egrittes Paupers Swannes Shouelers Doues Deere Conyes Hawkes, Herons, Egrittes, Paupers, Swans, or Shouelers, or to the hurt and destruction of any Doues, Dunehouses, Deere, or warren of Conyes: Any thing in this Acte to the contrarie conteyned, notwithstandinge.

And be it further prouided, that this acte, or any thinge therein contained, shall not extend to græue or appoint any fine, or summes of money to be græuen, paied, or distributed to any person or persons, for the head or heades of any Bulsarde, Ringtaile, Herne, Polcat, Fitchew, or Stote, taken in any parke, warren, or ground, employed to the maintenance of

Heads Parke Warren any game of Conies, or to any Stares taken in douehouses, nor to the killing or bringing the head of any Kite or Rauen, killed in any citie, or towne corporat, or within two miles of the same. This acte to continue to the end of the next Parliament. An. 8. Eliz. cap. 15. and likewise continued 13. Eliz. cap. 25. and after 14. Eliz. cap. 11. vntill the ende of the next Parliament.

Dunehouses

Citie

¶ Crovvne.

SE Anno 14. E. 3. Statutum per se, that the Realme of England, shall not bee subiect to the Realme of Fraunce. England

2 ¶ Anno 7. H. 4. cap. 2. the inherytance of the Crovvne of England & of Fraunce, vvere entayled to the king and the heires of his body, and Prince Henry his eldest sonne made heire apparaunt, vvith remainder ouer to the other sonnes of the same kinge. Inheritance Crowne Fraunce Remainder

3 ¶ Anno 25. H. 8. cap. 22. an act was made, declaring the stablishing of the succession of the Crowne, wherein is declared the kings mariage with Quæne Katherine to bee voide, and the deuorce betwene them had to be good, and the mariage betwene him & the Lady Anne Bolleine to bee good, and certeine degrées of mariage there recited to bee prohibited, & that none marie, within those degrées, & those mariages to be deuorced, and their issues not to be legittimate, and the succession of the Crowne tailed to the issue betwene the king and Anne Bolleine, vnto diuers remainders. And diuers thynges were made Treason, and diuers thinges made misprision of Treason, and that all men should take an Othe to maintaine this acte. But all this act vvas repealed by An. 28. H. 8. ca. 7. And by 1. M. 1. Parliament cap. 1. Succession Mariage voide Deuorce Anne Bolleine Degrees Treason Misprision Othe Repealed

4 ¶ The said Statute mad An. 25. H. 8. cap. 22. concerning the kings succession, & the act made An. 26. H. 8. ca. 2. concerning the Othe be repealed by An. 28. H. 8. ca. 7. & thereby a pardon græuen to al that before that offended in Treason, or misprision of Treason, in speaking or doing against Anne Bollein & her mariage, and her issue. And by this act Anne Bolleine, & her brother George Bolleine lord Rochford, & other there named, be attainted of Treason, & the deuorce betwene the king & Quæne Katherin confirmed, & her issue made illegittimate. (But the article concerning the deuorce & illegitimation is repealed by 1. M. 1. parl. cap. 1.) & by the acte Attainted Illegitimed Repealed

act of 28.H.8.ca.7. the deuorce had bee-
twéne ỹ king & Anne Bullein is cõfir-
med, & her issue made illegitimate, and ỹ
Deuorce Consteme Degrees none shal mary within certayne degrées
declared, in the statute, & that mariages
Voide made wỹn those degrées be void, & shalbe
voide. But ỹ article concerninge prohibi-
tion of mariage wỹn those degrées is re-
Repealed pealed (by 1. & 2. P. & M. ca. 8.) And by ỹ
act of 28.H.8. ca.7. the issue betwéne ỹ
Issue Heires king & Quéene Jane, be made heires of ỹ
crowne. And there is ỹ succession of the
Succession crowne appoited to the kings issue, with
diuers remainders, & ỹ the king may dis-
Letters patents Testament Treason Vsurpe pose ỹ succession by his Letters patentes
or last wil: & it is there made treason, if a-
ny to whom the succesiõ is appointed, do
vsurpe vpon other that should be king be-
Repealed fore, & diuers other matters, there to bée
made treason, but al those treasons be re-
pealed (by 1. Ed. 6. ca. 12. & by 1. M. 1. ces-
sione) and by that act of 28. H. 8. ca. 7. it
Gouernour is declared who shall haue ỹ kéeping and
gouernance of ỹ kings issue wỹn age that
shalbée K. And there is declared an othe
concerning the succesiõ, & who shal take
it. And ỹ any anauncement made by the
Letters patents Testament king by letters patentz, or by his last wil
in writing, to any persõ of his roial bloud
of any title, stile, or name of any estate, or
dignitie, or honor, or of any lands, shalbe
as good as it were by parliamẽt, & ỹ this
act of 28. H. 8. ca. 7. shalbée enterpreted
according to the plaine wordes &c.

Entaile 5 ¶An. 35. H. 8. ca. 1. the Crowne of
Englãd is intailed to the kings daughter
the Lady Mary, & to the heires of her bo-
dy, & for lack of such issu to ỹ kigs daugh-
ter the Lady Elizabeth, in such forme as
is there declared, & for lacke of such issue,
to such as the king by his letters, or last
wil in writinge shoulde limitte. And it is
there enacted ỹ all persons limitted by ỹ
statuts of 28. H. 8. ca. 7. & 10. to take oths
Othe Roome against ỹ sée of Rome, & diuers other p-
sons there erpressed, should take the othe
set out in this statute of 35. H. 8. ca. 1. & ỹ
Refuse Treason Interrupt Repealed refusing of the othe, to be treason. And in-
terrupting of things in this act, & dyuers
other things to be made treasõ. But these
treasons be repealed by 1. E. 6. cap. 12. &
by 1. M. 1. cessione. And al ỹ concerneth
ỹ othe against ỹ Sea of Rome in the act
of 35. H. 8. is repealed by 1. & 2. Ph. & M.
ca. 8. But See here 6. most of that act al-
so repealed.

6 ¶Whereas diuers good lawes were
made in ỹ time of ỹ late king H. 8. for ỹ
extinguishing of al forene power, & for ỹ
restoring vnto the crowne of this realm,
the auncient rights & iurisdictions of the
same: which were repealed by 1. & 2. Ph. &
M. ca. 8. for the reuiuing of ỹ same. Be it
&c. That the said act made in the said first
& second yeres of the raignes of the sayde
late kig Phi. & Quéene Mary (S. ca. 8.) &
all & euery braunche, clauses, and articles
therein conteined (other then such braun-
ches, clauses, and sentences, as hereafter
shalbe excepted,) may from the last daye
of this session of Parliament, by authori-
tie of this present parliament be repea-
led, and shall from thencefoorth be vtterly Repealed
voide and of none effect. And that also for
the reuiuinge of dyuers of the sayde good
lawes & statuts made in ỹ tyme of your
said déere father, it may also please your
highnes that one act and statute made in
the xviij. yere of the sayd late king Henry
the eyght entituled, An act that no per-
son shalbe cited out of the dioces where he
or shée dwelleth, except in certaine cases,
and one other act made in the xviij. yere
of the raygne of the sayd late kinge inty-
tuled: an act that appeales in such cases
as hath bene vsed to be pursued to the sée
of Rome, shall not bee from henceforth Rome
had ne vsed, but within this realme: And
one other act made in the xxv. yere of the
sayd late king concerning restreint of pay
ment of annates and first fruits of Arch- Annates
bishoprikes, and Bishoprikes to the Sea
of Rome: And one other act in the sayde
xxv. yere intituled: an act concerninge the
submission of the clergie to the kings ma- Submission
iestie: And also one act made in ỹ said xxv.
yere intituled: an act restraining the pay-
mẽt of annates or first fruits to ỹ bishop
of Rome, & of the electing and consecra- Annates Consecratinge
ting of archbishops & bishops within this Archbishops
Realme: And one other act made in the
said xxv. yere, intituled: on act concerning
the eroneration of the kings subiects frõ Eroneration
exactions, and impositions heretofore
payed to the sea of Rome, & for hauing li-
cences and dispensations wythin this re- Licences
alme, without suynge further for ỹ same:
And one other act made in the xxvi. yere
of the said late kinge entituled an act for
nomination and consecration of Suffra- Suffragans

gans within this Realme: And also one other acte made in the eight and twentie yeare of the raigne of the saide late kinge entituled, An acte for the releasse of suche as have obtained, pretensed licences, and dispensations from the See of Rome, and all and everye braunches, wordes, and sentences, in the sayde seueral actes and statutes contayned, by aucthoritie of this present Parliament, from & to all tymes after the last daye of this Session of Parliament, shalbee revyued, and shal stande and bee in full force and strength to al intents, cõstructions, and purposes. And that the braunches, sentences, and wordes of the saide seuerall actes, and euery of them, from thencefoorth, shall and may bee iudged, deemed, and taken to extende to your highnesse, your heires, and successours, as fully and largely, as euery the same actes, or any of them did extend to the said late king Henry the eight, your highnes father. And ẏ it may also please your highnes, that it may bee enacted, by ẏ aucthoritie of this present Parliamẽt, that so much of one act or statut made in the xxxij. yere of the raigne of your sayde deere father King Henry the eight entytuled: An acte concerning precontractes of mariages, and touching degrees of cõsanguinitie, as in the time of the late king Edward the first, your highnes most dere brother, by one other acte or statute was not repealed. And also one act made in ẏ xxxviij. yeare of the raigne of the said late king Henry the eight entituled, An act ẏ Doctors of the Ciuil lawe being maried, maye exercise ecclesiasticall iurisdiction, and all and euery braunches and articles in the saide two acts last mencioned, and not repelled in the time of ẏ said late king Edwarde the first, may from hencefoorth likewise stande, and bee revyued, and remaine in their full force and strength, to all intents and purposes, any thing contained in the saide acte of repeale beefore mencioned, or any other matter, or cause to the contrarie notwithstanding. And ẏ it may please your highnesse, that it may bee further enacted by the aucthoritie aforesayde, that all other lawes and statutes, and the braunches and clauses of anye acte or statute repealed and made voide by the sayde acte of repeale, made in the tyme of the sayde late king Phillip and Quéene Mary, and not in this present act specially mencioned revyued, shal stande, remayne, and bee repealed and voide, in such like manner and fourme as they were before the making of this act, anye thing therein contayned to the contrarie notwithstanding. And that it may also please your highnesse, that it may bee enacted by the aucthoritie aforesaid, that one act and statute made in the first yere of the raigne of the late kynge Edwarde the first, your Maiesties most deere brother, (after in Seruice I.) entituled, An acte agaynst suche persons as shall vnreuerently speake against the sacrament of the body and bloud of Christ, commonly called the sacrament of the aulter, and for the receyuinge therof vnder both kindes, and al and euery braunches, clauses, and sentences therin conteined, shal and may likewise from the last day of this session of Parliament, bee revyued, & from thence-foorth shall and may stande and remayne, and be, in full force, strength, and effect, to all intentes, constructions and purposes, in such like manner and fourme, as the same was at any tyme in the first yere of the raigne of the sayde late kinge Edward the first, any law, statut or other matter to the contrary in any wise notwithstãding. And that also it may please your highnes, that it may bee further established and enacted by thaucthoritie aforesaid, that one act, and statute made in the first and seconde yeres of the sayd late king Phillippe & Quéene Mary, intituled, an Act for the revyuinge of three statutes made for punishment of heresies, and also the said three statuts mencioned in the sayd act, & by the same act revyued, & all & euery braunches, articles, clauses, and sentences contained in the said seuerall actes or statutes, & euery of them, shalbee from the last day of this session of parlyament, deemed & remayne vtterly repealed, voyd and of none effect, to al intentes and purposes, any thing in the said seuerall actes, or any of them contayned, or any other matter or cause to the contrary notwithstandinge.

And to the intent that all vsurped and forreine power aucthoritie spirituall and temporall, may for euer bee clearely extinguished, and never to bee vsed or obeyed within this realme, or any other your maiesties

Dispensations

Reuiued

Pꝛecõtracts

Christians

Sacrament

Reuiued

Heresies

Repealed

Repeale

maiesties dominions or countreys. May it please your highnes, that it may be further enacted by the auctoritie aforesaid, that no forreine Prince, Person, Prelate, State, or Potentate spirituall or temporall, shall at any time after the last day of this Session of Parliament, vse, enioy, or exercise, any maner of power, iurisdiction, superioritie, auctoritie, prehemynence, or priuiledge spirituall or ecclesiastical within this Realme, or within any other your Maiesties dominions or coūtreis, that now be, or hereafter shalbe, but from thencefoorth the same shalbe clerely abolyshed out of this Realme, and all other your highnes dominions for euer: Any statute, ordinãce, custome, constitutions, or any other matter or cause what soeuer, to the contrarie in any wyse notwithstanding. And that also it may lykewise please your highnes, that it may be established and enacted by the auctority aforesaid, that such iurisdictions, priuiledges, superiorities, and prehemynence, spiritual or ecclesiastical, as by any spirituall or ecclesiastical power or auctority, hath heretofore bene, or may lawfully be exercised or vsed for the visitation of the ecclesiastical state and persons, and for reformation, order, & correction of the same, & of all maner errors, heresies, scismes, abuses, offences, contempts, & enormities, shal for euer by auctoritie of this present parliament, be vnited and annexed to the imperial Crowne of this realme. And that your highnes, your heires and successors, kings & Quéens of this realme, shal haue full power & auctority by vertue of this act, by letters Patents vnder the great Seale of England, to assigne, name, and auctorise, when and as often as your highnes, your heires and successors shall thinke méete and conuenient, and for such and so long time, as shall please your highnes, your heires or successours, such persons being naturall borne subiects to your highnes, your heirs or successors, as your maiestie your heires or successors, shall thinke méete, to exercise, vse, occupie, and execute vnder your highnes, your heires & successours, all maner of iurisdictions, priuiledges, and prehemynences, in any wise touching or concerning any spirituall or ecclesiastical iurisdiction, within these your realmes of England & Irelande, or any other your highnes dominions or countreis, & to visite, reforme, redresse, order, correct, & amende, all such errors, heresies, scismes, abuses, offences, contẽpts, & enormities whatsoeuer, which by any maner spirituall or ecclesiastical power, auctoritie, or iurisdiction, can, or may lawfully be reformed, ordered, redressed, corrected, restrayned, or amended, to the pleasure of Almighty God, the encrease of vertue, & conseruation of the peace, & vnitie of this realme. And that such person or persons so to bee named, assigned, auctorised, & appointed by your highnes, your heirs or successors, after the said letters patents, to him or them made & deliuered, as is aforesaid, shal haue ful power & auctoritie, by vertue of this act, & ỳ said letters patents, vnder your highnes, your heires or successors, to exercise, vse, & execute al the premisses, according to the tenour & effect of the said letters patents: any matter or cause to the contrarie in any wise notwithstanding. And for ỳ better obseruation & maintenãce of this act, may it please your highnes, ỳ it may be further enacted, by thauctoritie aforsaid, that al & euery Archbishop, Bishop, & all & euery ecclesiastical person, & other ecclesiastical officer & minister, of what estate, dignitie, prehemynence, or degrée soeuer he or they be, or shalbe, & all & euery temporal Judge, Justicer, Maior, & other lay or temporall officer & minister, & euery other person, hauing your highnes fée or wages within this Realme, or any your highnes dominions, shal make, take, and receiue a corporall Othe vpon the Euangelist, before such person or persõs, as shal please your highnes, your heires or successors, vnder the great seale of England, to assigne & name, to accept & take the same, according to the tenour & effect hereafter following. That is to say, I A.B. do vtterly testifie & declare in my conscience, ỳ the Quénes highnes, is the onely Supreame gouernor of this Realme, & of all other her highnes dominions & countreis, aswel in al spiritual or ecclesiastical things or causes, as temporall, & that no forreine Prince, Person, Prelate, State, or Potentate, hath or ought to haue any iurisdiction, power, superioritie, prehemynẽce, or auctoritie, ecclesiastical or spiritual within this Realme, & therefore I do vtterly re-

Forreine Prince Potentate

Reformation

Letters patents

Ecclesiastical iurisdiction

Reforme

Heresies

Execute

Archbishop Bishop

Officer

Judge Justice Maior

Othe

renounce and forsake all forreine iurisdictyons, powers, superiorities, & authorities, and do promise that from henceforth I shall beare Faith and true alleageance to the Quéens highnes, her heires & lawful successors, & to my power shal assist & defend, al iurisdictions, priuiledges, prehemynences, & authorities, graunted or belonging to the Quéens highnes, her heirs & successors, or vnited and annered to the Imperial Crowne of the realme, so helpe me God, & by the contents of this booke.

Faith

And that it may be also enacted, that if any such Archbishop, Bishop, or any other Ecclesiasticall Officer or mynister, or any of the saide temporall Iudges, Iusticiaries, or other lay officer or minister, shall peremptorily or obstinatly, refuse to take or receiue the said Othe: That then he so refusing, shall forfait and lose onely during his life, all and euery ecclesiasticall and spiritual promotion, benefice & office, and euery temporall and lay promotyon & office, which he hath solely at the tyme of such refusall made: and that the whole title, interest, and incumbency in euery such promotion, benefit, and other office, as against such person onely so refusing, during his life, shal clerely cease, and bee voide, as though the partie so refusing were dead. And that also all and euerye such person & persons, so refusing to take the said Othe, shall immediatly after such refusall, be from thencefoorth duryng his life, disabled to retaine, or exercise, any office, or other promotion, which he at the time of such refusall hath iointlye, or in cõmon with any other person or persons. And that all & euery person and persons, that at any time hereafter shalbe preferred, promoted, or collated to any Archbishoprieke, Bishoprieke, or to any spiritual or ecclesiasticall benefice, promotion, dignitie, office, or ministerie, or that shalbee by your highnes, your heirs or successors, preferred or promoted, to any temporall or lay office, ministerie, or seruice wythin this Realme, or in any other your highnes dominions, before he or they shal take vpon him or them to receiue, vse, exercise, supply, or occupie any such Archbishoprieke, Bishoprieke, promotion, dignitie, office, ministerie, or seruice, shall likewise make, take, and receiue the said corporall Othe before mencioned, vpon the Euangelist, before such persons as haue or shal haue authoritie to admit any such person to any such office, ministerie, or seruice, or els before such person or persons, as by your highnes, your heires or successors by cõmission vnder the great Seale of England, shalbee named, assigned, or appoynted, to minister the said othe. And that it may likewise bee further enacted by the authoritie aforesaid, that if any such person or persons, as at any time hereafter shalbe promoted, preferred, or collated to any such promotion spiritual or ecclesiastical, benefice, office, or ministerie, or ỳ by your highnes, your heires or successors, shalbe promoted, or preferred to any temporal, or lay office, ministerie, or seruyce, shal & do peremptorily & obstinatly, refuse to take the same othe, so to him to be offered: that then he or they so refusing, shall presently be iudged & disabled in the law, to receiue, take, or haue, the same promotion, spirituall or ecclesiasticall, the same temporal office, ministerie or seruice wỏin this Realme, or any other your highnes dominions, to al intents, constructions, & purposes. And that it may bee further enacted by the authoritie aforesaid, that al & euery person or persons temporal, suing Liuery, or Ouster le main, out of ỳ hands of your highnes, your heires or successors before hys or their Liuery, or Ouster le main, sued forth & allowed, & euery temporal person or persõs, doing any homage to your highnes, your heires or successors, or that shalbe receiued into seruice wyth your highnes, your heires or successours, shal make, take, & receiue the said corporal Othe before mencioned, before the Lord Chauncelor of England, or the lord Keeper of the great Seale, for ỳ time being, or before such person or persons, as by your highnes, your heirs or successors shal be named & appointed, to accept or receiue the same. And that also, al & euery person & persons taking orders, & al & euery other person & persons, which shalbe promoted or preferred to any degree of learning, in any Vniuersity, within this your realme, or dominions, before hee shall receiue or take any such orders, to be preferred to any such degree of learning, shal make, take & receiue the laid othe, by this act set forth and declared, as is aforesaid, before hys or their Ordinary, Commissarie, Chãcelor,

Archbishop Bishop

Refuse

Forfeit

Disabled

Lord

Promoted

Othe

Refuse

Disabled

Liuery

Homage

Chauncelor

Orders

Ordinary Cõmissarie Chauncelor

or

Wicechancelor

or Wicechauncelor, or their sufficient deputies in the said vniuersitie. Prouided alwaies, that it may bee further enacted by the aucthoritie aforesaid, ẏ if any person hauing any estate of inheritance, in any temporal office or offices, shal hereafter obstinatly and peremptorily, refuse to accept & take the said othe, as is aforesaid, & after at any time during his life, shall willingly require to take & receiue the said othe, & so do take & accept ẏ same othe, before any person or persõs ẏ shal haue lawful aucthoritie to minister ẏ same: That then euery such person immediatly after he hath so receiued the same othe, shalbee vested, iudged, & deemed in like estate and possession of the said office, as he was before the said refusal, & shal & may vse & exercise ẏ said office, in such maner & forme, as hee should or might haue done before such refusall: Any thing in this acte contained, to the contrarie in any wise notwithstanding.

Inheritance

Refuse

Requier

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And for the more sure obseruation of this act, & the vtter extinguishment of all forreine & vsurped power and aucthoritie: May it please your highnes that it may be further enacted by thaucthority aforesaid, that if any person or persons, dwelling or inhabiting within this your realme, or in any other your highnes realme or dominions, of what estate, dignitie, or degrée so euer he or they be, after ẏ end of xxx. daies next after ẏ determination of this session of this present parliamẽt, shal by writing, printing, preaching, teaching, expresse words, deede, or act aduisedly, maliciously & directly, affirme, hold, stand with, set forth, maintaine, or defend thaucthoritie, prehemineñce, power, or iurisdiction spirituall or ecclesiastical, of any forreine prince, prelate, person, state, or potentate whatsoeuer, heretofore claimed, vsed, or vsurped, vẽin this realme, or any dominion or coũtrey, being vẽin, or vnder the power, dominion, or obeisance of your highnes, or shal aduisedly, maliciously, & directly put in vre, or execute any thing for ẏ extolling aduancement, setting forth, maintenance or defence, of any such pretẽded or vsurped iurisdiction, power, prehemínence, or aucthoritie, or any part thereof: That then euery such person or persons, so doing & offending, their abettors, aidors, procurers & counsellors, being thereof lawfully conuicted and attainted, according to the due order & course of the cõmon law of thys realme, for his or their first offence, shall forf. & lose vnto your highnes, your heires & successors, al his & their goods & cattels, aswell real as personall. And if any such person so conuicted or attainted, shall not haue, or be worth of his proper goods and cattels, to the value of xx. li. at the time of such his conuiction or attainder, that then euery such person so conuicted & attainted, ouer & besides the forfeiture of all his said goods & cattels, shal haue & suffer imprysonment by the space of one whole yeare, without baile or mainprise. And that also al and euery the benefices, prebends, and other ecclesiastical promotions, and dygnities whatsoeuer, of euery spiritual person so offending and being attainted, shal immediatly after such attainder, be vtterly voide, to all intentes and purposes, as though the Incumbent therof were dead, and that the Patron and Donour of euery such benefice, prebend, spiritual promotion, & dignitie, shall and may lawfully present vnto the same, or greue the same, in such maner and fourme, as if the saide Incumbent were dead. And if any such offendour or offendours, after such conuiction or attainder, do eftsoone commit, or do the said offences or any of them, in maner & forme aforesaid, & be thereof duely conuicted & attainted, as is aforesayd: That then euery such offendour & offendours, shal for the same ij. offence incurre into the daungers, penalties, and forfeytures, ordeined and prouided by the Statute of Prouision & Præmunire, made in the vj. yere of the raigne of king Richard the 2. (vvhich see after in Prouision 14.) And if any such offendor or offendors, at any time after the said second conuiction & attainder, do the iij. time commit, & doe the said offences or any of them, in maner & fourme aforesaid, & be therof duely conuicted & attainted, as is aforesaid: That then euery such offence or offences, shalbe deemed & adiudged high Treason, & ẏ the offendor & offendors therein, being therof lawfully conuicted & attainted, according to ẏ lawes of this realme, shal suffer paines of death, and other penalties, forfeitures, & losses, as in case of high Treason by the lawes of this realme. And also ẏ it may likewise please your highnes, ẏ it may be enacted

Foreine power

Writing Printing Preaching

Forreine Prince Prelate

Pretended iurisdiction

Abettors

1. Offence Forf.

Goods

Not worth xx.li.

Imprison Baile

Voide

Patron

Incumbent Deade

2. Offence

Premunire

3. Offence

Treason

Death

enacted by thauctho͛itie afo͛esaid, that no maner of perſon o͛ perſons, ſhalbee moleſted, o͛ impeached, fo͛ any the offences afo͛eſaid, committed o͛ perpetrated, only by p͛eaching, teaching, o͛ wo͛ds, vnleſſe he o͛ they bee thereof lawfully endicted, within the ſpace of one halfe yere, next after his o͛ their offẽces ſo committed. And in caſe any perſon o͛ perſons ſhal fo͛tune to be imp͛iſoned fo͛ any of the ſaid offences committed by p͛eaching, teaching, o͛ wo͛des onely, & bee not thereof endicted within the ſpace of one halfe yeare, next after his o͛ their ſuch offence ſo commytted & done: That then ỳ ſaid perſon ſo imp͛iſoned, ſhalbee ſet at libertie, and be no longer deteyned in p͛iſon, fo͛ any ſuche cauſe o͛ offence.

Preaching wo͛ds

Halfe yere

Impriſon

Indicted

Libertie

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P͛ouiſo

P͛ouided alwaies, and be it enacted by the auctho͛itie afo͛eſaid, that this acte, o͛ any thing therein contayned, ſhall not in any wiſe extende, to repeale any clauſe, matter, o͛ ſentence, contained o͛ ſpecified in the ſaid firſt & ſecond yeres of ỳ raigns of the ſaid late king Philip, and Quẽne Mary, as doth in any wiſe touch o͛ concerne, any matter o͛ cauſe of Præmunire, o͛ that doth make o͛ o͛deine any matter o͛ cauſe to bee within the caſe of Præmunire, but that the ſame, fo͛ ſo much onely as toucheth o͛ concerneth anye caſe o͛ matter of Præmunire, ſhal ſtande and remaine in ſuch fo͛ce and effect, as the ſame was befo͛e the making of this acte: Any thing in this acte contained, to the contrarie in any wiſe notwithſtanding.

Premunire

P͛ouiſo

P͛ouided alſo and be it enacted by the auctho͛itie afo͛eſaid, that this act, o͛ any thing therein contained, ſhall not in any wiſe extend o͛ bee p͛eiudicial to any perſon o͛ perſons, fo͛ any offence o͛ offences committed o͛ done, o͛ hereafter to be cõmitted o͛ done, contrarie to the teno͛ and effect of any acte o͛ ſtatute, now reuyued by this acte, befo͛e the ende of xxx. dayes, next after the ende of the Seſſion of thys p͛eſent Parliament, any thing in this act contained, o͛ any other matter o͛ cauſe to the contrarie notwithſtanding.

P͛ouiſo

Peere

And if it happen that any pẽre of thys Realme, ſhall fo͛tune to be endicted of, & fo͛ any offence, that is reuyued o͛ made Præmunire o͛ Treaſon by this acte, that then he ſo being endicted, ſhall haue hys trial by his Pẽres, in ſuch like maner and fourme, as in other caſes of Treaſon hath bene vſed. P͛ouided alwayes, and be it enacted as is afo͛eſaid, that no maner of o͛der, act, o͛ determination, fo͛ any matter of religion, o͛ cauſe eccleſiaſticall, had, o͛ made, by auctho͛itie of thys parliament, ſhalbee accepted, dẽmed, interp͛eted, o͛ adiudged at any time hereafter, to be any erro͛, hereſie, ſciſme, o͛ ſciſmaticall opinion: Any o͛der, decrẽ, ſentence, conſtitution, o͛ law whatſoeuer the ſame be, to the contrary notwithſtandinge. P͛ouided alwaies, and be it enacted by the auctho͛itie afo͛eſaide, that ſuch perſon o͛ perſons to whom your highnes your heires o͛ ſucceſſo͛s, ſhal hereafter by letters patents, vnder the great Seale of England, geue auctho͛itie, to haue o͛ execute, any iuriſdiction, po͛wer o͛ auctho͛itie ſpiritual, o͛ to viſite, refo͛me, o͛der, o͛ co͛rect, any errours, hereſies, ſciſmes, abuſes, o͛ enormities, by vertue of this act, ſhall not in any wiſe haue auctho͛itie o͛ po͛wer, to o͛der, determin, o͛ adiudge, any matter o͛ cauſe to be hereſie, but onely ſuch as heretofo͛e haue ben determined, o͛d͛ed, o͛ adiudged to be hereſie, by thauctho͛itie of the Canonicall ſcripture, o͛ by the firſt fo͛wer general Counſells, o͛ any of them, o͛ by any other general Counſaile, wherein the ſame was declared hereſie, by the exp͛eſſe and plaine wo͛ds of the ſaid Canonicall ſcriptures, o͛ ſuch as hereafter ſhalbe o͛dered, iudged, o͛ determined to be hereſie, by the highe Court of Parliament of this realme, with the aſſent of the Clergie in their conuocation: Any thing in this Acte conteyned, to the contrary notwithſtanding.

Pere

Peeres

Perſone

Letters patents

Determin

Generall Counſells

Parliament

And bee it further enacted by the auctho͛itie afo͛eſaide, that no perſonne o͛ perſonnes, ſhalbee hereafter endicted o͛ arraigned, fo͛ anye the offences made, o͛deined, reuyued, o͛ adiudged by thys acte, vnles there bee two ſufficient witneſſes o͛ mo͛e, to teſtifie and declare the ſaid offence, whereof he ſhalbe endicted, o͛ arraigned. And the ſaid witneſſes, o͛ ſo many of them as ſhalbee lyuinge, and within this Realme, at the time of the arraignement of ſuch perſon ſo endicted, ſhalbee b͛ought fo͛th in perſon, face to face, befo͛e the partie ſo arraigned, and there ſhall teſtifie and declare what they can ſay againſt the partie ſo arraigned, if

Indict

2. witneſſes

Arraigne

he

he require the same.

Proviso

Relefe Ayde

Prouided also and be it further enacted by thauctho*r*itie afo*r*esaid, that if any person o*r* persons, shall hereafter happen to geue any relefe, ayde, o*r* comfo*r*t, o*r* in any wise bee ayding, helping, o*r* comfo*r*ting, to the person o*r* perſōs, o*r* any ẏ shal hereafter happen to be an offender in any matter o*r* cause of Præmunire o*r* Treason, rrumed o*r* made by this acte: That then such relefe, ayde, & comfo*r*t geuen, shall not be iudged o*r* taken to be any offence, vnlesse there be two sufficient witnesses at the least, that can & will openly testifie & declare, that the person o*r* persons that so gaue such relefe, aide, o*r* comfo*r*t, had notice & knowledge of such offence committed & done by the said offendo*r*, at the time of such relefe, aide, o*r* comfo*r*t so to him geuen o*r* ministred, any thing in this act cōteined, o*r* any other matter o*r* cause to ẏ contrary in any wise not wſtanding.

No offence 2. witnesses

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And where one pretenced sentence hath heretofo*r*e bene geuen in the Consistorye in Powles, beefo*r*e certayne Iudges Delegate by thauctho*r*itie Legantine, of the late Cardinal Poole, by reason of a fo*r*eine vsurped power & auctho*r*itie against Richarde Chetwod Esquier and Agnes his wife, by the name of Agnes Woodhul, at the suit of Charles Tyrell Gentleman, in a cause of Matrimonie, solempnized betwene the saide Richard and Agnes, as by the same pretenced sentence mo*r*e plainly doth appeare. From the which sentence the saide Richarde and Agnes, haue appealed to the Court of Rome, which appeal doth there remaine, and yet is not determined. May it therefo*r*e please your highnes, ẏ it may be enacted, by the auctho*r*itie afo*r*esayd, that if sentence in ẏ said appeale, shal happen to be geuē at the said court of Rome, fo*r*, & in the behalfe of ẏ said Richarde and Agnes, fo*r* the reuersing of the saide pretenced sentence, befo*r*e the end of xl. dates nert after the end of this Session of this present Parliament, that then the same shalbe adiudged & taken to be good & effectual in the law, & shal & may be vsed, pleaded, & allowed in any Court o*r* place with in this Realme, any thing in this act, o*r* in any other act o*r* statute conteined, to the contrarie not wſtanding. And if no sentence shalbe geuen at the court of Rome in the said appeal, fo*r* the reuersing of the said pretenced sentence, befo*r*e the end of the said xl. dates, that then it shal & may be lawfull fo*r* the said Richard & Agnes, and either of them, at any time hereafter to commence, take, sue, & prosecute their said appeale, from the said pretenced sentence & fo*r* the reuersing of ẏ said pretenced sentence, wtin this realme, in such like maner and fourme, as was vsed to be pursued, o*r* might haue bene pursued wythin this realme, at any time since the xxiij. yere of the raigne of the said late king H. eight, vppon sentences geuen in the Court o*r* Courts, of any Archbishop within thys Realme. And that such appeale as so here after shalbe taken o*r* pursued by the sayde Richard Chetwod, and Agnes, o*r* eyther of them, and the sentences that herein, o*r* thereupon shal hereafter be geuen, shalbe iudged to be good and effectual in the law to all intentes and purposes, any lawe, custome, vsage, canon, constitution, o*r* any other matter o*r* cause to the contrarie notwithstanding. Prouided also, and be it enacted by thauctho*r*itie afo*r*esaid, that where there is the like appeale now depending in the said Court of Rome, betwene one Robert Harecourt marchant of the Staple, and Elizabeth Harecourt, otherwise called Elizabeth Robins of the one partie, and Anthony Fidel marchāt straunger, on thother partie, that the said Robert, Elizabeth, and Anthony, & euery of them, shall and may fo*r* the prosecuting & trying of their said appeale, haue & enioy the like remedy, benefite, & aduantage, in like maner and fo*r*me, as the said Richard and Agnes, o*r* any of them hath, may, o*r* ought to haue, o*r* enioy, thys acte o*r* any thing therein conteined to the contrarie in any wise notwithstanding. Anno 1. Eliz. cap. 1.

Sentence

Delegate

Cardinall Poole

R. Chetwood

C. Tirel

Rome

Sentence

Appeale

Sentence

Rome

Robert Harecourt

An. Fidel

¶ Note that by the Statute 23. Eliz. cap. 1. (here 10.) euery offence agaynst this Acte is enquirable, as vvell before Iustices of peace, as other Iustices, hauing sufficient iurisdiction, vvithin one yere & a day after the offence cōmitted.

7 ¶ Wee your said most louing, faithfull, and obeydient subiectes, representing the three estates of your Realme of Englande, as there vnto constrayned by the lawe of GOD and man, except we should ouermuch forget our dueties

to

to your highnes, and to the heires of your body lawfully begotten, can no lesse doe, but most humbly beseeche your highnes, ẏ by thauctoritie of this present Parliament it may be enacted, established, and declared, that we do recognise, acknowledge, and confesse the same your estate, right, title, and succession, as is aforesaid, to be in, and to your highnes, & the heires of your body to bee begotten, thoroughly and in the whole, and in euery part there of, in such maner and fourme, as before is mencioned, declared, or confessed, & there vnto most humbly and faithfully wee doe submit our selues, our heires and posteritie for euer. And further do make our most hartie and humble peticions vnto your highnes, that it may please the same not onely to accept this our said recognition, but also our faithfull promises, that we according to our duities, shal and wil stand to assist and defend your roiall Maiestie, and the heires of your bodies to be begotten, beeing kinges and Quéenes of this Realme, and your said rights and titles, into the said Imperiall state, place, crowne, and dignitie, in all things thereto belonging, at al times to the vttermost of our possible powers, & therein to spend our bodies, lands, and goodes, against all persons whatsoeuer, that any thing shall attempt to the contrarie. And that it may be enacted by thauctoritie aforesaid, that as well this our declaration, confession, & recognition, as also the limitation & declaration of the succession of the Imperiall crowne of this Realme, mencioned & contayned in the said act, made in the said xxxv. yere of the raigne of your said most noble father, shal stand, remaine, & be by the law of this realme for euer. And that all sentences, iudgemẽts, and decrées had, made, declared, set forth, published, & promulged, & also as much of euery clause, article, branch, matter, or thing, conteined & expressed in any act or actes of Parliament, as be in any thing repugnant, contrarie, or derogatorie to this our said confession, declaration, & recognition, or to any part or parcel thereof, or contrarie to the said limitation of ẏ succession of ẏ imperial crowne, established & made by the said act in ẏ said xxxv. yere of the raigne of ẏ said late king H. eight, (by what soeuer power or auctoritie ẏ same ben, or haue ben had or made) shalbe vtterly frustrate, voide, & of none effect. And also shall and may be cancelled, defaced, & put in perpetual oblivion, at your highnes will & pleasure, as if the same had neuer bene had ne made, declared, set forth, published or promulged. An. 1. Eliz. cap. 3.

Acknowledge Succession Heires

Recognition

Sentences Judgements

Word

8 ¶ For the preseruation of ẏ Quéns maiestie, her heires & successors, & the dignitie of the Imperial Crowne of this realme, & for auoyding of such inconueniences & dishonors, as haue before time fallen, by meanes of the vniustly claymed, & vsurped auctoritie & power of the Sée of Rome, and the more restraint, & sharper correction of the faultors thereof. Be it enacted, that if any person or personnes, dwelling, inhabyting, or resiant wythin this realme, or wyn any other ẏ Quénes dominions, seigniories, or coũtries, or ẏ marches of ẏ same, or els where wyn or vnder her obeisance & power, of what estate, dignitie, preheminẽce, order, degrée, or condition, soeuer he or they be, after the first day of Aprll which shalbe in the yere of our Lord God. 1563. shal by writing, Writinge
ciphring, printing, preaching or teaching, Sipheringe
déde or act, aduisedly & willingly, hold or Printinge
stand with, to extoll, set forth, maintaine, Preaching
or defende, the auctoritie, iurisdiction, or B. of Rome
power of the Bishop of Rome or of hys
Sée, heretofore claymed, vsed, or vsurped
wyn this Realme, or in any dominiõs or
coũtrey being of, wyn or vnder, ẏ Quéns
power or obeysance, or by any speach, opẽ
déde or act aduisedly, and wittingly attribute any such maner of iurisdictyon, auc-
thoritie or preheminence to the sayd Sée Preheminis
of Rome, or to any bishoppe of the same Rooms
Sée for the tyme beynge, within thys
Realme, or in any the Quénes Do-
mynions or countryes, that then euery
such person or persons so doinge or offen-
dynge, their abbettours, procurers, and Abbettours
counsellers, and also their ayders, assy- Counsellors
stents, and comforters, vpon purpose and Ayders
to the intent to set forth, further and ex-
toll the sayde vsurped power, auctoritye
or iurisdiction, or any of the sayd Bishop
or bishops of Rome, and euery of them,
beinge thereof lawfully endicted or pre- Indicted
sented within one yeare next after any
such offences by him or them committed,
and beinge lawfully conuicted or attayn- Connict
ted at any time after, according to the Attaint

lawes

lawes of this Realme, for euery such default and offence, shall incurre into the daungers, penalties, paynes and forfaytures, ordeined and prouided by the statut of prouision & Premunire, made in the 16. yere of the raigne of king Richard the second (which see after in Prouision 14.)

Paynes

And it is also enacted by the auctoritie aforesaid, that aswell Justices of Assise in their circuits, as Justices of peace within the limits of their commission & auctorities, or ij. of euery such Justices of peace at the least, whereof one to bee of the Quorum, shall haue full power and auctoritie by vertue of this acte, in theyr quarter or open Sessions, to enquire of al offences, contempts, and transgressions, perpetrated, committed or done, contrarie to the true meaning of the premisses, in like maner and forme, as they may of other offences against the Quéns peace, and shal certifie euerie presentment afore them, or any of them, had or made, concerning the same, or any part thereof, before the Quéne, her heirs and successors, in her or their Court, commonly called the kings bench, within xl. dates, next after any such presentment, had, or made, if the terme be then open, & if not, at the first day of the full terme, next following the said xl. dates, vpon paine that euery of the Justices of assises, or Justices of peace, before whom such presentment shalbee made, makinge default of such certificat, contrarie to this statute, to lose & forfayt for euery such default C.li. to the Quéns highnes, her heires and successors.

Jus. of all.

2. Jus. one of the Quorum

Quarter Sessions & Enquier

Certifie

K. Bench

Jus. of p.

Default

Forf. C.li.

And it is enacted &c. that the Justyces of the kings Bench, aswell vppon euery such certificat, as by inquirie before them selues within the limits of their auctorities, shal haue full power & auctoritie to heare, order, and determin, euery such offence done or committed, contrary to the true meaning of this present acte, according to the lawes of this Realme, in such like maner & forme to al intents and purposes, as if the person or persons agaynst whom any presentment shalbe had vpon this statute, had bene presented vpon any matter or offence, expressed in the said statut, made in the said xvi. yeare of king Richard the second.

Just. of the kings bench

And be it enacted &c. that as well al maner of of persons, expressed and appoynted, in, and by the acte made in the first yere of the Quéns maiesties raigne that now is, entituled, An acte restoring to the Crowne, the auncient iurisdiction ouer the estate Ecclesiasticall and Spirituall, and abolishing all Forreine powers repugnant to the same (before 6.) to take the Othe expressed and set forth in the same, as all other persones whych haue taken, or shall take orders, commonly called, Ordines sacros, or Ecclesiasticall orders, haue bene, or shalbee promoted, preferred, or admitted to any degree of learninge, in any Vniuersitie within this realme, or dominions to the same belonging, and all Schole Maisters, and publike and priuate teachers of children, as also al maner of person and persons, that haue taken, or hereafter shall take any degree of learning, in or at, the common lawes of this Realme, aswell Vtterbarresters, as Benchers, Readers, Auncients in any house or houses of Court, and al principall Treasorers, and such as be of the graund companie in euery Inne of Chãcerie, and all Atturneis, Prothonotaries, and Philizers, towards the lawes of this Realme, and all maner of Sheriffes, Escheators, and Feodaries, and all other person and persons which haue taken or shal take vpon him or thẽ, to haue ben, or shall bee admitted to any ministerie or office, in, at, or belonging to the common law, or any other lawe or lawes, or to, or for the execution of them, or any of thẽ bred, or allowed, or at any time hereafter to bee bred or allowed within this Realme, or any of ẏ dominions or countreis belonging, or which hereafter shal happen to belong to the Crowne or dignity of ẏ same, and all other Officers or ministers, of, or towardes any court whatsoeuer, & euerie of them, shall take and pronounce a corporall Othe vppon the Euangelists, before he or they shalbe admitted, allowed, or suffered to take vppon him or them to vse, exercise, supply, or occupie, anye such vocation, office, degree, mynisterie, roome, or seruice, as is aforesaid, & that in ẏ open Court, whereunto hee doth or shal serue or belong. And if he or they do not or shal not serue or belonge, to any ordinarie, or open court, then he or they shall take and pronounce the Othe aforesaide, in an open place, before a conuenyent assembly

Othe

Orders

Scholemaisters

Vtterbarresters Benchers

Houses of Courts

Inne of Chãcery

Atturneis

Prothonotaries

Philizers

Sheriffes

Escheators Feodaries

Officers

Othe

to

to witnes the same, and before such person or persons, as have or shall have authority by common vse or otherwise, to admit or call any such person or persons, as is aforesaid, to any such vocation, office, ministerie, rome, or seruice, or els before such person or personnes, as by the Quæns highnes, her heires or successors, by commission vnder the great Seale of England, shalbe named or assigned, to accept and take the same, according to the tenour, effect, & fourme of the same othe, verbatim, which is, and as it is alreadie set forth to bee taken, in the aforesaid acte made in the first yere of the Quæns maiesties raigne. And be it enacted that euery Archbishop and Bishop within thys Realme and dominions of the same, shall haue full power and authority, by vertue of this act, to tender or minister the othe aforesaide, to euery or any Spirituall or Ecclesiasticall person within their proper Dioces, as well in places and iurisdictyons exempt, as els where.

Commission

Archbishop Bishop

And be it enacted &c. that the lord Chauncelor or Keper of the great seale of England for the time being, shal and may at all times hereafter, by vertue of this acte without further warrant, make & direct commission or commissions, vnder the great seale of England, to any person or persons, geuing them, or some of them, thereby authoritie to tender and minister the othe aforesaid, to such person or persons, as by the aforesaide commission or commissions, the said Commissioners shalbe authorized to tender the same othe vnto. And bee it enacted &c. that if any person or persons appointed or compelable by this act, or by the said act made in the said first yere to take the said othe, or if any person or persons, to whom the said othe by any such commission or commissions, shalbe limited and appointed to bee tendred, as is aforesaid, do or shall at the time of the said othe so tendred, refuse to take, or pronounce the said othe in maner and fourme aforesaid, that then the parties so refusinge, and being thereof lawfully endicted or presented, within one yeare next after any such refusall: and conuicted or attainted, at any time after, according to the lawes of this Realme, shall suffer and incurre the dangers, penalties, paines, and forfeitures, ordeyned

Chauncelor

Commission

Refuse Endicted

Attaint

and prouided by the Statute of Præmunire and Præmunire aforesaide, made in the xvi. yeare of the raigne of kinge Richarde the second. And bee it enacted by the authoritie aforesaid, that all and euery person and persons, hauing authoritie to tender the Othe aforesaid, shall within xl. dates next after such refusal, or refusals of the said othe (if the terme bee then open) and if not, then at the first day of the full terme next following the said xl. daies, make true certificat vnder his or their seale or seales, of the names, places, and degrées, of the person or persons so refusing the same oth, before the Quæne, her heires or successours, in her or theyr Court, commonly called the kings bench, vpon paine that euery of the said persons, hauing such authoritie to tender the said Othe, making default of such certificat, shal for euery such default forfait one hundred pounds to the Quænes highnes, her heires and successors. And that the Sheriffe of the Countie where the said court, commonly called the kinges bench, shall for the time bee holden, shall or may by vertue of this acte, empanell a Iurie of the same countie, to enquier of, and vpon euery such refusall and refusals, wherby Iurie shal and may vpon euery such certificat, and other euidence to them in that behalfe to be geuen by vertue of this act, proceede to endict the person and persons so offending, in such sort and degrée, to al intents and purposes, as the same Iurie may do of any offence, or offences against the Quænes maiesties peace, perpetrated, committed, or done within the same countie, of, and for the which, the same Iurie is so empanelled. And for stronger defence and maintenaunce of this acte: It is further ordeined and enacted &c. that if any such offendour or offendours, as is aforesaid, of ỳ first part or branch of this statut, ỳ is to say, by writing, ciphring, printing, preaching, or teaching, dede, or act, aduisedly, & wittingly holde, or stand with, to extoll, set forth, maintein, or defende the authoritie, iurisdiction, or power of the Bishoppe of Rome, or of thys See, heretofore claymed, vsed, or vsurped within thys Realme, or in any Dominion or Countrey, being of, within, or vnder the Quænes power or obeisance, or by any speach, open dede, or

Præmunire

Certificat

K. Bench

Forf. C. li.

Shirife

Iurie

Indict

Offendour

Writing Ciphring Printing

B. of Rome

Speech

act,

acte, aduisedly and wittingly attribute, any such maner of iurisdiction, auctho-ritie, or preheminence to the saide See of Rome, or to any Bishop of the same see for the time being, within this realme, or in any the Quenes dominions or coū-treis, or be to any such offendour or offen-dors, abbetting, procuring, or counseling, or ayding, assisting, or comforting, vppon purpose, and to the intent to set forth, fur-ther, and extol, the said vsurped power & auctho-ritie, or iurisdiction, after such con-uiction and attaynder, as is aforesayde, do extsones commit or do, the said offen-ces, or any of them, in maner and forme aforesaid, and bee thereof duely conuyc-ted and attainted, as is aforesaide; and also that if any the persons aboue named, and appointed by this act to take the othe aforesayde, do after the space of three mo-nethes next after the first tender there-of, the seconde tyme refuse to take and pronounce, or doe not take or pronounce the same in fourme aforesaide to bee ten-dered, that then euery such offendour and offendours, for the same second offence and offences, shall forfaite, lose, and suf-fer such like, and the same paynes, for-faytures, iudgements, and execution, as is vsed in cases of high Treason.

Ayding

Attainder

Othe 3. Monethes

2. Offence Forf.

Treason *

Prouided alwayes, that this acte, nor any thing therein contayned, nor any at-taynder to bee had by force and vertue of this act, shal not extend to make any cor-ruption of blond, the disheriting of anye heire, forfeiture of dower, nor to the pre-iudice of the right or title of any person or persons, other then the right or title of the offendour or offendours, during hys her, or their naturall lyues onely.

No corrup-tion of blond Heire Dower

And that it shall and may bee lawfull to euery person and persones, to whom the right or interest of any landes, tene-ments, or hereditaments, after the death of any such offendor or offendours, should or might haue appertayned, if no such attaindour had beene, to enter into the same, without Ouster le maine to be sued, in such sort as he or they might haue don, if this acte had neuer beene had ne made. Prouided also, that the Othe expressed in the sayde acte, made in the said first yeare, shalbee taken and expounded in such fourme, as is set forth, in an admo-nition annexed to the Quenes Maiest-ties Iniunctions, published in the first yeare of her Maiesties raigne: That is to say, to confesse and acknowledge in her Maiestie, her heires and successours, none other authoritye, then that was challenged, and lately vsed, by the noble kinge Henry the eight, and kinge Ed-warde the first, as in the saide admony-tion more plainely may appeare.

Ouster le maine

Iniunctions

And bee it enacted by the authoritye aforesaide, that thys Acte shalbee open-ly read, and publyshed, and declared, at euery Quarter Sessions, by the Clerke of the peace, and at euery Leete and Lawday, by the Steward of the Court, and once in euery terme in the open Hall of euery house and houses of Court and Chauncerie, at the tymes, and by the personnes thereunto to bee permitted and appoynted, by the Lorde Chauncellour or keeper of the great seale for the tyme beinge.

Read' Q. Sessions Clerke of p. Leete Stewarde Innes of court & Chauncery Chauncellour

And bee it further enacted that euery personne which hereafter shalbee elected or appointed a Knyght, Cytizen or Bur-gesse, Baron for any of the fyue portes for any Parlyament or Parlyamentes hereafter to bee holden, shal from hence-forth before hee shal enter into the Par-lyament house, or haue any voyce there, openly receyue and pronounce the sayd Othe, before the Lorde Stewarde for the tyme beynge, or his deputye or depu-ties for that time to bee appointed. And that hee which shall enter into the Par-lyament house, without taking the sayde Othe, shalbee deemed no Knight, City-zen, burgesse nor baron for that Parly-ament, nor shall haue any voyce, but shalbee to all intentes, constructions, and purposes, as if he had neuer beene re-tourned nor elected Knight, citizen, Bur-gesse, or Baron for the Parlyament, and shall suffer such paynes and penal-tyes as yf hee hadde presumed to syte in the same wythout electyon, returne or authority.

Knight Citizen Burges Baron of v. portes Othe L. Stewards No knight Paynes

Prouided alway & be it enacted by auc-thority aforesaid, ỳ this act nor any thing therein contayned, shall not extende to compell any temporall personne of, or a-bone ỳ degree of a baron of this realme, to to take or pronounce ỳ othe aboue said, nor to incurre any penaltye limitted by thys act for not taking or refusinge the same:

Temporall person Baron

Anie

Any thynge in thys act to the contrarie in anie wyle notwithſtandyng. Prouided & be it enacted &c. that charitable geuinge of reaſonable almes to anye of the offendors or offendours aboue ſpecified, without any fraud or couen, ſhall not be taken or interpreted, to be any ſuch abetemēt, procuring, coūſailing, ayding, aſſiſting, or cōforting, as therby the geuer of ſuch almes ſhall incurre any pain, penaltie or forfeyture appointed in this act.

Almes

Abbetting

Prouided alſo &c. ẏ if any Peere of this realme ſhall hereafter offende contrary to this act, or any braunch or article therof, ẏ in that and al ſuch caſe & caſes, they ſhalbe tried by their Peeres, in ſuch like manner and fourme as in other caſes of treaſones they haue vſed to be tried, & by none other meanes.

Peers

Triall

Prouided alſo &c. that no perſon ſhalbe compelled by vertue of this act to take ẏ othe aboue mencioned at or vppon the ſecond time of offeringe of the ſame, accordinge to the fourme appoynted by thys Statut, except the ſame perſon hath ben, is or ſhalbee an Eccleſiaſticall perſonne, that had, hath or ſhall haue in the tyme of one of the raygnes of the Quēnes maieſties moſt noble father, brother, or ſiſter, or in the time of the raigne of the Quēnes maieſtie, her heires or ſucceſſours, charge, cure or office in the church, or ſuch perſon or perſones as had, hath or hereafter ſhal haue, any office or miniſterie in any eccleſiaſticall court of this Realme, vnder any Archbiſhop or biſhop, in any the times or raignes aforeſaid, or ſuch perſon or perſons as ſhal wilfully refuſe to obſerue the orders and rites for diuine ſeruice, that be authoriſed to be vſed and obſerued in the church of Englande, after that hee or they ſhalbe publikely by the Ordinarie, or ſome of his Officers for Eccleſiaſticall cauſes, admoniſhed to be kept and obſerue the ſame: Or ſuch as ſhal openly & aduiſedly deprane by wordes, writings, or any other open fact, any of ẏ rights and ceremonies at any time vſed, and authoriſed to be vſed in the Church of Englande: Or that ſhall ſay or heare the priuate Maſſe, prohibited by the lawes of this Realme, and that al ſuch perſons ſhalbee compellable to take the Othe vpon the ſecond tender or offer of the ſame, and incurre the penalties for not taking of the ſaid Othe, and none other.

Othe 2. time

Eccleſiaſt. perſon

Office

Refuſe Rites

Ordinarie

Wordes Writing

Maſſe

2. Tender Penalties

And for aſmuch as it is doubtful, whether by the lawes of this realme, there be any puniſhment for ſuch as kill or ſlea any perſon or perſons attainted, in, or vpon a Præmunire. Be it therefore enacted by the authoritie aforeſaide, that it ſhall not be lawfully to any perſon or perſons, to ſlea, or kil, any perſon or perſons, in any maner attainted, or hereafter to bee attainted, of, in, or vppon any Præmunire by pretence, reaſon, or authoritie, of any iudgement, geuen or hereafter to be geuen, in, or vppon the ſame, or by pretence, reaſon, or force of any worde or wordes, thinge or thinges, contained or ſpecified in any Statute or lawe of prouiſion and Præmunire, or in any of them. Any law or Statute, or oppinion, or expoſition of any law or ſtatut to the contrarie in any wiſe notwithſtanding. Sauing alwaies the due execution of al & euery perſon & perſōs attaynted, or to bee attainted for any offence, where vppon iudgement of death now is, or ought to bee, or hereafter may lawfully be geuen, by reaſon of this ſtatute or otherwiſe. And ſauinge alwayes all and euery ſuch paynes of death, or other hurt or puniſhment, as heretofore myght without daunger of lawe be done vppon any perſon or perſones that ſhall ſend, or bringe into this Realme, or any other the Quēnes Dominions, or with in the ſame, ſhal execute any Summons, ſentence, excommunication, or other proceſſe againſt any perſon or perſons, from the Biſhop of Rome, for the tyme being, or by, or from the See of Rome, or authoritie, or iuriſdiction of the ſame See. Prouided alwaies &c. that no perſon or perſons ſhal hereafter be endicted for aſſiſting, ayding, maintening, comforting, or abbetting of any perſon or perſons, for any the ſaide offences, in extolling, ſetting forth, or defending of ẏ vſurped power and authoritie of the Biſhop of Rome, vnleſſe he or they bee thereof lawfully accuſed by ſuch good and ſufficient teſtimony, or proofe, as by the Jurye by whom he ſhall ſo be endicted, ſhalbee thought good, lawfull, and ſufficient to proue him or them giltie of the ſaid offences. An. 5. Eliz. cap. 1.

Execution

Iudgement

Sommons Sentence Excommunication

B. of Rome

Indicted Ayding

B. of Rome

*

¶ Where in the Parliament holden at Weſtminſter, in the fyth yeare of the raigne

raigne of our ſouereign Lady ẏ Quẽnes Mateſtie that nowe is, one act & ſtatute very good was made, entytuled, An acte for the aſſuraunce of the Quẽnes Mateſties royall power, ouer all ſtates and ſubiectes within her highnes dominions (vvhich See before 8.) for the abolifhing of ẏ vſurped power & iuriſdictiõ of ẏ Byſhop of Rome, & of ẏ ſea of Rome, heretofore vnlawfully claimed & vſurped wõ this Realme, & other ẏ dominions to the Quẽnes mateſtie belõging, And yet neuertheleſſe, diuers ſeditious and very euil diſpoſed people, mynding as it ſhoulde ſeme, very ſeditiouſly & vnnaturally, not onely to bring this realme, & the imperiall crowne thereof, (being in verye dẽde of it ſelfe moſt frẽe) againe into ẏ thraldome & ſubiection of ẏ forein, vſurped, & vnlawfull iuriſdiction, preheminẽce, and auctho{r}itie clayned by the ſaide Sea of Rome: but alſo to eſtraũge & alienate the myndes & harts of ſundry her Mateſties ſubiects, from their duetyful obedience, & to rayſe & ſtirre ſedicion & rebellion wõ this realme, haue lately procured and obtained to thẽſelues, from ẏ ſaid Biſhop of Rome, & his ſaid Sea, diuers bulles and writings, ẏ effect wherof, hath ben & is, to abſolue, & reconcile al thoſe ẏ wilbe cõtented to forſake their due obedience to ẏ Quẽnes mateſtie, & to yelde and ſubiect thẽſelues to ẏ ſaid raigned, vnlawful, and vſurped auctho{r}ity: & by colour of ẏ ſayde bulls & writings, the ſaid perſons very ſecretly, & moſt ſeditiouſly, in ſuch parts of this realme, where ẏ people for want of good inſtruction are moſt weake, ſimple, & ignorant, & thereby fardeſt frõ the good vnderſtanding of their dueties towardes God & ẏ Quẽnes mateſty, haue by their lewde & ſubtil practiſes & perſwaſions, ſo farre forth wrought, ẏ ſundry ſimple & ignorãt perſõs haue bene contented to be recõciled to ẏ ſaid vſurped auctho{r}itie of ẏ Sea of Rome, & to take abſolution at ẏ hands of ẏ ſayd naughty & ſubtill practyſers, whereby hath growẽ great diſobediẽce & boldnes in many, not only to wdraw & abſent thẽſelues from all deuine ſeruice, now moſt godly ſet forth & vſed wõ this realm, but alſo haue thought thẽſelues diſcharged of, & from al obedience, dutie, & allegeance, to her Mateſty, wherby moſt wicked & vnnatural rebelliõ hath enſued, & to ẏ further daũger of this Realme, is hereafter very like to bee renued, if the vngodly & wicked attempts in that behalfe, be not by ſeueritie of lawes in time reſtrained and wyſeled.

For remedy & redreſſe wherof, and to preuent ẏ great miſchiefes & inconueniẽces ẏ thereby may enſue: Bee it enacted by ẏ Quẽnes moſt excellẽt Mateſty, wõ the aſſent of the lords Spiritual & Temporal, & the Cõmons in this preſent parliament aſſembled, & by auctho{r}itie of ẏ ſame: that if any perſon or perſons, after the firſt day of July next comming, ſhal bie, or put in vre in any place within this realme, or in any ẏ Quẽnes dominions, anye ſuche bull, writinge, or inſtrument, written or printed, of abſolution, or recõciliatiõ, at any time heretofore obtained, & gotten, or at any tyme hereafter to bee obtained or gotten, frõ ẏ ſaid Byſhop of Rome, or any his ſucceſſours, or frõ any other perſõ or perſõs auctho{r}ized, or claiming auctho{r}itie, by or frõ ẏ ſaid Biſhop of Rome, his predeceſſors, or ſucceſſors, or ſea of Rome: Or if any perſon or perſõs after ẏ ſaid firſt day of July, ſhal take vpõ him or thẽ, by colour of any ſuch bul, writing, inſtrument, or auctho{r}itie, to abſolue, or reconcile any perſon or perſons, or to graunt or promiſe to any perſon or perſõs wõ this realme, or any other the Quẽnes Mateſties dominions, any ſuch abſolutiõ, or recõciliation, by any ſpeach, preaching, teaching, writig, or any other opẽ dẽde: Or if any perſon or perſons wõ in this realme, or any ẏ Quẽnes dominions, after ẏ ſaid firſt day of July, ſhall willigly receiue & take any ſuch abſolutiõ, or recõciliatiõ: Or els if any perſõ or perſons haue obtayned or gotten ſince ẏ laſt day of the Parliament holden in ẏ firſt yere of the Quẽnes mateſties raigne, or after ẏ ſaid firſt day of July, ſhal obtaine or get, frõ ẏ ſaid Byſhop of Rome, or anye hys ſucceſſours or ſea of Rome, any manner of bull, writinge, or inſtrument, written or printed, cõtaining any thyng, matter, or cauſe whatſoeuer: or ſhal publiſhe, or by any wayes or meanes put in vre, any ſuch bul, writing, or inſtrument: That then al & euery ſuch act & actes, offence & offẽces, ſhalbe dẽmed & adiudged by ẏ auctho{r}ity of this act, to be high treaſon, & ẏ offendor & offendors therin, their

Abſolute
Promiſe
Shal receiue
Hath receiued
Bull
Publiſh
Treaſon

Procurers

procurers, abbettors, & counsellers to the fact & cõmitting of the said offence or offences, shalbe deemed and adiudged high traytors to the Quéene & the reame: and being thereof lawfully indicted & attaynted, according to ỹ course of the lawes of this realme, shal suffer paines of death, & also lose and forfait all their lands, tenements, hereditaments, goods, & cattelles, as in cases of high treason, by the lawes of this realme, ought to be lost & forfaited.

Comforters aftes

And be it further enacted by thauctoritie aforesaide, that all and every abettors, comforters, or maintainers of any of the said offendor or offendors, after the committing of any of the said acts or offéces, to ỹ intent to set forth, vphold, or alow ỹ doing, or execution of ỹ saide vsurped power, iurisdiction, or auctoritie, touching or concerninge the prémisses, or any part therof, shal incurre the pains & penalties cõteined in ỹ statut of Pramunire, made in the xvi. yere of the raigne of king Richard the second. Prouided alwaies, and be it further enacted by thauctoritie aforesaid, that if anye person or persons to whõ any such absolution, reconciliation, bull, writing, or instrument, as is aforesaid, shal after the first day of July, be offered, moued, or perswaded to be vsed, put in vre, or executed, shal conceale the same offer, motion, or perswasiõ, & not disclose & signifie the same by writing, or otherwise, vnto vi. wéekes thẽ nert following, to some of the Quéenes Maiesties priuy counsel, or els to the présidẽt or vice président of the Quéenes Maiesties counsell established in the North partes, or in the marches of Wales, for the time being, ỹ then ỹ same person or persons so concealinge, & not disclosinge, or not signifying, the said offer, motion, or perswasion, shal incurre the losse, daunger, penaltie, & forfaiture of misprision of high treason. And ỹ no person or persons, shal at any tyme hereafter be impeached, molested, or troubled, in, or for misprision of treason, for anye offence or offences made treason by this act, other then such as by this act are before declared to be in case of misprision of high treason. And bée it further enacted by the auctoritie aforesaid, ỹ if anie person or persõs, shal at any time after ỹ said first day of July, bringe into this realme of England, or any ỹ dominiõs of the same, any token or tokens, thynge or things, called or named by ỹ name of an Agnus dei, or any crosses, pictures, beads, or such like vaine & superstitious thinges, from ỹ Byshop or Sea of Rome, or frõ any person or persõs auctorized, or claiming auctoritie, by or from the said Bishop or Sea of Rome, to consecrate or halow the same (which said Agnus dei, is vsed to be specially halowed & cõsecrated, as it is termed, by ỹ saide Bishop in hys owne person, & the said crosses, pictures, beades, & such like superstitious thinges, bene also halowed eyther by ỹ same Byshop, or by others, hauing power, or pretending to haue power for ỹ same, by or from him or frõ him or his said sea, & dyuers pardons, immunities, & exemptiõs, graũted by the auctoritie of the said sea, to such as shal receiue & vse the same:) & ỹ if the same person or persons so bringing in, as is aforesayd, such Agnus dei, & other like things as bene before specified, shal deliuer, or cause, or offer to be delyuered, the same or any of thẽ, to any subiect of this realme, or of any ỹ dominiõs of the same, to bée worne or vsed in anye wise: ỹ then al well ỹ same person & persons so doing, as also al & euery other person or persõs which shall receaue & take ỹ same, to ỹ intent to vse or weare ỹ same, beig therof lawfully cõuicted & attainted, by ỹ order of ỹ cõmon lawes of this realme, shal incurre into ỹ daũgers, penalties, paines, & forfaitures, or deined & prouided by ỹ statute of Pramunire & prouision, made in ỹ xvi. yere of the raigne of king Richard the second. Prouided nevertheleſſe, & bée it further enacted by the auctority aforesaid, that if any person or persons to whom any such Agnus dei, or other the things aforesaid, shalbe tẽdred & offered to be deliuered, shal apprehend ỹ party so offering the same, & bringe hym to the nert Justice of peace of that shire where such tendre shalbe made, if he shal be of power & able so to do, or for lacke of such habilitie, shal within the space of iii. dayes nert after such offer made as is aforesaide, disclose the name and names of such person or persons as so shal make the same offer, and the dwellinge place, or places of resort of the same person or personnes, (which hée shal indeuour him selfe to knowe by all the wayes and meanes

Agnus dei

Deliuer
Offer

To be worne

Receiue

Pramunire

Prouiso

Apprehend

Nert Iust. of p.

3. Dayes

Bring

Offer Conceale

vi. weekes

Misprision

meanes he can) to ỹ Ordinary of that dioces, or to any Justice of peace of ỹ shire, where suche person or persons, to whom such offer shalbe made as is aforesaid, shal be resiant: & also if such person or persons to whō such offer shalbe made, shall happen to receiue any suche Agnus dei, or other thing aboue remēbred, & shal within ỹ space of one day next after such receipt, deliuer ỹ same to any Justice of peace wō in the same shire where ỹ party so receyuing shallbe then resiant, or shall happen to be: ỹ then euery such person or persons doing any the acts or things in this prouiso aboue mēcioned, in forme aboue declared, shal not by force of this statut, incurre any daunger or penaltie appoynted by this statut, or any other pain or penaltie: this act or any thing therein cōteined to ỹ cōtrary in any wise notwithstanding.

Just. of p.

Deliuer One day Any Just. of p.

And be it further enacted by ỹ auctheritie aforesaid, ỹ al & euery person & persōs, which at any time since the beginning of the first yeare of the Quēnes Maiesties raigne ỹ now is, haue brought, or caused to be brought into this realme, any suche bulles, writings, or instruments of reconciliation, onely as are aboue mēcioned, & now haue any of ỹ same buls,, writings, or instruments, in his or their handes or custody, & shall & do wīn the space of iij. moneths next after the end of any session or dissolution of this present Parliamēt, bring & deliuer al such bulles, writings, & instruments, which they or any of them now haue in his or their custody, to ỹ bysshop of the dioces where such absolutyon hath bene geuen & receyued, to the intent ỹ ỹ same bulles, writings, or instrumēts may be cancelled & defaced: & shal openly & publikely before such Bysshop confesse & acknowledge, his or their offence therin, & humbly desire to be receiued, restored, & admitted to ỹ Church of Englande, shal stand & be clearely pardoned & discharged of all & euery offence & offences, done or cōmitted in any matter or cause, concerning any of the said buls, writings, or instruments, for, or touching such absolution, or reconciliation onely. And that all & euery person & persons, which haue receiued, or takē any absolution from the sayd Bysshoppe of Rome, or his saide Sea of Rome, of any reconcilation vnto the said Bishop of Rome, or to the saide Sea of Rome, sithence the said first yeare of the raigne of our saide soueraigne Ladye the Quene, & shal wīn the said space of three moneths next after anye session or dissolution of this present Parliament, come before ỹ Bishop of ỹ dioceese of such place where suche absolution, or reconciliation was had or made, & shal publikely & openly before ỹ same Bysshop, confesse & acknowledge, his or their offence therein, & hūbly desire to be receiued, restored & admitted to ỹ Church of Englād, shal likewise stand, & be clearely pardoned, & discharged of all & euery offence & offences, done & committed in any matter or cause concerning the said buls, writings, or instrumēts, for, or touching only receiuing of such absolution, or reconciliation, & for, & concerning al absolution or reconciliation, had or receiued, by colour of any of ỹ said buls, writings, or instrumēts onely.

First yere

Bulles iij. moneths

Confesse

Prouided also, & be it further enacted by the auctheritie aforesaid, ỹ if any Justice of peace, to whō any matter or office before mencioned, shalbe vttered, shewed, or declared, as is aforesaid, do not within the space of fourteene dayes, next after it shalbe to him shewed, or vttered, signify or declare ỹ same to some one of ỹ Quēnes Maiesties priuy counsel: That then ỹ same Justice of peace shal incurre ỹ daūger, paine, & forfaiture, prouided by ỹ said statute made in the said xvi. yere of king Richard the second.

Just. of p. 14. dayes Declare Q. counsel Forf. Premunire

Prouided also, & be it further enacted by the auctheritie aforesaid, ỹ if any noble man being a pere of this realme, shal at any time hereafter happen to be indicted for any the offence or offences aforesaid. That then euery such noble man & pere of this realme, shall haue his trial by hys peres, as in cases of high treasō & misprisiō of treasō hath heretofore ben accustomed or vsed. Sauing to al & euery person & persōs, bodies politike & corporate, their heires, & successors, & the heires & successors of euery of them, other thē ỹ said offendors, & their heires, claiming onely as heire or heirs to any such offendors, and such person and persons as claime to anie their vses, al such rights, titles, interests, possessions, leases, rents, reuersions, remainders, offices, fees, & al other profits, cōmodities, & hereditamēts, as they or any of thē shal haue at ỹ day of ỹ cōmittig

Peers Sauing Rightes

of ſuch offence or offẽces, or any time before, in as large & ample maner to all intents & purpoſes, as if this act had neuer bene had nor made, any thing herein cõtained to ẏ contrary thereof notwithſtãding. An. 13. El. ca. 2. Note by the ſtatute of 23. El. ca. 1. here next followving, euery offence againſt this ſtatut, is enquirable aſvvel before the Iuſtices of peace, as other Iuſtices herein named, vvithin one yere & a day, after the offence cõmitted.

☞ 10 ¶ Where ſithence the ſtatut made in ẏ xiij. yere of the raigne of the Quéene our ſoueraigne Lady, (cap. 2.) entituled, An act againſt ẏ bringing in, & putting in execution of bulles, writings, and inſtruments, & other ſuperſtitious things frõ ẏ Sea of Rome, (vvhich See here 9.) dyuers euil affected perſons haue practiſed, cõtrary to ẏ meaning of ẏ ſaid ſtatute, by other meanes, then by bulles, or inſtruments, written or printed, to withdraw diuers ẏ Quéenes Maieſties ſubiects, frõ their natural obedience to her Maieſty, to obey ẏ ſaid vſurped aucthoritie of Rome, & in reſpect of ẏ ſame, to perſwade great numbers to withdraw their due obediẽce to her Maieſties lawes, eſtabliſhed for ẏ due ſeruice of Almightie God.

For reformation whereof, & todeclare ẏ true meaning of ẏ ſaid lawe: Bée it declared, & enacted by the aucthority of this preſent Parliamẽt, ẏ al perſõs whatſoeuer, which haue, or ſhal haue, or ſhal pretẽd to haue power, or ſhal by any wayes or meanes, put in practiſe to abſolue, perſwade, or withdraw any of the Quéenes Maieſties ſubiects, or any róin her highnes realmes & dominions, from their natural obedience to her Maieſtie, or to wõdraw them for that intent frõ the religiõ now by her highnes aucthoritie eſtablyſhed, within her highnes dominions, to ẏ Romiſh religion, or to mowe thẽ, or ante of them, to promiſe any obedience to any pretẽded aucthoritie of the ſea of Rome, or of any other prince, ſtate, or potentate, to be had or vſed, within her dominions, or ſhal do any ouert act, to that intent or purpoſe, & euery of thẽ, ſhalbe to al intẽts adiudged to be traitors: and being thereof lawfullye conuicted, ſhall haue iudgement, ſuffer and forfait, as in caſe of high treaſon. And if any perſon ſhal after thẽd of this ſeſſiõ of parliamẽt, by any meanes be willingly abſolued, or wõdrawne as afore is ſaid, or willingly be reconciled, or ſhal promiſe any obedience to anye ſuche pretended aucthoritie, prince, ſtate, or potentate, as is afореſaid: ẏ then euery ſuch perſon, their procurers, & coũſellers thervnto, being therof lawfully cõuicted, ſhal be taken, tryed & iudged, and ſhall ſuffer & forfait, as in caſes of high treaſon. And be it likewiſe enacted & declared, ẏ al & euery perſon & perſons, ẏ ſhall wittingly be aiders, or mainteiners of ſuch perſõs ſo offending as is aboue expreſſed, or of any of them knowing ẏ ſame, or which ſhal cõceale any offence afореſaid, & ſhal not wi in xx. daies at the furtheſt, after ſuch perſons knowledge of ſuch offence, diſcloſe ẏ ſame to ſome Iuſtice of peace, or other higher officer, ſhalbe take, tried, & iudged, and ſhall ſuffer and forfait as offẽders in miſpriſion of treaſon. And be it likewiſe enacted, ẏ euery perſon which ſhall ſay or ſing Maſſe, being thereof lawfully cõuicted, ſhall forfait ẏ ſũme of CC. markes, & be cõmitted to priſon in the nert gaole, there to remaine by ẏ ſpace of one yere, & from thenceforth til he haue paid the ſaid ſumme of CC. marks: & that euery perſõ which ſhal willingly heare Maſſe, ſhal forfait the ſumme of one hũdreth markz, & ſuffer impriſonment for a yeare. Be it alſo further enacted, by the aucthoritie afореſayd, ẏ euery perſon aboue the age of xvi. yeres, which ſhal not repaire to ſome Church, chappel, or vſuall place of cõmon prayer, but forbeare ẏ ſame, contrarye to ẏ tenor of a ſtatute made in ẏ firſt yere of her Maieſties raigne, for vniformitie of cõmon prayer (vvhich See in Seruice 5.) & being therof lawfully cõuicted, ſhal forfait to ẏ Quéenes maieſty for euery moneth after thend of this ſeſſion of Parliament, which he or ſhe ſhal ſo forbeare, xx. poundes of lawfull Engliſh money: and that ouer & beſides ẏ ſaid forfaitures, euery perſõ ſo forbearing, by the ſpace of xij. moneths as afореſayd, ſhall for his or her obſtinacie, after certificat thereof in writing made into the court, cõmonly called the kings Benche, by ẏ Ordinary of the dioces, a Iuſtice of aſſiſe & gaole deliuery, or a Iuſtice of peace of ẏ County where ſuch offendor ſhal dwel or be, be bound vnto two ſufficient ſuerties, in the ſumme of CC. poundes at the leaſt, to the good behauiour

Abſolue Withdraw

Religion

Obedience Rome

Treaſon

Abſolued

Obedience

Procurers

Treaſon

Mainteiners

Concealers

20. dayes

Iuſt. of p.

Miſpriſ.

Say Maſſe Forf.

Heare maſſe Forf.

Not repaire to Church

One moneth Forf.

12. Moneth

Certificat

Good behauiour

hauiour, & so to continue bound vntil such time as ỳ persons so bound do conforme themselues, & come to the churche, according to the true meaning of the saide statut made in ỳ said first yere of ỳ Quænes Maiesties raigne. And bee it further enacted, ỳ if any persõ or person, body politike or corporat, after ỳ feast of Pentecost next cõming, shal keepe or maintain any scholemaster, which shal not repaire to church as is aforesaid, or be alowed by the Bishop pe or Ordinary of the dioces, where such schoolemaster shalbee so kept, shall forfait and lose for euery moneth so keeping him, x. poundes. (Prouided, that no such Ordinary or their ministers, shal take any thing for ỳ said allowãce,) And such Schoolemaster or teacher presuming to teach cõtrary to this act, & being therof lawfully conuict, shalbe disabled to be a teacher of youth, & shal suffer imprisonmẽt wõut bail or mainprise for one yere.

Keepe Schoolemaster

Not repaire

Forf.

Schoolemaster Teache

Without bail

And be it likewise enacted, ỳ all & euerie offences, against this acte, or against the actes of the first, fift, or xiij. yeares of her Maiesties raigne, touching acknowledging of her Maiesties supreame government in causes ecclesiasticall, or other matters touching ỳ seruice of God, or cõming to church, or establishment of true religion in this realme, shal & may be inquirable, alwel before Justices of peace, as other Justices named in the same statutes within one yere & a day after euerie such offence cõmitted: any thinge in thys act, or in any other acte to the contrarye, notwithstãding. Be it likewise enacted, that Justices of Oyer & Terminer, and Justices of assise, & of gaole deliuerye, in their seuerall limits, shall haue power to enquire, heare, & determine of all offẽces against this statute: & Justices of peace in their open quarter Sessions of peace, shal haue power by vertue of this acte to enquire, heare, & determine of al offences against this act, (except treason, & misprision of treason.) Prouided alway, ỳ euerye person guiltye of any offence against this statute, other then treason, & misprision of treason, which shall before bee bee thereof indicted, or at his arraygnement, or trial before iudgement, submit, & conforme him selfe before the Bishop of the dioces where he shalbe resident, or before the Justices where he shalbe indicted, arraigned, or tried (hauing not before made like submission at any his trial beinge indicted for his first like offence) shall vpon his recognition of such submission in opẽ assises or sessions of the Countye where such person shalbe resident, be discharged of all and euery the said offences againste this acte (except treason, & misprision of treason) and of all paines and forfaitures for the same. And be it likewise enacted, that all forfeitures of any sũmes of money limitted by this act, shalbe deuided in three equal partes, wherof one third part shalbe to the Quænes Maiestie, to her owne vse, one other third part to ỳ Quænes Maiestie for reliefe of the poore in the parish where ỳ offence shalbee cõmitted, to be deliuered by warrant of the pryncypall officers in the receypt of the Eschequer, without further warrant from her Maiestie, and the other third part to such person as wil sue for ỳ same in any court of Record, by action of debt, bil, plaint, or information, in which suite no essoigne, protection, or wager of law shalbee alowed: And that euerie person which shall forfait any summes of money by vertue of this acte, and shall not be able, or shall faile to pay the same within iij. moneths after iudgement therof geuen, shalbe cõmitted to prison, there to remaine, vntill he haue paid the said sũmes, or conforme him selfe to go to church, and there do as is aforesaide. Prouided also, that euerye person, which vsually on the Sũday shal haue in his or her house the deuine seruice which is established by ỳ lawe in this realme, & be thereat himselfe, or her selfe vsually or most commonly present, & shall not obstinately refuse to come to church, and there to do as is aforesaid, & shall also fower times in the yeare at the least, bee present at the deuine seruice in ỳ church of the parish where he or she shalbe resident, or in some other open common church or such chappel of ease, shal not incurre ante paine, or penaltie limitted by this act, for not repairing to Church. And be it lykewise enacted & declared, ỳ euery graunt, conueyance, bond, iudgement, and execution had, or made, since the beginning of this Session of Parliament, or hereafter to bee had, or made, of couenous purpose to defraude any interest, right, or title, that may or ought to growe to ỳ Quæne, or to

Inst. of p. Enquire One yere & a day

Inst. of p. Quarter sessions

Determine

Submission

Discharged

Forfeitures

Three partes

Prouiso

House

Couenous Conueyance

or to any other perſon by meane of anie conuiction or iudgement, by vertue of this ſtatute, or of the ſaide ſtatute of the ſaide thirteenth yeare, ſhalbee, and bee adiudged to bee, vtterly voyde againſt the Quéene, and againſt ſuche as ſhall ſue for anye parte of the ſayde penaltyes in forme aforeſaide. Prouided alway, that if any Péere of this realme, ſhall happen to be indicted of anye offence made treaſō or miſpriſiō of treaſon by this act, he ſhal haue his triall by hys Péeres, as in other like caſes is accuſtomed. Prouided alſo, ỳ neyther this act, nor any thing therein conteined, ſhal extend to take away or abridge, the auctharity or iuriſdition of the eccleſiaſticall cenſures, for any cauſe or matter, but that the Archbiſhoppes and Biſhops, & other eccleſiaſticall Iudges, may do & proceede, as before the making of this acte they lawfullye dyd or myght haue done, any thing in this act to the cōtrary notwithſtanding. Anno 23. Eliz. capituli 1.

Peere

¶ Cui in vita.

IN caſe when ỳ huſband loſt by default a tenement that was the right of hys wife, it was a hard caſe, that the wife after the death of the huſbande had none other recouery but by a writ of right: wher fore our ſoueraigne lorde the kinge hath ordeined, that the woman after the death of her huſbande, ſhall recouer by a writte of Entre, called (Cui ipſa in vita ſua contradicere non potuit) which ſhal be pleaded in forme vnder written. If the tenāt do except againſt the demaunde of the wyfe, that hée entred by iudgement, and it be found, that his entre was by default, whereto the tenaunt of neceſſitie muſt make aunſwere if it bée demaunded of hym, then hée ſhalbée further compelled to ſhew his right accordyng to the forme of the writte that he had purchaſed before againſt the huſbande and the wife, And if hée can verify that hée hath or had right in the tenement demaunded, the woman ſhall get nothinge by her writ. But if hée cannot verifie it, the woman ſhall recouer the tenement in demaunde. This alſo being obſerued, that if the huſband abſented him ſelfe, and will not defend his wiues ryght, or will yelde vp the tenement againſt his wiues will, if the wife do come in before iudgement, readye to aunſwere to the demaundant, and to defend her right, the wife ſhalbee admitted thereunto, like wife if tenaunt in dower, tenaunt by the lawe of the land, or otherwiſe for terme of life, or by gift, where as the reuerſiō is reſerued, do make default, or will yelde vp the tenement: the heires, or they, to whom the reuerſiō belongeth, ſhall bée admitted to aunſwere, if they come in before iudgement. And if vppon default or reddition, iudgement happen to bée geuen: then the heires, or they vnto whom the reuerſion belongeth after the death of ſuche tenauntes, ſhall haue recouerye by a writ of Entre, in whych, lyke proceſſe ſhalbée obſerued, as is aforeſayde, in caſe where the huſband leeſeth hys wiues lande by default. And ſo in the caſes aforeſaide, two actions doe concurre, one betwéene the demaundāt and tenaunt, and the other betwéene the tenaunt, ſhewinge his right, and the demaundaunt. W. 2. capitulo 3. Anno 13. Edvvardi primi.

Writ of Entrie

Default

Recouer

T. in dower

¶ Curteſie of England.

WHen a man ſhall take landes in mariage with a wife, if hée haue begotten of the ſame his wyfe an heire ſonne or daughters, which ſhalbée heard to crye, within the Towre walles, if the ſame huſbande ouerliue his wife, whether the heire liue or not, the ſame lande ſhall remaine to the huſbande, and after the death of the huſband, the landes ſhal returne to the donor or to his heire, but if hée haue no heire by his wife, then after ỳ death of ỳ wife, it ſhall returne to ỳ donor or to his heire. And thys is the cauſe why for lande giuen in mariage, homage is not vſed to bée receyued, for if anye landes were ſo géeuen in marryage or otherwiſe, that homage were receyued, it myght then neuer lawfullye reuert to the donor, or to his heire, as aboue is ſaid. And the ſame iudgement ſhalbée of the ſeconde huſbande as is ſayde of the firſt, whether there bée left anie heeire of the firſt or not. The ſtatute of tenauntes by the lavve of Englande. But this ſeemeth to bee no ſtatute, but onelye ſome one mans opinion.

Crye

Homage

Certifie

¶ Cuſtome,

¶Custome, Customers & Comptrollers.

Shall not demaunde, assesse, nor take nor suffer to be taken, more custome of a sacke of wolle of any Englishmã, but halfe a marke only. And vpon the woolfels & leather, the olde custome. And the sacke oweth to conteine xxvi. stones, and euery stone xiiij. li. And ý euery mã that shippeth wolles ouer the sea, Englyshe man or other, resçãt inhabiting or repayringe in England, shall finde good & sufficient suerty to the customers before his passing, to bring againe of euery sacke of woll, plate of siluer, to the value of two markes at his first retorne or repairing. And to bring ý same plate to the kinges exchaunge, & there to receiue his money. And that none cocket wolles, but in the name of him ý shalbe owner of ý same. And if any be found otherwise cocketted, they shalbe taken in the kinges hands as forfait, An. 14. E. 3. ca. 21.

Woolle

Woolfelles Leather

Shipping

Suerties

Plate Siluer

Cocket

Forf.

2 ¶Wee, nor our heires shall demaũd, nor assesse, nor take, nor cause to be taken more of the custome of one sacke of woll of no Englishman but one halfe marke, & of CCCC. woolfels, halfe a marke, & of a last of leather one marke for custome onely, & the sacke ought to contein xxvij. stone and euery stone xiiij. pounde, and ý euery one ý passeth with wolles beyond the sea Englishman or other, resiant inhabiting and repairinge into Englande, shall finde good & sufficient suertye before his passing, to the customers, to bring againe of euery sack of wolle, plate of siluer, to the value of two markes within three monethes after that the wolles so charged, shal passe out of the port, and the same plate to bee brought to the kynges exchaunge and there to receiue hys money, that is to say two markes, And the customers of the port where the wolles shalbee so charged, shall take of them in whose names the same wolles shalbee charged, such suertie for whom they will aunswere to bring againe plate in forme aforesayde, and that hee shall certifie the wardens of the kinges exchaunge, at the Towre of London, three times by the yere, that is to say, at ý Natiuite of saint John the Baptist, at al saints, and at the Purification of our Lady, of the names of all them which haue found such suertie and of the number of sackes which they shall haue charged, and in case that ý said warden hath not receiued plate in forme aforesaid, of them whereof the certification shall come vnto him at Saint John Bap. or before al saints nert ẽsuing, then he shall therof certifie the Treasorr and Barons of the Eschequer, and the sayde Treasorer and Barons shall receyue the certification of the said warden, and shall make out suche proces that the plate bee brought to the kings exchaunge in forme as afore is saide, aswel against the customers, as against those which haue found such suertie, and haue not brought againe plate as aforesaide, and in the same maner it shalbe done at the Purification, of the certification made to the saide Warden at all saints before, and also at saint John, of the certificatiõ made to him by the same customers at the Purification before, and so from time to time at the termes aforesaid. And that none shal cocket wol, but in ý name of him to whom the wolles shal belong, and if any wols be foũd otherwise cocketted, they shalbe taken into the kings hands as forfaited. Anno 14. E. 3. statut. Prelatorum. cap. 4.

Exchange

Certifie

Treasorer Eschequer

Proces

3 ¶Item that no customer nor comptroller, haue any ships of their owne, nor medle of the freight of ships, and that to eschewe, as wel the dãmage of our soueraigne lord the king of his customes, as the losse of the Marchants, reparing to ý port, aswel aliens as denizens. An. 14. R. 2. cap. 10. See the like infra 11.

Shippes

Freight

Marchants Aliens Denizens

4 ¶Euery customer from henceforth, vpon the yelding of his accompt in ý Eschequer, bee sworne by his othe, to aunswer lawfully to ý sãe our soueraign lord ý king, wout fraude, or male engin, of all maner profits & cõmodities, for ý parmẽt of any assignemẽt, be it by taile, or in any other mãner. An. 4. H. 4. cap. 20.

Accompt Eschequer Sworne

Taile

5 ¶No mã ý holdeth any cõmon hostery in any citie or borough of England, shalbe customer, cõtroller, finder, nor sercher of ý said soueraign lord ý king, & that to eschew ý dãmage & losse, which therof may happẽ, by ý fauor ý such cõmõ hostelers may or wil do to marchants & other their hosts in their said offices. An. 11. H. 4. ca. 2. See the like infra 11.

Hostelrie

6 ¶Where as our soueraigne lord the king, hath had the custome and subsidie in

Subsidie

the forme cõteined in ẏ graunt of his cõmẽs, and amõgst other of euery cloth of Scarlet, & of other cloth of whole graine, a certain custõe. Now so it is, ẏ certaine marchants aliens, dwelling in ẏ Citie of London & other townes, haue taken & do holde great houses, in which they bée sole inhabitantes, & do buy sometime, as in a yere a thousãd, or two thousãd clothes of fine white, or more, & do dye the same of their owne graine in Scarlet, or in sangwein, or in other colours of whole grain or halfe graine, & afterwarde do ẏ same cloths to be cut to smal pæces of v. or vi: yardes or more or lesse, & therof make diuers garmentes, & packe ẏ same in their said houses, & in ẏ same packs, subtelly do packe fine woll, golde & siluer in plate, or sometime they put such wol, golde, & siluer in barrels, & other vessels, & bring the same out of ẏ realme, wout paying ante custome or subsidy for ẏ same, vnder the colour of such garments so made, because ẏ such garments be not customable, & so our said souereigne lord the kinge by such marchants aliens so dwellynge alone in their houses, is dayly defranded, & greatly disceiued of his customes & subsidie, to his great dãmage, & prejudice in this behalf. It is therfore ordeined & established, that al marchãts aliens, frõ hẽcefoꝛth shal pay ẏ custões & subsidies aswell for such garments after ẏ rate, ẏ is to say, if iiij. or v. or vi. such garmẽts do conteine one cloth of whole graine, ẏ then they shal pay the custome & subsidie as for a whole cloth of scarlet, if lesse, lesse, or if more, more, as also of grained clothes, & al other clothes of woll, And moreouer it is accorded and assented in the said parliament, ẏ cõmissions shalbe made to certaine persõs. to inquire if ẏ said aliens haue any thing done or attẽpted to ẏ contrary of the sayd statutes, made bẽfore this time in thys case, and thereof to certifie in the kynges Chauncery. An. 11. H. 4. cap. 7.

Grayne
Garments
Woll
Golde
Siluer
Plate
Merchants Aliens
Cõmissions
Chauncerie

7 ¶ If any customer, collectour, or controller of ẏ kings customes of cockets of clothes, of subsidies, of tonnage, or pondage in any port or place of England, bée duely attainted or conuict, at ẏ kings suit of false concealing of ẏ kings custome, or subsidie, duely entred & paid by any marchãt, ẏ then ẏ said customer, collector, or cõptroller so duely attainted or conuict by the law, shal lose & forf. to ẏ king ẏ treble valour of the marchãdises so duely customed, & make fine & raũsome. And he that will sue, shal haue ẏ third part for his labour. An. 3. H. 6. cap. 3.

Clothes
Subsidies
Tonnage
Pondage
Attaint
Conuict
Forf.
Fine

8 ¶ The customers & cõptrollers shall write & deliuer sufficient warrants, sealed wt the seale of their office, to be ordeined, to ẏ said marchãts, & to euery of thẽ, for al & euery of their merchãdises euerie time by them to ẏ customers & cõptrollers duely shewed. And ẏ the saide merchants, nor none of them, shal any thing pay for ẏ said warrants, but onelye their due custome. And in case ẏ any customer or cõptroller in any of the said ports do ẏ contrary, ẏ then euery marchant so grẽued, may haue an action by vertue of this ordinance, to pursue against euery customer or cõptroller ẏ doth ẏ contrary, in euery court of record. And then euery customer or cõptroller so attainted shal forf. to ẏ king for euery default x. li. And to the marchant therby grẽued, ẏ wil sue C. s. An. 11. H. 6. cap. 15.

Warrants
Merchants
Merchãdises
Action
Attaint
Forf.

9 ¶ An. 11. H. 6. ca. 16. an act was made to endure for iij. yeres, agaynst customes for making al blanck cockets.

Blank Cockets
Denizen
Woolle
Woolfelles
Tinne

10 ¶ Euery marchãt denizẽ for wools, woolfels & tinne, which shalbe charged & shipped in any gally, carake, or other vessell, to bée brought and caryed by the sea by ẏ kings licence, or otherwise, to other places & portes, then to the staple of the kinge, shall pay to ẏ king such customes & subsidies & other duties, as marchãts aliens pay to ẏ king for such marchandises. Prouided alwaies, ẏ this graũt or ordinance shall not extende to any persons which haue licences by the kings letters patents, to them made before this time, to shippe, cary, or bring, any wols, woolfelles, or tinne to other places or portes beyond the sea, then to the staple of Calice, but that they shalbe of this ordinãce clerely discharged and excepted. An. 20. H. 6. capitulo 4.

Licence
Letters patents
Transport
Calice

11 ¶ No customer, cõptroller of ẏ custõe. clerkes, deputies, ministers, nor their seruants, factours, nor serchers, comptrollers, or surueiors, of serches, nor their clerkes, deputies, ministers, or factours, shal haue any ships of their owne, or shal buy or sell by waye or by colour of marchandise, nor they shall not medle wt the fraighting

Shippes

frayting of shippes,or haue or occupy any such wharfes or keyes,or shall holde any hostries or tauernes,or shall bee any factours or atturneis for any marchant denizen or alien, nor shalbee hoste to any merchant alien,vpon paine of xl. li.to bee forfaite as often as they do the contrary, that is to say, the one halfe to the kinge & the other halfe to him that will sue in this case against any such person doing ỹ contrary, this ordinãce to begin at ỹ feast of S.Michael next cõming. An.20.H.6.ca.5. See the like infra 3.5.

Wharfes Keyes Hosteries Tauerns

Forf. Mortie

12 ¶An. 20.H. 6.ca. 7.it was enacted to endure to ỹ next Parliament ỹ if any marchandise be discharged, ỹ custome not paid,or if any marchãdise of the staple bee caried ouer,the custome not payed, they should be forfait

Forf.

13 ¶An.12.E.4.ca.3.It appeareth that in An.3.E.4.a subsidie of tonnage & pondage was graunted to ỹ king for his lyfe of certaine wares. And in ỹ said act of 12. E.4.c.3.it is further enacted as followeth.

Tondage Pondage

No marchant denizen or stranger shal set or suffer any cloth,of golde, of siluer, bawdkin,veluet,damaske,saten,tartaron or chamlet, nor none other cloth of silke, nor any corse of silke and of golde, nor of silke of the makinge of any of the parties beyond the Sea to sell, before that ỹ collectours of the subsidie of tonnage & pondage and the controller of the same in the port where such marchaundises is set vpon land,hath surueyed and measured the same.And hath sealed euery peece thereof in the one ende thereof, with the seale or marke especially to bee ordeined for the same, whereof the same collectours haue the one part. And the controller haue the other part seuerally in their custodie. And if any such cloth of golde,of siluer, bawdkin, veluet,damaske, saten, sarcenet,tartaron,chamelet, and cloth of silke and of golde,be any time hereafter set to sale not sealed, nor hauing such seale thereuppon. That then he which setteth such marchãdise to sale, shal forfait ỹ same marchandise or ỹ value therof wherof two partes shalbee to the kinge.And the third part to the finder: Also it is ordeined by the same authoritie, that the collectours of the same subsidie,and the said controller shall at al tymes requisite, bee ready to seale such marchaundises. And to seale the same at al times when they be required, without delay, or takinge any thinge for the same in any wise,vppon payne of forfayture to the owner thereof twentye shillinges,for euery of the said collectours and controllers at any time that they refuse to seale such marchaundise after such request made, or taken any thing for the sealing of any such marchaundise. Also it is ordeined by thauctho̅itye afore sayde, that al manner of such clothes of gold, of siluer, baudkin, veluet, damaske, satten, sarcenet tartaron,chamlet, and euery other cloth of silke,corse of golde and silke, nowe beinge within this Realme: And after the feast of Saint Michael tharchangell next commynge offered to sel, shal bee sealed with the sayde seales before the sayd feast, vppon the payne before specified. Also where as it is expressed in the said graunt of the sayd subsidie, that if any concelement bee found in ỹ marchãts in the payment of the sayd duetyes, that they for such concealement shal pay onely double subsidie, without other paine or forfaiture therein,as in the same act is more fully contained.

Seale Cloth of gold Silke Measure Seale Forf. Seale Forf. Conceale Double Subsidie

The kinge considering that notwithstandynge the same ordinaunce, marchauntes do not regarde to defraude him of his duetye of the sayde subsidy, in as much as they do nothinge forfayte in that behalfe, but onely paye the double subsidye. By thadvise assent and auctho̅ity aforesayd hath ordeyned and established, that the same statute in thys behalfe bee voyde, and of no strength. And if any marchandises, which bee to bee brought frõ the parties beyond the Sea, or to bee caryed out of thys Realme, whereof any subsidy is or shallbee due,or perteyninge to the kinge, bee hereafter shipped to bee caryed beyonde the sea, the Collectours of the sayd subsidie not paid, or without agreement wyth the collectours of the said subsidie for the same,that then the said marchaundises or the value thereof, shalbee forfayt to the kinge. Also where as diuers marchaunts straungers and other oftentimes in the Citie of Lõdon, and in other places have packed dyuers wollen clothes,some in graine,some vngrained,and other clothes not grained & the same so packed causeth to be caried by lande from London and other places to

Voyde Forf. Wollē cloth London

to other portes, as to Sandwich, Southhampton, & other portes, where as ẏ customers for the time being, wȳout due packing or sight of such clothes, vpon the information of the marchant, doth customs such clothes as for course clothes, whereby ẏ king is greatly diseased of his duyties therof, aswel in ẏ fines of such cloths, as in not knowing of the number of the clothes so packed. Therefore the king by thaduise & assent aforesaid, & by the same authority, doth ordeine, establish, & enact, ẏ in every port wȳin this realme of England, wherein any woollen clothes shalbe packed, after ẏ first day of may next comming, in ẏ presence of the collectours of thaforesaid customes & subsidies of ẏ same port for ẏ time being, ẏ al such customes & subsidies, due & perteininge to the kinge for the said clothes, shalbe paied & contented to the same collectours where the said clothes be so packed, or els sufficient suertie shalbe therefore to them found, before that the same clothes be carryed from the sayde port, to any other port or place, vppon payne of forfaiture of all the same clothes, or the value therof, to be had of the owner of the same. And if any woollen clothes to be carryed ouer the sea, be packed in any other maner, or vnder any other forme, that then the collectours of ẏ port where they be so packed or brought to be packed, shal seale, and there vnpacke all the sayde packes and fardels, and survey al the clothes therein, so that our soueraigne Lord the kinge may bee truely aunswered of his duitye in thysbehalfe, without any fraude or deceipt. And if any customer or cōtroller, of any port or place be negligent or slack, in vnpackinge of the said clothes or surueyinge of them in the fourme aforesaide, that then and as often euerie such customer and controller for euery such default, shal forfait to our Soueraigne Lord the kinge xx. s. for euery such cloth.

Portes

Suerties

Forf.

Seale

Forf.

Moreouer it is ordeined by thaduise & thassent aforesayd that euery of ẏ sayde collectours receiuing any cull̄e or subsidie, for any of ẏ said clothes, or suertie for ẏ same, shalbe thereof charged & chargeable to our soueraigne lord the king vppon his or their accompt.

Charge

Accompt

And that the same collectour or collectors shal from time to time, make a coket or cokettes of all such clothes, directed to the collectours of the port where the sāe clothes shalbee shipped, witnessinge their number, and that he or they haue receiued the customes and subsidies of the same clothes or suerty for the same. By which coket or cokettes, the said collectours or ẏ receiuours of them, shalbe therof discharged against our soueraigne lord the kinge, and al other, of al the same customes and subsidies. Prouided alwayes that thys act or ordinaunce bee not prejudiciall nor in any wyse hurtful, to any personne or personnes in or for any letters patentes made by the kinge our Soueraigne Lord of any graunt of licence, to shippe and carry out of this Realme of Englande, any woollen clothes or other marchaundyses especyfied in any of the sayde letters patentes, to reteigne the customes and subsidies in their owne hands, or in the hāds of any of them. And that the same letters patentes, bee to the same person or persons and euery of them good and effectuall after the tenour of the same letters patents and euery of them, this act or ordinaunce notwithstandinge, by what soeuer name or names any of the said person or persones be named or called in any of the said letters patents. An. 12. E. 4. capitulo 3.

Coket

Letters Patents Licence

14 ¶ Any person made or hereafter to be made denizen shal pay for his marchādise like custome & subsidie, as he ought or should pay afore ẏ he were made denizē, any letters patentes or other ordinaunces by Parlyament contrary to thys, made notwithstandinge. Anno 1. H. 7. capitulo 2.

Denizen

Letters Patents

15 ¶ Euery marchant aswel denizē as straunger which shal bringe from hencefoorth any manner of goods into any port within this realme by way of marchandise, and there do enter the said goodes or marchandises in the the bookes of the customes of the said porte where the goods or marchandises shall first come to. And the kings duety therof to the said customers contented, or therfore with him agreed, & afterwarde that done, wil conney or cary the same goods or marchandises from thence into any port within ẏ sayd realme: that then the owner of the same goods and marchandises his factour or atturney, shall bringe from the customers

Denizen Stranger

Merchandises

of

of the port, where the said goods or marchandises were so entred, a certificat vnder the same customers seales directed to the customers of the port whereunto the sayd goods or marchaundises shalbe conueyed or carried, making mencion within the same certificat, as well of the naturall colour, length and value, of al manner of marchādises so entred, vsed to be mette with ell or yarde, as to ỹ naturall weight content or valure of al maner other marchaundises vsed to bee waged or valued. And that the same certificat made, be deliuered to the sayd customers before the said goodes bee discharged, so that they may see whether the nature, coloure, length, valne, content or weight, of the same dooagree with the sayd certificat, so that the kinge bee not deceiued of his custome and subsidies thereof due. And yf any certificat bee made from henceforth by any customer of any port whereunto any such goods or marchaundises shalbee first brought, and there in their bookes entred, not making mencion according as is aforesayd, that then the said, customer or customers, for their mysbehauinge, shall lose their office and to make fyne with the kinge for the same at hys pleasure. And furthermore yf any such goodes or marchaundises or any parcell thereof be discharged, vnpacked, or put to sale within any port thē within the same where they shalbee fyrst entred, before the sayd certificat bee deliuered, and the same goodes and marchaundises seene, according as is aboue expressed: That then al the said goods or marchandises be forfayted to the kinge our Soueraygne Lorde, the one halfe there of to remaine to his highnes, and the other halfe to him and them which shall prooue any suche goods or marchandises so forfayted. And the customer or customers, nor no deputie to any such common officer to whom such certificat shall come, take nothinge for the sight of the same goods so certyfied, Also it is ordeyned and establyshed by auctoritie aforesayd, that no manner of marchaunt denizen, nor straunger, doo take vpon him to doo, entre, or cause to be entred, in the bookes of any customer of any port within this Realme, any manner of marchandises comming into this hys sayde Realme, or goinge out of the same, in any other marchauntes name, saunge onely the name of the true marchaunt owinge the same vppon payne of forfaiture of all suche goodes and marchaundyses so entred, and euery of the sayde marchauntes which so shall take vppon him to cause suche vntrue entre to bee made, to haue imprisonment and to make the fine therefore at the kinges pleasure. And that no person take vppon him to bee customer controller, or searcher in any Citie, Borough or Towne where he is common officer, nor no deputie to any such common officer, vppon payne of forfayture for euery halfe yere that he occuppeth the sayd common office and offices of the customer ship, controller, or searcher the summe of x. li. the one halfe there of to the kinge, and the other halfe to him that wil sue for it, by writte, bil, or information. Anno 3. H. 7. cap. 7. See part of this acte altered here followinge 16.

Certificat
Colour Length Weight
Office lost Fine
Vnpacked
Forf. Moitie
Denizen
Name
Forf.
Imprison Fine
Office Forf.
Moitie

16 ¶The custome and subsidie of all wollen clothes to bee shipped and caryed ouer the sea whereseuer they be packed, shalbe paied to the Customers of the port or portes where any such clothes shalbee laded or shipped or to their deputies. This act (s. An. 12. E. 4. cap. 3. before 3.) or any other acte here before made to the contrary notwithstanding. Anno 11. H. 7. capitulo 6.

Woollen cloth Shipped

17 ¶That al marchaunt straungers & other that be made denizēs, by the kinges letters patents or otherwise, pay frō hēce forth such customes & subsidies, for their goods & marchādises, inward & outward, as they shoulde haue paied if such letters patēts & graūts had neuer to thē bē made An. 11. H. 7. ca. 4.

Straungers Denizens Letters Patents

18 ¶See Bovves & Bovvstaues 5. that no custome shalbee payed for certeyne Bovvstaues.

Bowstaues

19 ¶It be lawful from henceforth that euery Englishmā, and al other the kings subiectes, may in euery port or hauen wīn this Realme of Englande, Irelande, and Wales, and in the marches of the same, and in the Towne of Barwike, where it shall happen any marcheundyse to arryue, or to bee charged and carried out, to custome in his name, al manner of goods and marchaundises of another Englishman, or the kinges subiect.

Englishman
Berwike

And

And in like ſourme euery marchant ſtrãger to cuſtome in his name any gꝏds or merchandiſes of any other merchãt ſtrãger ſo ꝯ the ſaid merchant ſtranger, that cuſtomed the gꝏds of an other merchant ſtranger, & the very owner or ꝓpꝛietary to ꝯ gꝏds ſo cuſtomed, be charged wt like cuſtome, ſubſidy & other thinges, ſo ꝯ the kinges grace bee not defrauded of hys ryght. And if any marchaunt ſtraũger or denizens, or any other the kings ſubiects cuſtome any gꝏds or marchaundyſes of any other ſtraunger or denizen, or of any other the kings ſubiects, wherby ꝯ kings grace ſhoulde loſe his cuſtome, ſubſidye, or other his ryght or duety, that then the ſayde merchaunt Straunger or denizen or any other the kinges ſubiect, that ſo taketh vppon him or them, to forfayt to our Soueraygne Lorde the kinge the gꝏds or marchaundiſes ſo cuſtomed, and ouer that, to forfait to the party or parties in this behalfe greeued, as much money as the gꝏds or marchandiſes of the merchaunt ſtraunger denizen, or other the kings ſubiects ſo cauteouſly couſtomed amounted vnto. And that no Cityzen of London, or other the kings ſubiects inhabiting in the Cinque portes, or any other beinge free of ꝓꝛyſage, or butlarage of wines, by great cuſtõe or otherwiſe, cuſtome no wines of any perſon or perſons not being free of any ꝓꝛiſage or butlarag. And if any perſon free of the ſaid ꝓꝛiſage or butlarage ſo do, that then the ſayd perſon or perſonnes that ſo do forfait to our ſayd Soueraigne Lorde the double value of the ꝓꝛiſage of the ſayd wines ſo cuſtomed. And further that it bee lawful to any perſon or perſonnes greeued contrary to this act to haue an actiõ of debt againſt any perſon or perſones ꝯ ſo cuſtomed the gꝏds or marchandiſes in his name: & not in the owners name, of the ſumme of the value of ꝯ ſaid marchandiſes ſo cuſtomed and forfeyted, in the which action, none eſſoigne nor ꝓtection ſhal lie, nor the defendaunt to wage his law. An. 1. H. 8. ca. 5. See before 15.

20 ¶ From henceforth the collectors and controllours of the ſaid ſubſidy. (s. in 12. E. 4. ca. 3. before 13.) nor their clerks nor any of thẽ, take for the ſealing of any pieces of the ſayd marchandiſes aboue reherſed (s. in 12. E. 4. ca. 3. before 13.) any thinge vppon paine of forfaiture at euery time xx. pounde. And alſo be it &c. that it and as often as the ſame collectours and controllours, or any of them, vnreaſonably delay or tarry the ſayd marchauntes or any of them, for and about the ſealinge of the ſame marchaundiſes, that then and ſo often the ſame collectours and controllours and euery of them ſo vnreaſonably delayinge and tarryinge the ſame marchants, or any of them, to forfayt for the ſame xl.s. The one moity of euery of the ſayde penaltyes ſo forfeyted to bee to the kinge our ſoueraigne lord. And the other moity therof to the marchant ſo greeued, that will ſue for the ſame by way of information in the kinges eſchequer, or by action or bil of debt after the order of the common lawe, as in any other action of debt is vſed. In which action the defendant ſhall not bee admitted to wage hys law, nor ꝓtection nor eſſoigne to bee to him allowed in the ſame ſuit for ꝯ ſayde forfeiture. An. 4. H. 8. ca. 6.

21 ¶ See Engliſhmen 2. that Engliſhmen ſworne to forein princes, ſhal pay cuſtome as ſtraungers.

22 ¶ See Cordiners 11. for the cuſtõe of leather.

23 ¶ If any ſtraunger borne, Denizen or not denizen, or any of ꝯ kings ſubiects, do at any time from or after the laſt day of march next comming, any act or thing contrary the true meaninge, tenour, and purport of the ſame former act & ſtatute (S. An. 1. H. 8. ca. 5. before 19.) ꝯ then he & they ſo offendinge, ſhal loſe and forfayt all his and their owne gꝏds and cattels perſonalles for euer. The one moity of which forfeyture ſhalbe to the kinge and the other moity to hym or them that wil ſue for the ſame, by bill, plaint, actyon of debt or information, in which bill plaint, action of debt, or information, no wager of lawe, eſſoigne or ꝓtection, ſhalbe admitted or allowed. ꝓuided alway and bee it &c. ꝯ euery ſuch bill, plaint, action or information ſhalbe had & purſued within thꝛee yeres next enſuing any ſuch offence committed or done, or els the offender to bee clerely free, and diſcharged thereof, any lawe or ſtatute to the contrarye had or made, notwithſtandinge, Anno 2. E. 6. ca. 22.

¶ Cuſtomes

Stranger

Forf.

Forf.

London
v. portes
ꝓꝛiſage
Butlarage

Forf.

Action

Sealing

Forf.

Delay

Forf.
Moitie

Leather
Denizen

Forf.

Moitie

Bill

Diſcharge

¶ Customes & vsages.

Lordshippes Manors

AS wel al the lordships, manors, lãds, tenementes, woods, pastures, rentes, seruices, reuersions, remaynders, aduowsons, and all other whatsoeuer hereditaments, sett, lyinge and being within the county of Kent of the which Tho. Cromwell knight of the honorable order of the Garter, Lord Cromwel of Wimbildon. Lorde priuie seale, Tho. Burgh knyght, Lorde Burgh, George Broke knyght, Lorde Cobham, Andrewe Windsore knight, Lord Windsore, Thomas Cheney knight, Treasorer of our said Soueraigne Lorde the kinges most honorable houshold, Christopher Hales knight, master of the Rolles of our said Soueraygne lords court of Chauncery, Thomas Willowby knight, one of the Iudges of the kings court of ỹ common place, Antony Seyntleger knyght, Edwarde Wiotton knyght, Edwarde Bouton knight, Roger Cholmeley knyght Seriaunt at lawe, John Champneis knight Jo. Baker Esquire our said soueraigne Lord the kings general atturney, Reynolde Scot esquire, Jo. Gulford esquire, Tho. Kempe esquire, Edward Twaites esquire, willã Roper esquire, Ant. Sandes esquire, Ed. Isaac esquire, Percival Hart esquire, Edwarde Bonyns esquire, Willyam Whetnall esquire, John Fogge esquire, Edm. Fetiplace esquire, Tho. Hardres, esquire, Williã Waller esquire, To. Wilford esquire. Tho. Boile esquire, T. Harlekilden esquire, Geoffrey Lee esquire, James Hales, Henry Hulse, & Th. Roldon gentlemen, or any of thẽ is or be seised to his or their owne vse or vses, in fee simple or in fee taile, the which now been of ỹ tenure & nature of Gauelkind, & here tofore haue bene departed, or be departable betwene heires males, by ỹ custome of Gauelkinde, shall from henceforth bee clerely changed from the said custome, tenure & nature of Gauelkinde & in no wise hereafter be departed or departible by the sayd Custome of Gauelkinde, betweene heires males, but shal remaine, reuert, abyde, discend come & be, after & accordinge as lordships, manors, lands, tenements, and other hereditaments, do or may discend, remaine, reuert, abide, come or bee, accordinge to the common lawe of this realme, & as other manors, lands, & tenements, being in the said countye of Kent, which neuer were holden by seruice of Socage, but be & alwaies hath bene yoldẽ by knights seruice, do discende, remayne, reuert, abide, come & be: And in like manner to discend, & be discendable, remayne, reuert come and be inheritable, to ỹ heire or heires, after and according to the said common lawes of this realme of Englande. And that all and singuler the sayde lordshyps, manors, landes, tenementes, and other hereditaments with the appurtenances of the said Lord Crumwel, lord Burgh, lord Cobham, Lorde Windsour, Thomas Cheyny, Chriſtopher Hales, Thomas Willowby, Antony Seyntleger, Edwarde Wotton, Edwarde Boneton, Roger Cholmeley, John Champneis, John Baker, Reynold Scot, John Gulford, Thomas Kempe, Ed. Twaits, Willyam Roper, Antonye Sandes, Edward Isaac, Percuall Hart, Ed. Bonins, Williã whetnal, John Fogge, Edmond Fetiplace, Thomas Hardres, william Waller, Thomas Wilford, Thomas Boile, Thomas Harlakildẽ esquire, Geoffery Lee, James Hales, Henry Hasee, and Thomas Roydon, or of any of them, and which before the makinge of this act haue beene of the sayde nature and tenure of Gauelkind in the sayd county of kent, shall from henceforth bee excepted, taken enherpted deemed and Iudged to bee, like as Lordshippes, manours, landes, tenementes, and other hereditamentes at the common lawe of this Realme, and in such manner and fourme as if the same manneurs, lordships, lands, tenements and other hereditaments, had neuer beene of the sayd nature of Gauelkind, any vsage or custome in the said county of Kent, heretofore had accepted or vsed, to the contrary notwithstanding. Saning alwaies and reseruing to all and singuler persones, other then the sayd Lord Crumwell, Lord Burgh, Lord Cobham, lord Windsor, Thomas Cheyny, Christopher Hales, Thomas Willowby, Antonye Seintleger, Edwarde Wiotton, Edwarde, Boneton, Roger Cholmeley, John Champneis, John, Baker, Reynold Scot, John Gulford, Thomas Kempe, Edw. Twaytes, Willyam, Roper, Antony Sandes,

Edward

Crumwell

Cheney

Gauelkinde

Kent Socage Knight seruice

Cõmon lawe

Edward Isaac, Percivall Hart, Ed. Bonins, Willi whetnal, John Fogge, Edmond Fetiplace, Thomas Hardres, william Waller, Thomas Wilford, Thomas Nolle, Thomas Harlakilde esquire, Geofferey Lee, James Hales, Henry Hales, and Thomas Roydon, or any of them, and to euery of them against any other of them, al such right, title interest, & inheritance, as they or any of them had before the making of this act, of, to or in any of the sayde manours, landes, tenementes, woodes, pastures, rents, seruices, reuersions, remainders, aduowsons, and other the premisses as if this present act had neuer bene had, nor made, An. 31. H. 8. cap. 3.

Fol. 2 ¶ See Forfeiture 5. of customes of forfeiture for felony in Glocester, & Kent, & of the custõe of dovver & partucion among heires males in Kent.

3 ¶ See for the custões of Kent, in the nevve printed booke commonly called Magna charta late printed by Richard Tottel. An. Do. 1556. Fo. 147.

4 ¶ An. 32. H. 8. ca. 29. it is enacted ẏ ẏ lands in Oswalbecke soke in Nottingham shire shal discẽd to ẏ heire at ẏ cõmõ law, & shal not be partable betwene heirs males by ẏ custome.

¶ Custos Rotulorum.

Where before this time ẏ lord Chaũcellor hath had the appointment of ẏ Custos Rotulorum. And ẏ Custos Rotulorum the appointment of the Clerk of ẏ peace, til now of late certain vnwor thy & vnlearned men, haue by frindship obteined graũts of ẏ said clerkeship for terme of their liues, vnder the kinges letters patents, wherby much inconuenience hath ensued, for reformatiõ therof. Be it enacted &c. That no personne or personnes shal frõ henceforth, be nominated and appointed to ẏ said office & offices, of ẏ Custos rotulorum, within any shire of thys realme of England or Wales, & other ẏ kings dominiõs, marches or teritories of the same, but such as shal haue a bil assigned with the kinges hande for the same, wherych bill sygned shalbee a sufficyent warrant by the auctority aforesaid to ẏ said lord Chauncellour of England, & the lord Keper of ẏ great seal for ẏ time being, to make from time to time cõmissiõ & commissions, assigning & auctorising thereby, the same person to be Custos rotulorum, vntill the kinge hath by an other bil assigned with his owne hand, appointed & ordeyned one other person to haue, occupy and exercise the same office of the Custos rotulorũ, and that the said person appointed & assigned to be Custos rotulorum, as is aboue sayd, shal and may occupye, exercise and enioy the same office of the Custos rotulorum, by him selfe or his sufficient deputy, learned in the lawes of this realme, & mete and able to supply ẏ said office, accordinge to the tenour of the said grãt or cõmission (But this article aforesayde is altered agayne as appeareth hereafter 2.)

Commission

Bill signed

Warrant Chauncellor

And be it &c. that euery Custos rotulorũ for ẏ time being, shal at al times hereafter in euery shire of this realm. Wales and other ẏ kings dominions, marches, & terytories of the same. nominate, elect, appoint and assygne, al and euery person & persons which hereafter shalbe clerkes of the peace within any of the said Shires of thys realme of England, Wales & other the kings dominions marches & terrytories of the same, and to geeue and graũt the same office and offices, of the clerkeshippe of the peace, to such able person instructed in the lawes of this Realme, as shall bee able to exercise and occuppye the same, to holde and enioy the same, duringe the time that the Custos rotulorũ, shall occupie and exercise the sayde offyce of the Custos Rotulorum, so that the said Clerke demeane hym in the sayde office iustlye and honestly. And that it shalbee lawful to euery such graunt̃ees of the said Clerkeshippe, to occuppye and enioye the same office of the clerkeship of the peace, by him selfe or by his sufficyent deputye, instructed in the lawes of this realme, so that the same deputy bee admitted, taken and reputed by the sayd Custos Rotulorum, to bee sufficient and able to exercise, occupy, kẽpe and enioy the same office of the clerkeshippe of the peace. Prouided alway & be it &c. that al such as now haue any of the said offices of Custos rotulorũ, or clerkeship of the peace, by the kinges letters patentes, or commission to them made, shall and may enioy, haue and exercise their said offices, by vertue of ẏ sãe letters

Clerkes of the peace

Deputy

Letters Patents

letters patẽts, or commission by thẽ selfe or their sufficient and hable deputye, instructed in the lawes of thys Realme, Any thinge in this present act, hadde or made to the contrarye notwithstandinge.

Archbishop

Prouyded also, and bée it further enacted &c. That the Archbishoppe of Yorke, the Bishoppe of Durham, the Bishoppe of Elye, and euery such person and personnes, corporations, and bodyes corporated, to whom the kinges maiestye or any of his noble progenitours, by hys or their letters patentes, haue gœuen and graunted any liberty or auctho*r*itie, or otherwise haue auctho*r*itie by otherlawful meanes or wayes to ordeyne, make and constitute, any of the sayd offycers of Custos rotulorum or clerke of the peace, with in any County Palantine or other place, shal and may haue and enioye the same lybertye and auctho*r*ity, accordinge as they haue had & enioyed the sãe, any thing in this present act had or made, to the cõtrarye notwithstandinge. Anno 37. H. 8. cap. 1.

Corporatiõs

Letters Patents

x.

2 ¶ For the restoring of the nomination and appointmẽt of the office of Custos rotulorum to the office of the Chauncelour of England, or the Lord keper of ỹ great seale, as in old time it did appertein & belong vnto the same, Be it &c. That ỹ Chauncelor of England, or lord Kæper of the great seale for the time being, shall at al time & times, & frõ time to time, wout any bill or billes, to bee assigned with the kings hand, name, elect, assigne, & appoint such person and personnes, to bée Custos Rotulorum, within euery Shire of thys Realme of Englande, Wales, and other the kinges dominions, marches and territoryes of the same, or by any of them, as by the discretion of the said lord Chauncellour, or lord Kæper of the great seale for the time beinge, shall be thought able and mẽte to haue and exercyse the same. And that the said person and persõs so to be appointed, elected, named, and assigned, by the said Lord Chauncellour or Lord Kæper of the great seale for ỹ time being, shal and may occupy, exercise and enioy the same office of Custos Rotulorum, by him selfe, or by his sufficient deputy or deputies, in as ample & large maner and fourme, as if the sayd act had neuer bene had ne made, the before rehersed act, or any thinge therein conteyned to the contrary hereof, in any wise notwithstanding.

Chauncellor

Prouided alway and bee it &c. that al such as now haue any of the said offices of Custos rotulorum, by the kinges letters patents, or commissiõ, to them or any of them made, shall and may enioy, haue & exercise their said offices, by vertue of the same letters patentes or commission by him selfe, or his sufficient & able deputye instructed in the lawes of this Realme, any thinge in this present acte had or made to the contrarye notwythstandinge.

Letters Patents

Prouided also, and bée it further enacted &c. that the Archbishoppe of Yorke, the Bishoppe of Durham, the Bishoppe of Elye, and euery of their successoures, the Chauncellour of the Duchy of Lancaster for the tyme beinge, and all and euery personne and personnes, corporations, and bodyes corporated, to whom the kinges maiestye or any of his noble progenitours, by his or their letters patentes, or act of parlyament, haue gœuen and graunted, any liberty and auctho*r*ity, or otherwise haue auctho*r*itye by other lawful means or waies, to ordeine, make and constitute, any of the sayd officers, of Custos Rotulorum within any countye Palantine, or other place, shal & may haue and enioy the same libertie and auctho*r*itye accordinge as they haue had and enioyed the same, any thinge in thys present act had or made, to the contrary notwithstandinge. Anno 3. Edvvaardi sexti capitulo 1.

¶ Daies in banke.

If a writte come within the vtas of Saint Mychael, a day shalbe gœuen thereuppon vnto the vtas of Saint Hilarij, and if it come in the quinzime of Saynt Michael, day shalbe gœuen vnto the quinzime of Saint Hilarij. If it come in the thrée wéekes after Saynt Michael, the day shalbe Crastino Puryfications. If within a monethe after Michaelmas, in the vtas of the Puryfication. If in Crastino animarum, then

m

in the Quynzme of Ealter. Jf in Crastino Martini, then in the thræ wækes after Ealter. Jf in ỳ vtas of Saint Martin, then in Ealter moneth. Jf in the quynzime of ſ. Martin, then within v. wækes after Ealter, and alſo there is day ſpecyally gæuen in crastino Ascentionis, and it counteruayleth as much as within fyue wækes after Ealter, Jf in the vtas of Saint Hillarij, in the vtas of the Trynitatis. Jf in quindena Hillarij, then in quindena Trinitatis, and ſometyme in crastino of ſaint John Baptiſt. Jf in crastino Purificationis, then in crastino and vtas of Saint John Baptiſt, if in the vtas of the Purificatyon, then in quindena of John Baptiſt, if in quindena Paſche, then in the vtas of ſaint Michaell. Jf within iij. wækes after Ealter, then in quindena of ſaint Michael. Jf within Ealter moneth, then within thræ wækes of the feaſt of ſaint Michaell. Jf within fiue wækes after Ealter, or in crastino Ascẽtionis, then within a moneth after the feaſt of Saint Michael. Jf in the vtas of the Trinitie, then in crastino animarũ. Jf in Quindena Trinitatis, or in crastino of Saint John Baptiſt, then in crastino Martini. Jf in the vtas of ſaint John Baptiſt, then in the vtas of ſaint Martin, Jf in quindena of Saint John Baptiſt, then day ſhalbe geuẽ vnto quindena Martini. An. 51. H. 3.

2 ¶ Jf the writ do come in octauis Michaelis, day ſhalbe geuen vntil crastino animarum. Jf it come in quindena Michaelis, day ſhalbe geuen vntill the crastino Martini. Jf in menſe Michaelis, thẽ in quindena Martini. Jf in crastino animarum, then in octauis Hillarij. Jf in crastino Martini, then in quindena Hillarij. Jf in octauis Martini, then in crastino Purificationis. Jf in quindena Martini, then in octauis Purificationis. Jf in in octauis Hillarij, then in rb. Paſche. Jf in quindena Hillarij, then in tribus ſeptimanis Paſche. Jf in crastino Purificationis, then in menſe Paſche. Jf in octauis Purificationis, then in crastino Ascentionis. Jf in quindena Paſche, then in octauis Trinitatis. Jf in tribus ſeptimanis Paſche, then in quindena Trinitatis. Jf in menſe Paſche, then in crastino Johannis Baptiſt. Jf in quinque ſeptimanis Paſche, then in octauis Johannis. Jf in crastino Ascentionis, then in quindena Johannis. Jf in octauis Trinitatis, then in octauis Michaelis. Jf in quindena Trinitatis, then in quindena Michaelis. Jf in crastino Johannis Baptiſt, then in tribus ſeptimanis Michaelis. Jf in crastino Johannis Baptiſt, then in menſe Michaelis. Jf in quindena Johannis Baptiſt, thẽ in crastino animarum. Dies in dote An. 51. H. 3.

3 ¶ In a plea of dower, that is called (Vnde nihil habet) frõ henceforth ſower daies ſhalbe geuen in the yere at the leaſt, and moe if it may conueniently bee: So that they ſhall haue ſower or fiue dayes at ỳ leaſt in ỳ yere. In aſſiſes of darrayne preſentment, & in a plee of Quare impedit of churches vacant, dayes ſhalbe geuẽ frõ rb. to rb. or frõ iii. wækes to iii. wækes, as in ỳ place ſhal hap to be nære or farre. Marl. ca. 12. An. 52. H. 3. Dower. Aſſiſe. Quare impedit.

4 ¶ The king vnto his Juſtices of the bench, greting. Know ye that where wõ our Realme of England, it was doubted of the yere and day that were wont to be aſſigned vnto ſicke perſons being impleaded, when & from what day of the yere going before, vnto another day of the yere following, ỳ yere & day, in a leape yeare ought to be taken and reckened, how long it was. We therefore willing that a conſtrmitie bee obſerued in this behalfe euery where wõ our Realme, and to auoyd al daunger from ſuch as be in plea, haue prouided and by the counſayle of our faithful ſubiectes haue ordeined, that to eſchue frõ henceforth all doubt and ambiguitie, that might aryſe hereupon, the day increaſing in the leape yeare ſhalbee accompted for one yere, ſo that becauſe of that day none ſhalbe preiudiced that is impleaded, but it ſhalbe taken & reckened of the ſame monethe wherein it groweth, and that daye and the day nert going before, ſhalbe accompted for one day. Biſeptile Anno 21. H. 3. Leape yeare

5 ¶ In the ſaid Trinitie terme ſhalbe ſower common dayes of retourne onely and not aboue, that is to ſay, the firſt day of retourne ſhalbe and be called, in crastin. ſancte Trinitatis, the ſeconde day of retourne of the ſame terme ſhalbe and bee called, in octabis Sancte Trinitatis, the thirde day of retourne of the ſame terme ſhalbe and be called, in Quindena ſancte Trinitatis. Trinitie terme

Trin. and the fowerth day of returne of the same terme shall bee, and bee called, a die sancte Trinitatis in tres septimanas. And that the same dayes of returne shall be obserued and kept in al our soueraigne Lorde the Kings high courts of Recorde, hereafter to bee holden at Westminster, or other place or places, at the assignement, appoyntment or agreement of our sayde soueraygne Lorde, his heires, or successours: And that from or after the feast of sayne Michael the archangell nert comminge, there shall not bee, nor be called any dayes of returne, in crastino sancti Johannis Baptiste, octabis sancti Johannis Baptiste, nor qundena sancti Johannis Baptiste, nor any of them. And bee it further enacted &c. that the sayde terme of the holye Trinitie, shall yearely for euer, from the sayde feast of Saint Michael Tharchangell nert comminge, beegin ẏ Munday next after Trinitie Sunday, whensoeuer it shall happen to fall, for the keeping of thelloignes, prolers, returnes, and other ceremonies heretofore vsed and kept, in lyke manner and fourme as in times past hath ben vsed to be done in the day of returne commonly called in octabis sancte Trinitatis. And that the full terme of the sayde Trinitie terme shall yearely for euer begin and take his commencemẽt the fryday next after Corp^s Christi day, in such and like manner and fourme, to al purposes, intentes, and respectes as heretofore hath bene vsed the wednesday next after Corpus Christi day. And that from and after the said feast of Saint Michael tharchãgell nert comming, the said secõd and third daies of returne, called octabis sancte Trinitatis, and quindena sancte Trin. shall take their commencement, & beginne as in times past hath bene vsed. And that the said fowerth day called a die sãcte Trinitatis in tres septimanas shall take his commencement, and beegin frõ the said Trinitie Sũday into three wẽkes thẽ next following, and shal haue his returne with the fowerth daye as is accustomed in other like daies of retourne. And be it &c. that if after the sayd feast of S. Michael tharchangel nert comminge, any writ in any reall action come in, and be returnable into anye of our saide soueraigne lord ẏ kings courtes in octab. sãcti Hillarij: then day shalbe geuen, in crastino sancte Trinitatis. If in quindena sãcti Hillarij, in octabis sancte Trinitatis. If in crastino Purificationis beate Marie, in quindena sancte Trinitatis. If in octab. Purificat. beate Marie, then a die sancte Trinitat in tres septiman. And if after ẏ same feast of saint Michael tharchangel, any writ in any real actiõ come into anye our sayde soueraigne Lorde the kings courts, returnable in crastino sãcte Trinitat, then day shalbe geuen in crastino animarũ. If in octabis sancte Trinitatis, in crastino sancti Martini. If in quindena sancte Trinitat, in octabis sãcti Martini, if a die sancti Trinitat in tres septim. in quindena sancti Martini. And be it &c. ẏ if after ẏ said feast of saint Michael tharchangell nert comminge any writ of dower, come into any of our soueraigne Lorde the kinges courtes and be returnable in quindena Pasche, then day shall bee geuẽ, in crastino sãcte Trinit, If a die Pasche in tres septim. in octab. sancte Trinitat. If a die Pasche, in vnũ mensem, in quindena sãcte Trinitat, If a die Pasche in quinque septimanas, or in crastino Ascensionis domini, then day shalbe geuen into ẏ day of, a die sãcte Trinitatis in tres septimanas. And if after ẏ same feast of S. Michael tharchangel nert comming, any writte of dower come into any of our said soueraign lorde ẏ kings courts of recorde, in crastino sãcte Trinitatis, then day shalbe geuen in octabis sancti Michaelis. If in octabis sãcte Trinitatis, in quindena sãcte Michaelis. If in quindena sãcte Trinitatis, a die sãcti Michaelis in tres septimanas. If a die sancte Trinitatis in tres septimanas, a die sancte Michaelis in vnũ mensem, or otherwise as is appointed, limitted, & declared by the statute of Marleborogge in ẏ 13. Chapter therof made & prouided. And it is &c. ẏ al cõmon writs & proces aswel personal as mixt, which shal fortune to be returnable in ẏ said Trinitie terme shall haue & keepe the said returnes of crastino sãcte Trinitatis, octab. sancte Trinitat, quindena sancte Trinitat, & a die sancte Trinitat in tres septimanas, or any one of them. Prouided alway, & it is &c. that in such & lyke cases and proces as speciall daies haue bene vsed to be appointed, assigned, & geuen for ẏ returnyng of writs

Real actions

Dowers

Proces

and proces, it shalbe lawful to the Justice of every of the kinges said courtes of recorde for the time beinge, in al the proces by them awarded, to assigne and appoint speciall dayes of returnes as by their discretions shalbe thought cõuenient. Prouided also, & bee it &c. ẏ the dates in assyse of Darraine presentment, and in plee of Quare impedit, limitted and appointed by the statute of Marlebridge (S. ca. 13. before 3.) and also the dayes to be geuen in attaint limitted in the statute made in the fift yeare of the raigne of the noble kinge Edwarde the thirde (S. capit. 8. vvhich is in attaint 4.) being not contrariant to the tenor of this act, shalbe holden firme and stable, & shall stand in their full force and effect. An. 32. H. 8. ca. 21.

Attaint

¶ Dammages & costes.

Assise Disseisors

WHereas heretofore dãmages were not awarded in assises of nouel disseisin, but onely against the disseisours, It is prouided, that if the disseisors do alyen the landes, and haue not whereof, there may bee dammages leuyed, that they to whose hands such tenements shal come, shalbe charged with the dammages, so ẏ euery one of them shalbee charged with ẏ dãmages for his time. It is prouided also, that the disseisie shall recouer dammages in a writ of Entre, grounded vppon disseison, against him ẏ is found tenaunt after the disseisour. It is prouided also, ẏ where before this time dammages were not awarded in a plea of Mordaũcester (but in case where lands were recouered agaynst chiefe lordes) that from henceforth dãmages shalbee awarded in al cases, where a man recouereth by assise of Mordaunc estour, as before is said in Assise of Nouel disseisin. And lykewise dãmages shalbe recouered in writs of cosinage, aycl, and besayel. And whereas before time dãmages were not taxed, but to the value of the issues of the lãd: It is prouided, that the demaũdãt shall recouer against the tenãt, ẏ costs of his writ purchased together with ẏ dãmages aboue said. And this act shal hold place in all cases where the partie is to recouer dãmages. And euery mã from henceforth shal bee compelled to render dãmages where the land is recouered against him, vppon his owne instruction, or his diuine acte. Gloucester cap. 1. An. 6. E. 1.

Writ of Entre

Mort

Cosinage

2 ¶ The king of his special grace grãteth vnto hys citizens of London, that where as beefore tymes they that were disseysed of their freeholde in the same citie, coulde not recouer their dammages before ẏ cõminge of the Justicers to the Towre, that from henceforth the disseisies shall haue dammages by recognysance of the same assise, whereby they recouered their landes. And the disseisours shalbe amerced before two Barons of ẏ Eschequer, which shall resort once a yere into the Citie to do it. And it shalbee cõmaunded vnto the Barons, and to the treasorer of the Eschequer, that they shall cause it euery yeare to bee leuied, by two of them at their byrying. And the amerciaments by the summons of Theschequer shalbe leuied to the kinges vse, & bee deliuered in the escheqer. Gloucester cap. 14. An. 6. E. 1.

London

Disseisors

Amerce

Eschequer

3 ¶ For entries by disseisin, dammages shall rume from the time of the statute published. In the same wise, for dãmages in writtes of Entre vpon disseyson, & in al writs of Mordaunc estour, cosinage, aycl or besayel. Touchinge intrusion by ones own act, by any manner of writ, dãmages shal rũn after ẏ writ purchased against thẽ ẏ held by statut, albeit ẏ their auncestors died seised thereof. Exposition of Gloucester. Ann. 6. Ed. 1.

Intrusion

4 ¶ Where ofttimes playntife or demaundant, playntyfes or demaundants that haue iudgement to recouer be delayed of execution, for that the defendaunt or tenaunt, defendauntes or tenauntes against whom iudgement is geuen, or other that bene bounden by the said iudgement, sueth a writ or writtes of errour, to annull and reuerse the sayd iudgement to the intent onely to delay execution of the same iudgement. It is enacted, ordeyned, and established by thaduice of the Lordes Spirituall and Temporall, and at the prayer of the commons in the sayde Parlyament assembled, and by auctoritie of the same, that if anye suche defendaunt or tenaunt, defendauntes or tenauntes, or if any other that shalbee bound by the said iudgement sue afore executiõ had, any writ of errour to reuerse any such iudgmẽt, in delayig of executiõ: that

Judgement

Errour

that then if ỹ said iugement bee affirmed good in the said writte of errour, and not erronious, or that the sayde writte of er-
Discontinue rour bee discontinued in the default of the partie, or that the personne or personnes
Nonsuit that sueth writ or writtes of Errour, be nonsued in the same, that then the sayde personne or personnes agaynst whom the sayde writte of Errour is sued, shall recouer hys costes and dammages for hys delay and wrongfull veration in the same, by the discretiõ of the Justice afore whom the said writte of Errour is sued. Anno 3. H. 7. capitulo 10. And An. 19. H. 7. cap. 20. It is enacted that this acte bee good and effectuall, & that from thẽceforth duely put in execution.

Auowry 5 ¶See Auovvry. 1. & Recoueries. 1. that the auowant shall recouer dãmages and costes.

6 ¶If any person or personnes at anie time after the feast of the Purification of our Ladie, in the xxiij. yere of the raigne of our soueraigne Lord kinge Henry the eight, cõmence or sue in any court of recorde or elsewhere, in any other court, any action, bill or plaint of trespas, vppon the statute of kinge Richarde the second, made in the v. yere of his raigne (S. ca. 7.) for entries into landes and tenementes, where none entrie is geuen by the law, or any action, bill, or plaint of debt or couenant vpon any especialtie, made to the plaintife or plaintifes, or vppon any contract supposed to bee made betweene the plaintife or playntifes, and any person or persones, or any action, bill, or playnt of
Detinue detinue of any goodes or cattels whereof the playntife or playntifes shall suppose that the propertie belongeth to them or to anye of them, or anye action, bill, or
Accompt playnt of accompt, in ỹ which the plaintife or playntifes suppose the defendaunt or defendauntes to be their baillife or baillifes, receiuour or receiuours of their manor, mese money, or goodes to yelde accompt, or any action, bill, or plaint vpon the case, or vpon any statute for anie offence, or wrong personal immediatlye supposed to be done to ỹ plaintif or plaintifes, and the plaintife or plaintifes in anye such kinde of action, bill, or plaint after apparance of the defendant or defendaunts bee nonsuted, or that anye verdict
Verdict happen to passe by lawfull tryall agaynst the playntife or playntifes in anye suche action, bill, or plaint: that then the defen- Def.
daunt or defendaunts in euery such action, bill or plaint, shall haue iudgement to recouer his costes, agaynst euerye suche plaintife or playntifes. And that to be assessed and tared, by the discretion of the Tere
Judge Judge or Judges of the court, where anie suche action, byll, or playnt, shalbee commenced, sued, or taken. And also that euery defendaunt in suche action, bill, or
Proces plaint, shall haue such proces and execution for the recouery and hauinge of hys costs against the same plaintife or plaintifes, as the same plaintife or plaintifes should or might haue had against the defendaunt or defendauntes, in case that iudgement had bene geuen for the parte of the sayde playntife or plaintifes in any suche action, bill, or playnt. Prouided al-
Poore way, that all and euerie such poore person or personnes beynge playntife or plaintifes, in anie of the sayde actions, bylles, or plaintes which at the commencement of their suites or actions bee admitted by discretion of the Judge or Judges, where such suites or actions shall bee pursued or taken, to haue their processe and counsaile of charity without any money or fee paying for the same, shall not bee compelled
No costes to paye anie costes by vertue or force of
No punishment this estatut, but shall suffer other punishment, as by the discretion of the Justices or Judge afore whom such suites shal depend, shall bee thought reasonable, anye thinge afore rehearsed to the contrarye hereof notwithstanding. Anno 23. H. 8. capitulo 16.

Por. 7 ¶Albeit that playntife or p'aynetifes, be or shalbe nonsuted in any whatsoeuer action, suit, bill, or playnt commenced, or to be commenced, sued, or to bee sued, to the vse of our sayd soueraigne Lorde the kinge, his heires or successors, kinges of Englande, or that it shall happen any verdict to passe against any such
Verdict plaintife or plaintifes in any action, suit, bill, plaint, sued or to bee sued to the kings vse: the defendaunt or defendauntes shall
Def. not recouer anye costes agaynst any such plaintife or playntifes, any act or statute made in this present parliament, or any other thinge to the contrarie beeing, in anie wise notwithstanding. Anno 24. H. 8. capitulo 8.

¶Darreine preſentment.

Aſſiſe of Darreine preſentment ſhalbee taken alway beefore our Juſtices of the beech, and there ſhalbe determined. Magna charta cap. 13.

¶Decies tantum.

Iurours — As to the article of iurours, in the 34. yeare, it is aſſented and ioyned to the ſame, ỳ if any iurours in aſſiſes ſwoorne, and other enquests to bee taken betweene the king and party, or partie and partie, do anye thinge take by them or by other, of the party plaintife or defendant, to ſay their verdict, and thereof be attainted by proceſſe contained in the ſame article, bee it at the ſuit of the partie that will ſue for him ſelf, or for the king, or any other perſon, euery of the ſaide iurours ſhall paye x. times aſmuch as he hath taken. And he that will ſue, ſhal haue the one halfe, and the kinge the other halfe. And that all the imbraceors to bring forth or procure ſuch enquests in the countrey to take gaine or profite, ſhalbee punished in the ſame maner and forme as the iurours. And if the iurour or imbraceour ſo attaynted, haue not whereof to make gree in the manner aforeſaid, bee ſhal haue the impriſonment of one yeare: And the intent of the kyng, of great men, and of ỳ cõmẽs is, that no Juſtice nor other miniſter ſhal ẽquire of office vpon any of ỳ points of this artycle, but onely at ỳ ſuit of ỳ partye, or of other, as afore is ſaid. An. 38. E. 3. ca. 13.

Aſſiſe, Enqueſt — Reward — Attaint — Fork. Mone — Imbraceors — Punish — Impriſon — No enquire

¶Declaration.

BY the auncient termes and formes of declarations, no man ſhalbe preiudyced, ſo that the matter of ỳ action be fully ſhewed in the declaration and in ỳ writ. An. 36. E. 3. ca. 15.

¶Deedes & vvritings.

ANno quinto Richardi ſecũdi capitulo octauo. It was enacted that they whoſe writinges were deſtroyed in the laſt inſurrection, ſhould haue remedye by the counſell.

Inſurrection

2 ¶All ſtatutes, recogniſaunces, indẽtures, and other writinges, whatſoeuer knowledged, or made, by or to, any perſõ or perſones, bodies politike or corporate, being the Quẽnes, ſubiects ſince the firſt day of July laſt paſt and beefore the firſt day of Auguſt thẽ next following, vnder the name of the raigne of any other perſon then vnder ỳ name of our ſoueraigne Ladyỳ Quẽne, ſhalbe as good & effectual in ỳ law, to al intents, purpoſes, cõſtructions, & meanings, as if vpõ the making thereof the name of our ſoueraigne Ladye the Quẽnes maieſtie, with her ſtile appropriate, and vnyted vnto her maieſties Imperiall Crowne, had bene fullye and plainely expreſſed, and conteyned in the ſame obligations, recogniſances, indentures, and other writyngs. And that the ſame obligations, recogniſaunces, indentures, eſtatutes, and other writings, ſhall & may bee ſued & miniſtred in barre exhibited, auerred, vſed & pleaded, in the name, title, and ſtile of our ſoueraign Lady the Quẽnes maieſtie, in ſuch and the ſame manner and fourme, as though the name of the ſame our ſoueraigne Ladye the Quẽne, with her graces vſuall ſtyle had bene expreſſed, written, & conteyned in the ſame, the lacke of the naminge or mẽcioning of the name of our ſoueraigne Lady the Quẽne, of her maieſties ſtile, in the date or time of the makinge of the ſayd eſtatutes, recogniſaunces, endentures, and other writings, in the ſaide eſtates, recognyſaunces, or other writyngs, in anywyſe notwithſtandynge. Prouided alwayes that this acte, nor anye thynge therein conteyned, ſhall not extende to make good, anye letters patentes, commiſſions, gyftes, graunts, leaſes, dimiſes, or other writings made by the ſaydeLady Jane Dudley, otherwyſe called the Lady Jane Gray, ſithẽce the ſaid firſt day of July laſt paſt, of anie manners, landes, tenementes, hereditaments, offices, fees, or other writinges, whatſoeuer, nowe or then being by anye waies, or meanes, parcel, mẽber, or belonging to ỳ ſaid Imperial crowne, or to make good any other writings, whatſoeuer made by the ſaid Lady Jane, ſithen ỳ ſaid vi. day of July: But that they & euery of them ſhal remaine & bee vtterly void & of none effect, any thing aforeſaide to the contrary notwithſtanding. Anno primo M.i. parliamento cap. 4.

Obligation — Date — Letters patents Cõmiſſions Leaſes — L. Jane — Voide

Statutes Recogn. Indẽtures

3 ¶See

Seale

3 ¶See Roome.4. that dēedes & wrytings before made wᵗ the seale of the supremacy should be good and pleadable,

¶Denizens.

ONe act was made cōcerning Frēch denizens 4, & 5. Phillip and Marie, which was to continue but during ẏ lyfe of Quēene Mary.

¶Denmarke,

AN.8.H.6.ca.2. an act was made cōcerning English men to remayne to the staple in Denmarke, but it is repealed by 1.H.8.ca.1.

Staple Repealed

Pryny seale

2 ¶An.10.H.6.ca.3. it was enacted that the garden of the priuy seale shoulde make letters of request vnder the priue seale to the kinges of Denmarke, to haue restitution of Englishmens goods, taken by him or his subiects. And if therby restitution were not made, ẏ king by aduise of his cōsell should prouide remedy for ẏ sāe party greeued. See breakers of truce. An.4.H.5.ca.7.

Restitution

¶Debt.

IT is prouided also, that in no Citie, borough, towne, market, nor faire, there be no forein persone (which is of this Realme) distrained for any debt, wherefore hee is not debtour or pledge. And whosoeuer doth it, shalbee greeuously punished without delay, & the distres shalbe delyuered vnto him by the Baliffes of the place, or by the kinges baylife, if neede be. W.1.cap.23. An.3.E.1.

distreine

Punish

2 ¶See of an action of debt against a gaylour. Accompt.2.

Gaoler

3 ¶See Recogñ.2. of an actiō of debt against the gailour ẏ wil not receiue one sent vnto him vpon a statute marchāt, or if he receiue him & after let him escape.

4 ¶From henceforth no warden of ẏ Fleete shal suffer any prisoner there beeing by iugement at the suit of ẏ partye, to go out of prison by mainprise, baile, or by bastonne, without making gree to ẏ said parties of that whereof thy were iudged, vnlesse it be by writ or other cōmaundement of the king, vpon payne to lose bys office, & ẏ keeping of the saide prison. And moreouer, if any such warden frō henceforth be attainted by due processe, that he hath suffered or let such prisoner to go large against this ordināce, then ẏ plaintifes shall haue their recouery against the same Wardeins, by writ of debt. And also it is ordeined, that if any at the suite of the partie iudged to anye other prysone for debt, trespasse, or other quarell, and will confesse him selfe voluntarily, & by a fained cause debtor to the king, and by so much to bee iudged to the said prison of ẏ Fleete, there to haue greater libertie of prison then else where, and so to delay the party of his recouery, the same recognysaunce shalbe there receiued, and if hee bee not debtor to the king of record, his body shal incontinently, bee remaunded to the prison where he was before, there to remaine till he hath made gree to the sayd party, & ẏ same gree made, hee shalbe immediatly sent againe to the Fleete, there to abide, till he hath made gree to ẏ king of his recognisaunce aforesaid. An.2.R.2.ca.12. See the like matter Recognysaunce.2.

Warden of the Fleete

Prisoner

Writ

Fort.

Attaint

Debt to the king

Recogñ

Remaund

5 ¶In case of debt, where the debtors make feigned gyftes and feoffements of their goods and lands to their frends and other, and after withdrawe them selfe, and flee into places of holy church priuyledged, and there hold them a long time, and take the profit of their sayde landes and goods so geuen by fraude and collusion, whereby their credytours haue bene long and yet be delaied of their debts and recouerie, wronfullye and agaynst good faith and reason: It is ordeined and established, that after that the saide creditors haue thereof brought their writs of debt, and thereuppon a Capias awarded, and the Sherife shall make his returne, that hee hath not taken the sayde persones because of such places priuiledged, in whych they bee or shalbe entred, then after suche returne made, an other writte shalbee graunted and made to the Sherife, in which writ shalbee comprysed, that proclamation be made openly at the gate of the place so priuileged, where such persōs be entred, by v. weekes continually, euery weeke once, ẏ the same persō be at a certaine daye, cōprised in ẏ sāe writ before ẏ kinges Iustices, there to answere to the plaintife of his demaūd, & vpon this writ

Gifres Feoffements

Sanctuary

Creditors

Capias Sherifes

Proclamation

returned by ỳ ſaid Sherife, that Proclamation is made in the ſaid fourme, if the ſaid perſones called, come not in proper perſon nor by atturney, iudgement ſhall be geuen againſt them vpon the principal for their default. And out of ỳ ſame iudgment, executiõ ſhalbe made of their goods and lands being out of the place priuiledged, as wel, that is to ſay, of thoſe lãds & goods ſo geuen by colluſiõ as of any other out of the ſame fraunchiſe, after that ſuch colluſion or fraude be duely founde, in the ſame maner as that ought to haue bene if no demyſe had bene thereof made notwithſtanding the ſame demyſe. But it is not ỳ kings minde, that by vertue of this ſtatute, any man ſhẽ barred of his ſuit againſt ſuch debtours by the cõmon courſe of the lawe before this preſent ſtatute vſed. Anno ſecundo, ſtatutum 2, capitulo tertio.

Judgement: Execution

Goods Lands

Colluſion

¶Debt to the kinge.

WE nor our baſtikes, ſhal not ſeaſe any land or rent for any debt, as lõg as the preſent goodes & cattels of the debtour, doe ſuffiſe to paye the debt, and the debtour him ſelfe be ready to ſatiſfy therfore. Neither ſhall the pledges of ỳ debtour be diſtrained, as longe as the principall debtour is ſufficient for the payment of the debt. And if the principall debtour fayle in paiment of ỳ debt hauing nought wherewith to pay, or wil not pay, where hẽ is able ynough, then the pledges ſhal anſwere for the debt. & if they will, they ſhall haue the landes and rentes of the debtour, vntill they hẽ ſatiſfied of that which they before payd for him, except ỳ the debtour can ſhew him ſelfe to hẽ acquited againſt ỳ ſaid ſuerty. Mag. car. ca. 8.

Bayliffes

Landes Goods

Suerties Diſtrayne

2 ¶If any man that holdeth of vs lay fée, do die, & our ſherife or baſtife do ſhew our letters patents of our ſummons for debt, which the dead man did owe vnto vs, it ſhalbe lawfull to our ſherife or baſtife to attache and arreſt all the goods and cattels of the dead man, being found in ỳ ſaid fée, to the value of the ſame debt, by the ſight and recorde of lawful men. So that nothing thereof ſhalbe taken away, vntill we hẽ clearely payed of the debt, And the reſidue ſhal remayne to the executours to perfourme the wil of him that is dead. And if it be founde that he owe nothing vnto vs, all the goods and cattels ſhal go to the vſe of the dead man, ſauing to his wife and children their reaſonable partes. Magna char. cap. 18.

Lay fee Sherife Baſtife Letters patents

Attach Goods

Executors Will

3 ¶In right of Sherifs or other, which anſwere by their owne hands vnto the Eſchequer, and which haue receiued of ỳ kinges fathers debts, or the kinges owne debts hẽfore this time, and haue not acquited the debtours in the Eſchequer: It is prouided, that the king ſhall ſend good and lawful men thorough euery ſhire, to heare all ſuch as wil complaine therof, & to determine the matters there, that all ſuch as can proue that they haue paid ſhal be thereof acquited for euer, which (whether ỳ ſherifes or other be liuing or dead) ſhall haue reſtitution of their owne in a certaine forme that ſhalbe deliuered thẽ. And ſuch as haue not ſo done (if they hẽ liuing) ſhalbe greeuouſly puniſhed. And if they hẽ dead, their heires ſhal anſwere and be charged with the debt. And ỳ king hath commaunded, that ſherifes & other aforeſaide, ſhall from henceforth lawfully acquite the debtours at the next accõpt after they haue receiued ſuche debts, and then the debt ſhalbe allowed in the Eſchequer, ſo that it ſhall no more come in the ſũmons. And if the ſherife otherwiſe do and thereof hẽ attaynted, hẽ ſhal pay to the playntife thriſe as much as he hath receiued, and ſhall make fyne at ỳ kings pleaſure. And let euery ſherif take hẽde, that hẽ haue ſuch a receiuour, for whom hẽ will anſwere, for the king wil be recompenced of all of the ſherifes and their heires. And if any other that is anſwerable to the Eſchequer by his owne hãds ſo do, he ſhal render thriſe ſo muche to the plaintife, and make fine in like manner. And that the ſherifes ſhall make tales to all ſuch as had payed their debt to the Kynge, and that the ſummons of ỳ Eſchequer hẽ ſhewed to al debtors that demaunde a ſight thereof, without denying to any, and that without taking any money or reward, and he that doth cõtrary, the king ſhall puniſh him greeuouſly. W. 1. cap. 19. An. 3. E. 1.

Shirifes

Eſchequer

Shire

Determine

Puniſhed

Heires

Accompt

Attaint in. value

Fine

Fine Tales

Sũmons

No reward

4 ¶Such diſtreſſes as are to hẽ taken for his debtes ſhall not hẽ made vpon beaſtes of the plough, ſo long as they may finde any other, vpon the ſame pain that

Diſtres

that is ordeined by eſtatute. And hee will not that ouer great dyſtreſſes bee taken for his debts, nor driuen too farre, and if the debtour can finde able and cõuenient ſuertie for a daye, within which a man may purchaſe remedy for to agree for the demaund, the diſtres ſhalbee releaſed in the meane time, and hee that otherwyſe doth, ſhalbe greeuouſly puniſhed. Articuli ſuper chartas ca. 12. An. 28. E. 1.

Suertie

Releaſe

Puniſh

5 ¶ For the eaſe of the people whych hath ben before this time greeued by outrageous lenying of the kings debts, The king wil and graunteth, that the treaſourer and barons of the Eſchequer, may determine and ordeine euerie debt due to ỳ king of the ſũme of CCC. li. according to ỳ eſtate of ỳ debtor, ſauing alwaies their coũtenaunce. And ỳ they ſhal not charge the cherifs, bailifes of liberties, nor none other accomptaunts in the Eſchequer to levy any ſumme of anye perſon, if he do charge him of as much as hee may lenye by his othe, without abating the debtors countenaunce, but the aunſweres of the Sheriſes and of other miniſters ſhalbee taken according to ỳ point of their othes. An. 1. E. 3. ca. 4. ſtat' 2.

Treaſourer Barons

Sheriſes Bayliſes Eſchequer

Othe

6 ¶ Bee it declared and enacted that al lands, tenements, profites, commodities, and hereditaments, which any treaſorer, or receiuer, in or belonging to anie of the Quéenes maieſties courtes of the Eſchequer, Wardes and Lyueries, or Duchye of Lancaſter, Treaſorer of the Chamber, Coferer of ỳ houſholde to the Quéenes maieſty, her heirs or ſucceſſors, Treaſourer for ỳ warres, treaſorer of any port, towne, or caſtel, where any gariſon is, or ſhalbe kept, treaſorer of ỳ Admiraltie, or Naule, treaſorer, vnder treaſorer, or other perſon accomptable to the Quéenes maieſtie, her heirez, or ſucceſſors, for anye office or charge, of or vỏin ỳ mint, treaſorer or receyuer of any ſũmes of money in preſt, or otherwiſe for ỳ vſe of the Quéenes maieſtie, her heires or ſucceſſors, or for prouiſions of victuall, or for fortifications, buildinges, or worke, or for any other prouiſions to bee vſed in any the offices of the Quéenes maieſties ordinance & artillery, armorie, wardrop, tents, and pauilions, or reuels, cuſtomer, collecter, farmer of cuſtomes, ſubſidies, impoſts or other duties, within any port of ỳ realme, collector of the tenthes of the clergy, collected of any ſubſidy or fifteene, receiuer generall of the reuenues of anye countie or coũties aunſwerable in the receipt of the Exchequer or in the court of Wardes and lineries, or ỳ duchy of Lãcaſter, clarke of the Hamper, nowe hath, or at any time hereafter ſhal haue, within the time whileſt he or they, or anye of them ſhall remaine accomptable, ſhal for the payment & ſatiſfaction vnto ỳ Quénes maieſtie, her heires, and ſucceſſours, of his or their arrerages, at any time here after to be lawfully, according to ỳ lawes of this realme, adiudged and determyned vpon his or their accompt (al his due and reaſonable petitions being allowed) be lyable to the payment thereof, and bee put and had in execution, for the paiment of ſuch arrerages or debts, to be ſo adiudged and determined, vpon any ſuch treaſorer, receiuer, teller, cuſtomer, collecter, farmer, officer, or accomptant, as is beefore named, in like, and in as large and beneficial manner to all intents and purpoſes, as if the ſame treaſorer, receyuer, teller, cuſtomer, farmer or collecter, vpon whom any ſuch arrerages or debtes ſhalbe ſo adiudged or determined, had the day he became firſt officer or accomptãt, ſtand bound by writing obligatorye, hauinge the effect of a ſtatute of the ſtaple, to her maieſtie, her heires, or ſucceſſours, for the true aunſwering and paymcnt of the ſame arrerages or debts.

Lands Treaſourer Receiuer

Eſchequer

Payment

Liable Execution

Arrerages

Statut ſtaple

And for as much as manye tymes it maye come to paſſe, that the Quéenes highnes, her heires, or ſucceſſours, ſhall not or may not be conueniently ſatyſfyed of the debt to be determyned or due vpon any accompt or farme, as is aforeſaid, by way of extent, for that the yearely value of the lands extended will not ſatiſfie her highnes, her heires, or ſucceſſours, vỏin ỳ compaſſe of many yeares, ſo as thereby great loſſe might ẽſue to her highnes, her heires & ſucceſſours. For remedy therof, be it further enacted, that if any treaſourer, receiuer, collector, farmer, cuſtomer, teller, collecter of cuſtome, ſubſidie, or impoſt, or other perſon accõptant beefore mencioned, which ſhall from or after the feaſt of S. Michael the Archangell nowe nert comminge, receiue, or be chargeable vỏ anye money or treaſure of our layde

Extent

soueraigne Lady ꝑ Quéne, her heires, or successors, & shal vppō the determining of his or their accōpt (all his & their due petitions to thē vpō the same accompt beinge allowed) or by reason of any farme as aforesaid, bee found in arrerages, or to owe vnto our said soueraygne Ladye the Quéne, her heires, or successours, anye summe or summes of money, & shall not within the space of vi. monethes next after his or their accompts finished, or debt knowen (having allowāce of his or their due & reasonable petitiōs as is aforesaid) truly satisfy, & pay, al such arrerages and sūmes of money, as he or they shall owe vppon determination of hys or their accompt, or vpon his or their debt knowen, as is aforesaid: that then it shal & may bee lawfull to ꝑ Quénes highnes, her heirs and successours, at anye time, and from time to time, after the sayde vi. monethz ended, to make sale by her or their letters patentes, vnder the great seale of Englande, of so much of the lands, tenemēts, and hereditaments of euery suche accōptaunt or debter, so being found in arrerages, or in debt as is aboue mencioned, as may suffice our said Soueraigne Lady ꝑ Quéne, her heires or successours, for the satisfaction of his or their debt, or arrerages to be determined or adiudged vppon his or their accōpt, or farme as is aforesaid (all due petitions beinge allowed, as is aforesaid) vntil her maiesty, her heires or successours, be by such sale, fully satisfied and paied, of such arrerages & debt to be found vppon accompt or farme, as is aforesaid: and if any ouerplus of money shalbe reserued or had vpon any such sale, then the same shalbe paid and deliuered to the accōptant or farmer, or his heirez, by the officer that shal receiue the money vppon any of the said sales, without anye further or other warrant in that behalfe to be made, or obtained.

And be it further enacted by the authoritie aforesaide, that all the sayde sales to be made by ꝑ Quénes maiestie, her heires or successours, as is aforesaid, shalbe good and auailable in lawe against ꝑ partie accomptant, indebted as is aforesaid, & his heires claiming as heires, & against the Quénes Maiestie, her heires & successours, notwithstanding any former charge, or encumbrauce to her Maiestie, her heires or successors, by the person or persons for whose debt or duetie ꝑ same shal fortune to bee solde.

Accompt

vi. monethes

Sutche Arrerages

Sale Letters patents Lands

Farme

Ouerplus

Sales

And bee it further enacted by the authoritie aforesaid, ꝑ if any person or persons accōptant, or indebted, as is aforesaid, shal at any time after he or they shal become accomptant, or chargeable as is aforesaid, purchase and buy, or cause to be purchased & bought, any lāds, tenemēts, or hereditamentes, and cause the assurance thereof to be made in the name of ante other person or personez, where the same is in deede meant or intended to the vse, profites, or behoofe of such person accomptaunt or indebted, or of any other person or persons, and that the same māner of purchasing, and secret vses, profits, or behookes shalbe founde by office or inquisition: that then all and euerye lands, tenementes, and hereditamentes, so to bee bought or purchased, or caused to bee purchased, as is before mēcioned in this last prouiso, shall by vertue of this act, be taken, deemed, and vsed for the satisfaction of ꝑ arrerages & debt of euerye suche accomptaunt or debter, as is above mencioned, to all intentes and purposes, as though the person or personez indebted, vppon his or their accōpt or farme, were thereof actually seased, of suche estate as was conueyed to anye personne or persons, by ante such accomptaunt or debter, or by his meanes, as is aforesayde: and that all sales to bee thereof made by the Quénes Maiestie, her heires, or successours, for satisfaction of suche debt or arrerages, as shalbe founde as is aforesaid, to be due and owing to our said soueraign Ladye the Quéne, her heires, or successours, shalbee of the like effect, and bee vsed and done in suche like maner & forme, as is before expressed.

Purchase Landes

Collusion

Inquisition

Sales

And whereas heretofore some Treasorers, tellers, receyuers, collecters, and others, hauing had charge of ꝑ Quénes maiestiez money and treasure, haue gotten into their handes great summes of the Quénes Maiestie money and treasure, sithence the beginninge of her Maiesties raigne, and haue most fraudulently employed her Maiesties money & treasure which they had in their charge, in sundrie wise to their owne vses, partly in ꝑ purchasing her Maiesties owne landes,

and

and partly in purchasing lands of others, & to thintent the same should not be liable to satisfie & pay her Maiesty, her heires or successours, of that which to her or them should appertain, have purchased the same sometimes in their owne names, and sometimes in the names of sundry their frendes and kinsfolkes, wyues, or chyldren, and yet neuertheles have taken and received the rents & reuenues thereof to their owne vses. Be it therefore further enacted and ordeyned by the auctoritie aforesaid, that al and singuler landes, tenements, and hereditaments which any Treasorer, Receauor, Teller, Customer, Collector, Officer, or accomptant before named, hath heretofore since the begynning of ỹ Quenes maiesties raigne purchased, or caused to be purchased, to the intent the same should not be lyable, as is aforesaid (the fraud and couin aforesaide, being first found by office or inquisition) shal & may bee seised & taken by her Maiestie, her heires and successours, & retayned by her Maiestie, her heires and successours, in fee simple, to be solde, or otherwise vsed at her and their willes & pleasures, towardes, the payment and satisfaction of all and every arreages already set or determined, and adiudged, or that hereafter shalbe set, determined, or adiudged, vpon his or their accompt, (al reasonable and due petitions being allowed) at such rate and value, as the some were purchased and bought, or caused to be purchased or bought by any such treasourer, receiuer, teller, customer, or collector, before named, or by any other personne to their vse.

Lands Treasurer Receiuer Teller Customer Collector Officer

Fraud

Fee simple

Lands

Prouyded alwayes, that if the lands & tenements so to be sealed, taken or solde, by her Maiestie, her heires or successours, as is last aboue mẽcioned, do surmoũt after the rate and value aforesaid, ỹ debtes and arrerages to bee set, determyned, or adiudged, vppon the accompt of any treasourer, receiuer, teller, customer, Collecter, or accomptant before named: ỹ then her maiestie, her heirs & successours shall take & seale only so much as shall amount after the rate & value aforesaid, to the iust payment & satisfaction of such debt & arrerages, as hath ben, or shalbe, set, determined, or adiudged, vppon his or their accõpt, as is is aforesaid

Prouided alwaies, and be it further enacted by the auctoritie aforesayd, that no Bishoppe, hauinge the collection of any subsidie, or tenthes, or any his landes, tenements or hereditamentes, whereof he is seised in the right of his Bishopricke, shalbe charged by vertue of this act, for any arrerages of tenthes, or subsidie, other wyse, or in any other manner then hee myght lawfully haue bene before the makinge of thys act: any thinge herein contained to the contrary therof notwithstanding.

Bishop

And be it also further prouided and enacted by the auctoritye aforesayde, that this act, or any thinge therein conteyned shal not in any wyse extende to charge any Treasourer, receauer, teller, customer, collecter, or accomptant aforesaid, hauing any yerely receipt, nor any their landes, tenementes, or hereditamentes, whose yearely receipt, collection and charge or whole whole receipt, frõ the beginninge of his charge, is not, or hath not bene, or hereafter shal not be, aboue the summe of three hundred poundes, other wise, or in any other maner & fourme, thẽ he or they might lawfully haue bene charged before the making of this act: any thinge herein conteyned to the contrary thereof notwithstandinge.

Receipt

And for almuch as sundry the accomptauntes before named, namely the Treasourer of the chamber, and coferer of the household of our said Soueraigne lady the Quene, her heires, and successors, Treasourers of warres, or garrisons, Treasourers of the Nauy, treasorers or receiuers of any summes of money for prouisions of victual, or for fortifications, or for buildings, & master of ỹ wardrope, are by order of their offices and charge, after their accomptes ended and determined, to disburse, expende, and defraye the debt remaininge vppon their accomptes, in such charges as are necessarily and incydently to be spent and prounded in their offices and charges, so as they are not of such summes of money or debt remayning vpon their accompt, to make present payment and satisfactyon as other accomptauntes are: Bee it therefore enacted and ordained by the auctority aforesayd, that this act or any thinge therein conteyned, shall not extende to geeue any power or

Coferer

autho-

auctoritie to make any lands, tenemẽts, or hereditaments, for any ſuch debt to bee ſet and adiudged, in any of his or their accompts, mencioned in this braunch, vnleſſe the Quæenes maieſtie, her heirs and ſucceſſours, vpon the ending or determining of his or their accõpts (al his or their due peticions to them vpon the ſame accomptes being allowed) require, or commaunde preſent payement thereof, or otherwiſe oftſiones require a newe accompt of the ſame debt, ſo ſet or remaynynge in any the accõpts mencioned in this brãch, & that then ỹ ſame debt, or any part therof, ſhalbe found to be owing & vnerpended in the matters or charges perteinyng to any of their ſayde offices, or charges mencioned in this branche, and the ſame debt remayne vnpayed by the ſpace of ſix monethes after ſuch requeſt or commaũdement.

Accomptes

vi. monethes

Prouyded alwaye, that this act ſhall not extend to charge any Sherife, Eſchetour, or Bailife of liberties, or the lands, tenementes, or hereditamentes of any Sheriffe, Eſchetour or Baylife of lyberties, nor of any their heires or aſſignes, for any thinge touchinge his or their office of Sheriffewycke, Eſchetorſhippe, or Bayliffewycke, nor for any money by him or them receyued, or to bee receyued, by reaſon of any their ſayd offices, otherwiſe, or in any other maner then he or they might lawfully haue bene charged before ỹ making of this act: any thig therein conteined to the contrarye, notwithſtanding.

Sherife Eſchetors Bailife

Heires

Prouided alſo, that this act as touchinge onely the ſale of any landes or tenements, ſhall not extende to any lands, tenementes, or hereditamentes, which any perſon or perſons now haue or enioy and haue purchaſed or obtained bona fide and not beinge priuye, or conſentynge vnto any ſuch intent, to defraude the Quæenes Maieſty as is aboueſayde. and that it ſhalbe lawfull to euery perſon and perſonnes, whoſe landes, tenementes, or hereditamentes, ſhall by any office or inquiſition be found to be fraudulently cõueied, or aſſured, as is aboueſayd, to haue his and their lawfull trauers to euery ſuch office or inquiſition: & if it be founde with the party that tendereth the trauerſe, that then he ſhall haue the ſaid landes out of ỹ

Sale of lãds

Defraude

Trauerſe

princes hands, without any peticion, lyuery, or ouſter le maine, or any other ſuit to be had, made, or vſed: & the ſame beinge found, for ſuch perſonne or perſonnes ſo trauerſing, the ſame lands, tenements, & hereditaments, ſhalbe aiudged as not liable, chargeable, nor to bee ſold by force of this ſtatute.

Ouſter le maine

Prouided alſo, and bee it enacted, that if the Quæens Maieſtie, her heires or ſucceſſours: ſhal by any ſale of lands by force of this ſtatut, be fully ſatiſfied of the debt or arrerages of any ſuche accomptaunt or debtour, or any part thereof, then ỹ ſuerties of ſuch accomptant or debtor, ſhall be diſcharged of ſo much of the ſayd debt, forfaiture, and arrerages, as ſo ſhalbe ſatiſfied, and for the reſidue onely, ſhalbee ratably accordynge to their habilityes charged: any thinge in this or any other ſtatute to the contrary, notwythſtandynge.

Suerties diſcharged

Prouyded alwayes, that this act, nor any thinge therein conteyned, ſhall in any wyſe extende to charge Henry Golding Eſquire, & Thomas Neale, one of the Quæens maieſties Audytours, or the landes or tenementes of either of thẽ, to whom the Quæenes maieſtie hath demiſed any cuſtomes, ſubſidies, or impoſtes, in any thing onely touchinge the ſayd demiſe and leaſſe, otherwiſe or in any other maner, then they might haue ben lawfully charged if this act had neuer ben had or made, except they or either of thẽ, do hereafter take any of the profits of ỹ ſaid ſubſidies, cuſtomes, or impoſts by force of ỹ ſayd demiſe, any thing herein conteyned to the contrary thereof notwithſtanding. An. 13. El. ca. 4.

Auditors

¶ For auoydinge & redreſſe of great deceppts done to the Quæenes Maieſtie, and to the Prelates and Clergye of this Realme, by vnder Collectours of the tenthes & ſubſidies of ỹ Cleargie, appointed by & vnder the Archbiſhoppes and Biſhops of this Realme, & Deanes and Chapters (Sede vacante:) Be it enacted, that the ſtatut made in the viij. yere of her maieſties raigne, to make ỹ lands, tenementes, goods, and cattalles of tellers, receyuers &c. to be lyable to the payment of their debtes, ſhall to all intentes and purpoſes, as amplie and largely extende, and bee conſtrued to extende to all ſuch

Collectours

Sta. of Anno 13. El.

such vnder Collectoures of tenthes and subsidies of the Clergie, and to their lãds, tenements, & hereditamentes, goods and cattells, for satisfienge of such money as they haue collected, or shall collect of the sayd tenthes and subsidies, to the vse of the Quẽnes Maiestie, her heires or successours (of what perely summe soeuer ẏ charge of their collection is, or shalbee) in like fourme as it doth extend to the Tellers, Receyuers, and other personnes accomptaunt, whom the sayd act specially and expressely concerneth, and in as ample wyse, as if such vnder Collectoures were immediatlye accomptaunt to the Quẽnes Maiestie, her heires or successours: any prouision in the sayd statut, or other matter whatsoeuer to the contrary, notwithstanding.

Lands Goods

Tenthes Subsidies

And that euery such vnder Collectour, shal vppon processe to be awarded out of the court of Eschequer, bee chargeable to accompt for his receypt of such tenthes and subsidies, as any Receiuer, immediately accomptaunt to her Maiestie, is or ought to be: and that euery Archbishoppe and Bishop and Dean and Chapter (Sede vacante) to whose charge the collectiõ of such tenthes or subsidies doth or shall appertaine, shalbee discharged of so much of the said tenthes and subsidies, as shalbe satisfied to ẏ Quẽns maiestie, her heires or successoures, of or by the landes, tenements, hereditaments, goods or cattailes of such vnder Collectour, or hys heires, without any other warraunt whatsoeuer, in that behalfe to be obteined. An. 14. Eliz. ca. 7.

Proces Eschequer

Archbishop Bishop

Discharge

¶Dilapidations.

WHere diuers and sundry Ecclesiasticall persons of this realme, being endowed and possessed of auncient palaces, mansion houses, and other edifices & buyldings belonging to their Ecclesiasticall benefices or liuings, haue of late yeres not only suffered ẏ same for want of due reparations, partly to rũne to great ruine and decay, and in some part vtterly to fal downe to the grounde, conuertinge the timber, leade, and stones, to their owne benefite and commodytie: but also haue made dẽedes of gift, and colourable alienations, and other conueyaunces of lyke effect, of their goodes and cattels in their liues tyme, to thintent and of purpose after their deathes to defeate and defraude their successours of such iust actions and remedyes, as otherwyse they myght and shoulde haue hadde for the same, against their executours or administratours of their goods, by the lawes Ecclesiastycall of this Realme, to the great defacing of the state Ecclesiasticall, and intollerable charges of their successoures, and euill president and example for others, if spẽdye remedy bee not prouided. Bee it therefore enacted, ẏ if any Archbyshop, Bishop, Deane, Archedeacon, prouost, Treasorer, Chaunter, Chaunceller, Prebendarie, or any other hauinge any dignitie or office in any Cathedral or Collegiat Church within this realme: or if any person, vicar, or other incumbent of any Ecclesiasticall liuinge, whereunto do belonge any house or houses, or other buildinges, which by lawe or custome, he is bound to kepe and maytenne in reparation, do from henceforth make any dẽede or dẽedes of gift, or alienatiõ, or other like conueyaunces of his mouable goodes or cattelles, to thintent and purpose aforesaydc: that then the successour and successours of him that shall make such dẽede or dẽedes of gift or alienation, shal & may commence suit, and haue such remedye in any Court Ecclesiasticall of thys Realme, competent for the matter agaynst him or thẽ to whom such dẽede or dẽedes of gyft or alienation shalbe so made, for the amendement and reparatyon of so much of the sayd Dilapidations and decayes, or iust recompence for the same, as hath happened by his fact or default, in such sort as he might, should, or ought lawfully to doue, if hee or they to whom such dẽede or dẽedes of gift or alienatyon shalde so made, wer executor or executors of ẏ testament & last wil. of him ẏ made such dẽede or dẽedes of gift, or alienatiõ, or were administratour or administrators of his goods or cattels: any law, custome, or other thing to ẏ contrary in any wyse notwithstanding 13. El. ca. 10.

Reparations

Archbishop Bishop Deane

Officers

Deedes of gift Alienation

Successour

Suit

Reparation

Executor

Administrator

And bee it further enacted, that all summes of money hereafter to be recouered, for, or in name of dylapidations, by sentence, cõposition, or other wise, shal within two yeres after such receypt, bee truely

Recouer Sentence Cõposition

truely employed vpon the buyldings and reparations, in respect whereof such money for dilapidatiõs shalbe payd, on paine ỳ every persõ so receiuing, & not employing as is aforesaid, shal forfait double as much, as so shalbe by him receyued, and not employed, the which forfeyture shall bée to the vse of the Quénes maiestie, her heires and successours. An. 14. Eliz. cap. 11.

Forf.

¶Disceipt.

Sericeant

Collusion

Attaint Imprisl.

IT is prouided also, that if any Seriéant pleader or other, do any maner of dysceipt or collusion in the kings court, or cõsent to it in disceipt of the court, or to bée gyle the court or the partie, & therof be attainted, he shalbe imprisoned for a yere & a day, & frõ thencefoorth shall not be heard to plead in ỳ court for any man. And if he be no pleader, he shalbe imprisoned in like maner by the space of a yere & a day at ỳ least. And if the Tresspas require greater punishment, it shalbe at ỳ kings pleasure. W. 1. ca. 29. An. 3. E. 1.

Garnishmẽt Sommons

2 ¶A writ of Disceipt shabe maintenable, & hold as wel in the case of garnishment, touching plea of lande, where such garnishment is geuen, as in case of summõs in a plea of lãde, dated at Northãpton. An. 2. E. 3. ca. 17.

¶Discontinuance of right or estate.

Dower

Taile

Discontinue Auen Releale

IF any woman which hath had, or here after shal haue, any estate in dower, or for terme of life, or in taile ioyntlye wyth her husband, or only to her seise, or to her vse, in any maners, lands, tenements or other hereditaments, of the enheritãce or purchase of her husband, or geeuen to the said husbande & wife in taile or for terme of lyfe, by any of the auncestors of ỳ sayd husband, or by any other person seised to the vse of the said husband or of his auncestors, and haue or shall hereafter being sole or with any other after taken husbãd discontinued, or discontinue, alyened, released, or confirmed, alyen, releale, or cõfirme with warrantie, or by couin suffred or suffer any recouery of the same against them or any of them, or any other seased to their vse or to the vse of either of them after the forme aforesayd: That all such recouries, discontinuances, alienations, releales, confirmations, and warranties so had and made, and from hencefoorth to be had and made, be vtterly void & of nõe effect. And that it shalbe lawfull to every person and personnes, to whom the interest, title, or inheritance after the decease of the sayde woomen of the sayde manours, landes, and tenements, or other hereditamentes, being discontinued, alyened, or suffred to be recouered, after ỳ first day of December next cõminge in ỳ fourme aforesayd, shoulde appertaine, to enter into al and every of the premisses, & peaceably to possesse & enioy the same, in such maner and fourme, as he or they should haue done if no such discontinuãce, warranty, ne recouery had bene had nor made. And ouer this be it &c. that if any of the husbands & woomen or any other seised, or that shalbe seased to the vse of them of the estate afore specified after the sayd first day of Decẽber do make: or cause to be made or suffer, any such discontinuãce, alienations, warranties or recoueries, in fourme aforesaid, that then it shalbe lawfull to the person or persons, to whõ ỳ said manors, lands and tenements, should or ought to belong after the decease of ỳ said woman, to enter into the same, & them to possede & enioy, according to such title and interest, as they shoulde haue had in the same if the same woman had bẽ dead, no discontinuance, warrantie, nor recoueries had, as against the sayd husband duryng his life, if the said discontinuance, alienation, warranties, and recoueries, be hereafter had by or agaynst the same husbãds and woomen duringe the couerture and espousell betwixt them. Prouided alway that the said woomen after the decease of their said husbandes may reenter into the same manours, landes and tenements, & thẽ to enioy according to their first estate in the same. And ouer this &c. that if the said woman at the time of such discõtinuance, alyenations, recoueries, warranties, after the said first day of Decẽber in fourme abouesaid, to be had & made of any of the premisses, be sole, that then she shalbe barred & excluded of her title & interest in the same frõ thencefoorth. And ỳ the persõ & persons, to whõ the title, interest & possessions of the same should bee

Confirmation Warranties

Woyde

Weomen Reenter

Sole Barre

long

long after the decease of the said woman, shall immediatly after the discontinuances, alienations, warranties & recoueries, enter into ỹ same manors, lands & tenements, & other hereditamentes, & them to possede & enioy according to his or their title in the same. Prouided also that this act extende not to auoyde any recouerye, discontinuance, or warrantye after the fourme aforesaid, afore this tyme had, made or suffred, but only where the sayd husband & woman, or either of them, now being alyue, or any other to their vse, now haue entry and title to the said manors, lands, tenements, or other hereditamẽts alienedi, discõtinued or suffered to be recouered after the fourme aforesaid, and ther of now taking ỹ issues & profits, or any other person or persons to their vse. Prouided also that this act extend not to any such recouery or discontinuance to be had with ỹ heires next inheritable to the sayd woman, or he or they ỹ next after ỹ death of ỹ same woman, should haue estate of inheritance in ỹ same manors, lãdes, tenements, be assenting or agreeable to ỹ said recoueries, where the same assent & agreemẽt be of record or inrolled. Prouided also ỹ it shalbe lawful to euery such woman being sole or maried, after the death of her first husband to geue sell or make discõtynuance, of any such land for terme of her life only, after ỹ course & vse of ỹ cõmon law before ỹ making of this present act, An. 11. H. 7. ca. 20.

Mans profite

Recouery

Sell

¶Discontinuance of proces.

OUr Soueraigne Lord the king, considering the great losses and damages which oftẽtimes haue come & be likely to come hereafter, aswell to him selfe, as to many of his lieges, for that that wher aswel diuers endictments and suits for our soueraigne lord the kinge, as other suites betwene party and partye, haue bene taken before diuers Justices of the peace, assigned by diuers cõmissions of our sayd soueraigne Lord the king in diuers counties of England, and diuers pleas & processe vppon those indictmentes haue oftẽ bene made, & hanging before ỹ same Justices not determined, the which pleas and processes bene often discontinued by making of new commissions of the peace in those coũties, to the great losse of our said soueraigne Lord the kinge and of his subiects, in delay of the same pleas & suites, and of the delyuerance of hys sayd subiects. And vpon that, our soueraygne lord the king willinge to prouide remedy, of ỹ assent and auctority of this present parliament, hath ordeined and stablished, that al such pleas, suits & processes, from hereforth to be taken and to bee made, before Justices of the peace in any County of Englande, the sayde pleas and processe in such suites to be made shall not be discontinued by such newe commissions of the peace to be made, but that those pleas and processes shal stand in their strength. And the Justices in the same newe commissions so assigned, after that they shal haue the records of the same pleas and processes before them: shal haue full power & auctority to cõtinue the said pleas & processes, & ỹ same pleas & processes, & al that depend vpon thẽ to heare & finally to determine, as the other Justices might and ought to haue done, of & in the same, if no newe commission had bene made. An. 11. H. 6. ca. 6. *

Pleas Suites. Proces Just. of p.

Discontinue Newe cõmissions

Records

Oier and terminer

2 ¶To take away the delaies ỹ haue happened heretofore to suters by ỹ death or demise of the kings of this realme. Bee it &c. That by the death or demise of the kinges maiestye that now is (whose life almightye God longe preserue hope and mayntaine in moste royall estate) nor by the death or dempse of any that hereafter shalbee kinge of this Realme, any action, suit, bill, or plaint, nowe or that hereafter shall depend, betweene partye and party in any of the courtes aforesayde, shall not in any wyse be discontinued or put without day: But that the processe, pleas, demurres and contynuances, in euery action, actions, suites, billes, or plauntes, which now, or that hereafter shall depende, shall stande good and effectuall, and bee prosecuted, and sued forth, in such manner and fourme, and in the same estate, condityon and order, as yf the same kinge had lyued, or contynued in full lyfe, the death or dempse hereafter of any kynge of this Realme notwithstandinge. And that all and all maner of iudiciall processe that hereafter shalbee had or pursued in the tyme of the raygne of any other kinge then raygned at the

ii. death

Demise

Action Suit

No discontinuance Proces Demurres

at the time of pursuit of the originall or other former processe, shalbee made in the name of the kinge, that for the time shall raigne & be king of this Realme, and the variaunce touching the same processe betweene the names of the kinges, shal not be in any wise material as concerning any default to be alledged, or objected therfore. And also be it &c. that all & euery assise of nouel disseisin, assise of mortdancester, Juris utrum, & attaint, which at any time hereafter shalbee arraigned, comenced or sued before any of the kinges Justices of assise, shal not from henceforth be discontinued or put without day, by reason of death, newe commission, association or not comminge of the same Justices of assise or any of them, but shal stande good & effectual in the lawe, to all intentes, constructions and purposes, the death newe commission, association, or not comming of the same Justices, or any of them, in any wise notwithstanding. And ouer that be it &c. that albeit any demaundaunt or plaintife in any maner of actiõ, bil, or suit shal fortune to be made or created Duke, Archbishoppe, Marques, Earle, Viscoũt, Baron, Bishop, Knight, Justice of ỹ one bench or of the other, or Seriaunt at law, dependinge the same action, bil or suyt, yet that notwithstanding, that no writte, action or suit, shall for such cause in any wise bee abatable or abated, but shall remaine in like force: gwdnesse and strẽgth, as the same was before, any law or vsage to the contrarye in any wise notwythstanding.

☞ And also be it &c. that albeit any person or persons being Justice of assise, Justice of gaole delivery, or Justice of peace, win any the kings dominiõs, or being in any other of the kinges cõmissions whatsoeuer, shall fortune to bee made or created Duke, Archbishop, Marques, Earle, Viscount, Baron, Bishop, Knight, Justice of the one bench or of the other, or Seriaunt at the lawe, or sherife, yet notwithstandinge, hee or they shall remaine Justice and commissioner, and haue full power and auctoritie to execute the same, in like manner and fourme, as he or they might or ought to haue done before the same. This article touchinge Iustices of peace being made sherifes is altered by 1. M. 1. parliamento cap. 8. as appeareth in Sherifes 36. And be it &c. that in all cases, where any person or persones heretofore haue bene, or hereafter shalbe found guilty of any maner of treason, murder, manslaughter, rape, or other felony whatsoeuer, for ỹ which iudgemẽt of death should or may ensue, and shalbe repried to prison without iudgement at that time geuen against him, her, or them so founde guilty, that those persons that at any time hereafter shal by the kings letters patents be assygned Justices to deliuer the Gaole where any such person or persons founde guilty shal remaine, shal haue full power & auctoritye to geue iudgement of death against such persõ so foũd guilty & repried, as the same Justices before whom such person or personnes was or were found guilte, might haue done if their commission of Gaole deliuery had remayned and continued in ful force and strength. And ouer that, that no manner of proces, or suit made, sued or had, before any Justices of assise, of gaole deliuery, Oyer and terminer, Justice of peace, or other of the kinges commissioners, shall not in any wise be discontinued by the makinge and publishing of any new commission or association, or by alteringe of the names of the Justices of assise, gaole delivery, Oier & terminer, Justice of peace, or other the kings cõmissioners but that the new Justices of assise, gaole deliuery, & of the peace & other commissioners, may procéede in euery behalfe, as if the olde cõmissions, & Justices, & commissioners had stil remained and contynued not altered. Anno 1. E. 6. cap. 7.

Name
Variance
Assise Mort dancestr Juris utrũ Attaint
Just. of ass.
Death Cõmission
Demaundant Plaintife
Abatement Altring of addition
Not abated
Just. of ass. Just. of g. Just. of p.

¶Dispensation.

BE it enacted by auctority of this present parliament, that al bulles, breues, faculties, dispensations, of what names, natures, or qualities soeuer they bee of, heretofore had or obtained of the bishop of Rome, or of any his predecessours, or by the auctoritie of the sée of Rome, by or to any subiectes resiants or bodies politique or corporate, of or in this realme, or of or in any other the kings dominions, shal from henceforth be clerely void and of no valne, force, strength nor vertue, & shall neuer hereafter be vsed, admitted, allowed, pleaded or alleadged in any places or courts

Bulls
Rome
Voyde

courts of this Realme, or of any other the kinges dominions, vppon the paynes contened in the statut of prouision & præmunire, made in the yer. yere of ỳ raigne of kinge Richarde the seconde. Yet notwithstanding, at the most humble peticion and intercession of the lordes spirituall and temporal, and the commons in this præsent parliament assembled, it may please the kings maiestie of his most gracious benignitie, goodnes and blessed dyspositiõ, that it may be enacted by auctority of this parliament, that all mariages had & solempnized wỳn this realme, or in any other the kinges dominions, before ỳ third day of November, in ỳ yer. yere of ỳ kinges most gratious raigne, whereof there is no denoyce or seperation had, by ỳ ecclesiastical lawes of this realm, & which mariages bee not prohybited by Gods lawes, limytted and declared in the act made in this præsent parliament for ỳ stablishment of the kings successiõ, or otherwise by holy scripture, shalbe by auctorite of this præsent parliament, good, lawful and effectual, and shalbe from the beginning of such mariages, reputed, estemed, taken, adiudged, reckned, approued, & allowed, by the authorite of this præsent parliament, to all and singuler purposes, effects, intents, as good, as sufficient, & as bayable, as though no impedyment of matrimony, had euer bene betweene them, that haue contracted and solempnized such mariages. And that all children procreated, & to bee procreated, in & vnder such mariages shalbe lawful to al intents & purposes. And that it may bee also enacted by ỳ auctority of this præsent parliament, that all Archbishops & Bishops of this realme or of any the kinges dominions consecrated, & at this præsent tyme takẽ & reputed for Archbishops and Bishops, may by auctority of this præsẽt parliament, & not by vertue of any prouision or other forein auctority, licence, faculty, or dispensation, kẽpe enioy, and retayne their Archbishoprickes and Bishoprickes in as large & ample maner, as if they had ben promoted, elected, confirmed, & cõsecrated, according to the due course of the lawes of this Realme. And that euery Archbishop & Bishop of this Realme & of other the kinges dominions may mynister, vse and exercise al and euery thing and things perteining to the office or order, of an Archbishop and Bishop, with al tokens, ensignes & ceremonies therunto lawfully belonginge. And that all ecclesiastical persons of the kinges realme and dominions, which at this time be taken, had & reputed for Abbots, Priours, Abbesses, Priorelles, & other heades of religion (which be not, nother shalbee excluded from their dignyties by the late act of suppression) and the religious persons living vnder their obedience, and al persõs now taken and reputed as masters, præsidentes, prouostes, and wardeins of Cathedral churches and colledges, with the companies and fellowships of the same, al prielles and clerkes which haue receyued any of the ecclesiasticall orders, all archedeacons and deans, and others hauing offices, cures and dignities spirituall, may by auctorite of this act, and not by the vertue of any forein power or auctorite, administer, vse, and exercise, al things perteining to their dignities, offices, orders, cures, religions, & fellowships, and may lawfully hereafter vse all tokens, insignes and ceremonies, which they haue ben accustomed to vse in times past (so it be not expressely against ỳ lawes of God & this realme) any thing or things cõteined in any act or acts, made sithen ỳ beginning of this præsent parliament to ỳ cõtrary of any the præmisses, in anywise notwithstanding. And where diuers and many of ỳ kigs said subiects, haue purchased & obtained many dispensations, bulls, breues, & faculties, of ỳ Bishop of Rome for the time beinge or by auctority of ỳ see of Rome, as pluralities vnions, trialities, appropriations, commendations, exemptiõs and other bulls, breues, and faculties, for diuers causes and matters, other then be afore expressed, which bee of no strength or vertue: It may therefore please the kings maiesty, that it may bee enacted by auctoritie aforesayd, that all and euery his said subiects during ỳ time of one whole yere next after the feast of saint Michael the Archaungel next comminge, may enioy, vse, and haue by auctoritie of this præsent act, and not by the vertue of the said bulls, breues and faculties, all and euery the effectes conteyned and specified in such bulles, breues, and faculties, in al such cases onely as may bee dispensed

Marriages

Deuises

Children Legitimate

Archbishops Bishops

Consecrated

Religious Abbots

Masters of colleges

Priestes

Archdeacons Deanes

Ceremonies

Faculties Roome

Pluralities

1

Dispense Archbishop of Canterbury

dispensed with, by the archbishop of Caũterbury, by auctority of ẏ lawes & statuts of this Realme. And that it may bee further enacted by auctoritie afoꝛesaid, that al and euery the kings said subiects bringing, rendring & deliuering to such persõs of his counsel, oꝛ of ẏ masters of his chaũcery as the kings highnes shal name and appoint, any bulls, bꝛeues, oꝛ any other faculties, concerninge any the pꝛemisses, ẏ then if it shall appeare to such persons as the kinges highnes shal so name and appoint to receiue such bulles, faculties and bꝛeues, after due examination thereof had, that the effects conteined & specified in such buls, faculties, & bꝛeues, oꝛ in any part therof, may be fully graunted by the said Archbishop of Caunterbury by auctoꝛity of the lawes and statutes of this Realme, that then and in euery such case the kings said subiectes, making humble

Counsel M. of the Chauncery

Suit

suit to haue the effects conteyned in ẏ said bulls, bꝛeues & faculties, to be graũted vn to them, shal haue, receiue & obtayne of ẏ Chaunceloꝛ of England, oꝛ kẽper of the great seale foꝛ the time beinge, by sufficient wꝛiting in due foꝛme to be made, and to be sealed vnder the kinges great seale, al and euery such effects conteyned and specified in such bulls, bꝛeues & faculties as may be lawfully graunted by the said archbishop of Caũterbury, by auctority of the lawes and statuts of this Realme, paying onely foꝛ the sealing of euery such wꝛiting xx.s. tiii. d. and ouer that foꝛ the reasonable costes foꝛ paines of the wꝛiting thereof iii.s. iiij. d. & not aboue, & foꝛ the paine taken foꝛ due examinatiõ of euery such bulles, bꝛeues, & faculties iij.s. iiij. d. & not aboue. And that this pꝛesent act shalbe sufficient & immediate warrãt to the chaũceller oꝛ kẽper of ẏ great seale foꝛ thensealinge & delinery of such licences, faculties, dispensations, & other wꝛytigs, which shalbe made, graũted & sealed vnder ẏ kings great seale by vertue & auctoꝛity of this act. And it is also enacted by auctoꝛitie afoꝛesaid, that al and euery such licence dispensation, faculties, confirmation oꝛ other wꝛitinge to be had, made oꝛ graunted vnder the kinges great seale out of the said court of Chaũcery by auctoꝛitie of this act, in foꝛme as is aboue rehersed, shalbe good and effectuall to the said parties suyng foꝛ the same, accoꝛding

Chaunceloꝛ

Sealing xx.s.

Wꝛiting iii.s. iiii.d.

Warrant

Licence

to the tenour & effects therof, & shalbe admitted, accepted & allowed in al courtes & places of this realme, and in all other the kings dominions, any vsage, pꝛescriptiõ, foꝛeyn lawes, customes oꝛ oꝛdinaunce to the contrarye thereof notwithstandinge. An. 28. H. 8. ca. 16.

¶Distresses.

WHereas at the tyme of a cõmotyon late stirred vp within this realme, & also sithence many great men & diuers other refusing to be iustifyed by the king and his court, like as they ought and were wont in the time of ẏ kings noble pꝛogenitours, & also in his time, but toke great punishmentes & distresses of their neighbours and of other, vntil they had amẽds & fines at their owne pleasure. And further some of them woulde not be iustified by the kinges officers, noꝛ would not suffer them to make delinery of such distresses as they had taken of their owne auctoꝛity: It is pꝛouided, agreed & graũted, ẏ al persons, assised of high as of lowe estate, shall receiue Iustice in the kinges court: And none from hencefoꝛth shall take any such distresse of his owne auctoꝛitie, without a warde of our Court, though he haue damage oꝛ iniurie, wherby he ought to haue amẽdes of his neighbour other higher oꝛ lower. And vpon the foꝛesaid article it is pꝛouided and graunted, that if any from hencefoꝛth take such distresses of his owne auctoꝛitie, without a warde of our court (as befoꝛe is said) and be conuict thereof, he shalbe punished by fine, and that accoꝛding to the tresspas. And likewise if one neighbour take a distresse of an other, without a warde of our court, wherby he hath dammage, he shall be punished in the same wise, & that after the quantitie of the tresspas. And neuertheles sufficient and full amendes shalbe made to them that haue susteyned losse by such distresses. Mar. ca. 1. An. 52. H. 3.

Cõmotion

Iustices

Punished Fine

2 ¶Moꝛeouer none (of what estate soeuer he be) shall distreigne any to come to his court, which is not of his fee, oꝛ vpon whom he hath no iurisdiction by reason of his hundꝛed oꝛ bailiwike, noꝛ shall take no distresses out of the fee oꝛ place where he hath no bailiwike noꝛ iurisdiction. And he that offendeth against this statut,

Court

ſtatut, ſhalbe puniſhed in like maner, and that according to the quantitie of the treſpas. Marlb.cap.2. An.52.H.3.

Officers

3 ¶ If any of what eſtate ſoeuer he be wil not ſuffer ſuch diſtreſſes, as he hath taken, to be deliuered by ẏ kings officers, after ẏ law & cuſtome of ẏ realme, or wil not ſuffer ſũmons, attachmentes, or executions of iudgement gæuen in ẏ kinges court to be dõe, he ſhalbe puniſhed in maner aforeſaide, as one ẏ will not obey the law. And if any, of what eſtate ſoeuer hee be, diſtraigne his tenant for ſeruices and cuſtomes, being due vnto him, or for any other thing, whereby ẏ lord of ẏ fee hath cauſe to diſtraine, & after it is found, that the ſame ſeruices are not due, ẏ lord ſhall not therefore be puniſhed by fine, as in ẏ caſes aforeſaid, if he do ſuffer ẏ diſtreſſes to be deliuered according to ẏ lawe & cuſtome of ẏ realme, but ſhalbe amerced, as hitherto hath bene vſed, and the tenaunt ſhal recouer his dammages againſt him. Marlb.cap.3. An. 52.H.3.

Fine

Dãmages

Out of the County

4 ¶ None from henceforth ſhal cauſe any diſtres ẏ hee hath taken to bee driuen out of ẏ county where it was taken, & if anye neyghbour do ſo to an other of hys owne authoritie & wõut iudgement, he ſhal make fine (as aboue is ſaid) as for a thing done againſt ẏ peace. Neuertheleſſe if the lord preſume ſo to do againſt his tenant, he ſhalbe greeuouſly puniſhed by amerciament. Moreouer ẏ diſtreſſes ſhalbee reaſonable, & not too great. And hee ẏ taketh great and vnreaſonable diſtreſſes, ſhal bee greeuouſly amerced for ẏ exceſſe of ſuch diſtreſſes. Marl.ca.4. An.52.H.3.

Lorde Puniſh

Out of his fee Highway

5 ¶ It ſhalbe lawful to no man from hẽceforth for any maner of cauſe to take diſtreſſes out of his fee, nor in the kinges high way, nor in the common ſtreete, but onely to the king or hys officers, hauinge ſpecial authoritie to do the ſame. Marlb. cap.15. An. 52.H.3.

Out of the ſhire

6 ¶ In right of that ẏ diuers perſons take & cauſe to be taken ẏ beaſts of other, chaſinge them out of the ſhire where the beaſtes were taken: It is prouided alſo, that if anye from henceforth do ſo, hee ſhall make a greeuous fine, as is conteyned in the ſtatut of Marlebridge, made in ẏ time of king Henry, father to ẏ king ẏ now is. And likewiſe it ſhalbe dõe to thẽ which take beaſts wrõgfully, & diſtraine out of their fee, & ſhalbe more greeuouſlie puniſhed if ẏ maker of the treſpas do ſo require. W.1.ca. 16. An.3. E.1.

Caſtell Fortreſſe

Demaund

Shiriffe Bailife Plenum

7 ¶ It is prouided that if anye from henceforth take the beaſts of other, and cauſe thẽ to be driuen into a caſtel or fortreſſe, & there wiñ ẏ cloſe of ſuch caſtel or fortreſſe, do withold thẽ againſt gage and pledges, wherupon ẏ beaſts be ſolemply demaunded by ẏ ſheriffe, or by ſome other bailife of ẏ kings at the ſuit of ẏ plaintif, & ẏ ſame ſheriffe or bayliffe taking wõ him the power of ẏ ſhire or bailywyke, do aſſay to make plenum of ẏ beaſts from him that toke thẽ, or frõ his lorde, or frõ other being ſeruaunts of the lorde (whatſoeuer they be) ẏ are found in the place whereunto ẏ beaſts were inchaſed: if anye deforce him of ẏ deliuerance of the beaſts, or that no man be found for the lord, or for him ẏ toke them, for to anſwere & make the deliuerance after ſuch tyme as the lord or taker ſhalbe admoniſhed to make deliuerance by the ſheriffe or bayliffe, if he bee in the countrey, or neere, or there where as he may be conueniently warned by ẏ taker, or by any other of his to make delyuerance, if hee were out of the countrey when the taking was, & did not cauſe the beaſts to be deliuered incontinent: then ẏ king for ẏ treſpas & diſpite, ſhal cauſe the ſaid caſtel or fortreſſe to be beaten downe wõut recouerie: And al ẏ dãmages that ẏ plaintife hath ſuſteined in his beaſts, or in his gaiture, or any other wiſe (after ẏ firſt demaũd made by ẏ ſheriffe or bayliffe for ẏ beaſts) ſhal be reſtored to him double by ẏ lord, or by him ẏ toke ẏ beaſtes, if he haue whereof, & if he haue not whereof he ſhal haue it of ẏ lord, at what tyme or in what maner ẏ deliuerance be made after that ẏ ſheryfe or bayliffe ſhall come to make deliuerance. And it is to wete, ẏ where the ſheriffe ought to retourne the kings writ to the bayliffe of the lord of the caſtel or fortres, or to anye other, to whõ the returne belongeth, if ẏ bayliffe of the fraunchiſe wil not make deliuerance, after ẏ the ſheriffe hath made his retourne vnto him, then ſhal ẏ ſheriffe execute & do his office wõut further delay, & vpon the foreſaid paine not wõtſtanding any ſuch libertie. And if ẏ be done in ẏ marches of Wales, or in any other place, where the kings writs be not curãt, ẏ kyng which

Caſtell Deare downe

Deliuerance

Returne writ

Bayliffe

Paine Libertie Marches

is chiefe & ſouereigne lord ouer all, ſhal do right there vnto ſuch as wil cõplain. W. 1. cap. 17. An. 3. Ed. 1.

Bayliffe ſworne Conuict Writ

8 ¶ It is prouided ỳ no diſtres ſhalbée take, but by bailifs ſworn & knowẽ. And if they take diſtreſſes otherwiſe, & thereof bée conuict, if the parties greeued will purchaſe a writ of treſpas, they ſhalbe reſtored to their dãmages, & bée greeuouſlie punished towards the king. W. 2. ca. 37. An. 13. E. 1.

Officers Sheriffes

9 ¶ Alſo ỳ kings officers, as ſheriffes & other do entre ſpirituall fées to take diſtreſſes, & ſometime they take ỳ perſones beaſts in ỳ kinges high way, where they haue nothing but their glebe lãd. The aũſwere. The kings pleaſure is, ỳ frõ hẽceforth ſuch diſtreſſes ſhal neither be take in ỳ kings high way, nor in ỳ fées whereũto churches hath ben indowed, neuertheleſſe he willeth diſtreſſes to be take in poſſeſſions of ỳ church newly purchaſed by ỳ p̃ſon. Articuli cleri cap. 9. An. 9. E. 2.

Spirituall fees

Sheriffes Debt to the king

10 ¶ For aſmuch as ỳ cõmunaltie of ỳ realme hath ſuſteined great loſſe & dãmage by wrongfull taking of diſtreſſes, which haue ben made by ſheriffes, & by other ỳ kings bailifes, for ỳ kings debt, or for any other cauſe. It is therfore prouided & ordeined, ỳ when a ſheriffe or any other mã doth take ỳ beaſts of other, they to whõ ỳ beaſts do belong, may geue thẽ their feeding wout diſturbance (ſo lõg as they bée impounded) wout geeuinge anie thing for their keeping. And ỳ the beaſts nor no other diſtres take for ỳ kigs debt, nor for any other cauſe, be geuen ne ſolde wtin xv. daies after ỳ taking, & if any brig a taile of a paimẽt made in ỳ Eſchequer, ỳ diſtres ſhal ceſſe. And if he bring ỳ tale of any ſherife or bailife, of paiment made to thẽ of ỳ thing demaũded, & will fynde pledges ỳ he appeare in ỳ Eſchequer, vpõ ỳ next accõpt to do as right ſhall require, then ỳ diſtres ſhal ceſſe. And ỳ ſherife or bailife ſhal cauſe him to bée attached that ought to haue acquited him, ỳ he appeare vpõ ỳ ſame accõpt to do as right ſhal require, & ther ſhal haue ỳ names of ỳ pledges. Yet it is prouided ỳ no mã of religiõ, nor other ſhal be diſtrained by his beaſts ỳ gaine his land, nor by his ſhéepe for the kings debt, nor for any other man, except they cã finde no other diſtres or cattalles ſufficient, wherof they may leuy ỳ debt, or ỳ is ſufficient for ỳ demaũd, except impounding of beaſts, ỳ a mã findeth in his ground dãmage feſant, after ỳ vſe & cuſtome of the realme. And ỳ ſuch diſtreſſes be reaſonable after ỳ value of the debt or demaund, & after cõuenient eſtimation & not outragious, how be it ỳ king willeth & cõmaundeth ỳ ſheriffes or their bayliffs, ỳ haue receiued ỳ kinges debt of ỳ ſũmõs of the Eſchequer, & haue not acquited the debtors therof, at the next accõpt ſhalbée punished after the ſtatutes made therupon, & the king willeth ỳ al debts of ſummõs of ỳ Eſchequer, ỳ the ſherife or bailife cõfeſſeth receipt, ſhalbe allowed him forthwith: ſo ỳ whether he receiued al the debt or part, it ſhall neuer come more in demaund nor ſũmons, after ỳ ſhirif hath confeſſed the paiment. An. 51. H. 3.

Impound Dãmage feſant

Impunithe

11 ¶ No diſtreſſe of cattel ſhalbe driuen out of ỳ hundred, rape, wapentake, or lath where ſuch diſtreſſe is or ſhalbe take, except it be to a poũd ouert within ỳ ſaide ſhire, not aboue iij. miles diſtant frõ the place where ỳ ſaid diſtreſſe is taken. And that no cattel or other goods diſtreined or take by way of diſtres for anie maner of cauſe at one time, ſhalbe impoũded in ſeueral places wherby ỳ owner or owners of ſuch diſtres, ſhalbe cõſtrained to ſue ſeueral replenies for ỳ delyuery of ỳ ſaid diſtres ſo taken at one time, vpon pain enery perſon offending contrary to this acte ſhal forf. to ỳ party greeued for euery ſuch offence, one hundred ſhillings, and treble dãmages. And further be it &c. that after ỳ firſt day of Aprill, no perſon or perſons ſhal take for keeping in pounde, impoundig, or poũdage of any maner of diſtres, aboue the ſumme of iiij. d. for any whole diſtreſſe that ſhalbée ſo impounded, and where leſſe hath bene vſed, there to take leſſe vpon the paine of vi. li. to be paid to ỳ party greeued, ouer & beſides ſuch money as he ſhal take aboue ỳ ſũme of iiij. d. any vſage or preſcriptiõ to ỳ contrary in anywiſe not wſtanding. And it is &c. ỳ euery ſherif of ſhires being no cities nor townz made ſhires, ſhal at his firſt coũty day, or wthin ij. moneths next after he hath receiued his patẽt of his office of ſhirifwik, depute, appoint & proclaime in ỳ ſhire to wn wthin his bailiwike 4. deputies at ỳ leaſt, dwellig not aboue 12. miles one diſtãt frõ another, which ſaid deputies ſo appoited & proclaymed

Hundred Rape Wapentake Poũd ouert iii. miles

Seueral pounds Replenig

Forf.

3. dãmages

Poundage

Paine

Shirife

County day

Deputies

Replevins

proclaimed, shal haue authority in ẏ shirifs name to make replevines & deliverãce of such distresses, in such maner & forme as ẏ sherife may or ought to do, vpõ pain that every shirife for every moneth ẏ hee shall lacke suche deputie or deputies shall forfait for every such offence v.li. the one halfe of which forfaitures shalbe to ẏ kig &c. the other halfe to him ẏ will sue &c. in which &c. An. 1. & 2. P. & M. cap. 12.

Forf. Mortie

¶Douer.

Constable pleas

Castel

Distrayne b. ports

Fraunchises

THe cõstable of ẏ castle of Douer shall not frõ hencefoorth holde any plea of a foreine county, wõin ẏ castle gate, except it touch ẏ keeping of ẏ castle, nor the sayd constable shal not distrayne ẏ inhabitãts of the v. ports to pleade any other where nor otherwise, then they ought after the forme of their charter obteined of kings, for their olde frãchises confirmed by the great chartors. Articuli super chartas ca. 7. An. 28. Ed. 1.

Castleward Rents

2 ¶An. 32. H. 8. ca. 48. it is enacted, ẏ ẏ tenãts of ẏ castle of Douer, that hold by castle ward, shal pay their rents at ẏ Exchequer yerely at ẏ feast of S. Simon & Jude, or wiṫin xv. daies after, & for default thereof to double ẏ rent, And ẏ they that holde to repaire houses wõin ẏ castle shall performe ẏ same, & if ẏ lands come into ẏ kings hands, ẏ rent of castle garde to bee discharged, And ẏ Cõstable of ẏ castle to haue yerely C. li. paid at Caunterbury at ẏ dore of ẏ Cãnon hall there. And ẏ sayd constable, ẏ wardein of ẏ v. ports to surucy & controll al ẏ new castles & fortresses in Kent & Suſſex, and to reforme the faultes there &c. An. 32. H. 8. ca. 48.

Repaire

Caunterbury

Warden of v. ports Surucy

3 ¶Whereas the Marchaunts of this realme, & other passing thrõgh the narrow seas, sustaine yerely great dammages for want of cõuenient harbour vpon ẏ coast of ẏ said narrow seas, whereunto they may enter to auoid imminent daũger of ẽpests, pirates, or ẏ cõmõ enemy in time of warre, her maiestie mindinge to prouide for their safety, vnderstãding by ẏ Lords of her honorable priuy coũsel & other, ẏ Douer was ẏ most conuenyẽt place for harbour: And that skilfull men haue contryued a probable plat, & vndertaken the finishinge & perfecting thereof, for a competent summe of money, in accomplyshing whereof, aswell her Maiestie, of her bigones liberalitie, as the inhabitants, of ẏ said towne of Douer to their abilitie, haue already bestowed great sũmes of money in & about ẏ same. Nowe for the better furtherance and finishyng thereof, Be it enacted by the authoritie of this present Parliamẽt, that for every ship, vessell, or crayer, whereof any of her maiesties subiects shalbe owners or part owners, of the burden of xx. tonnes or vpward, loading or discharging wõin this realme, and passing to or fro any foreine countrey, during the space of vii. yeares next comming, from forty daies after the end of this Session of Parliament, there shalbee payed for every suche voyage, by the master or owner of such ship, vessell, or crayer, the summe of three pence for every tunne of the burde of such shyp, vessell, or crayer, (except vessels laden with sea coale or Grindstões) & for every charge of sea coale or grindstone, peny halfe peny. The same to be paid vnto such customer or customers, or collector of customes or subsidies, with whom the entrie shalbe made, or their deputies within this realme from whẽce suche shippes shall come, or where such ship or ships, or any of them shal arriue, before they loade or vnloade such goods within the realme, taking of the said customer, officer or deputie, a writinge testifyinge the receipt thereof to the said vse, for which writing he shall pay nothing. The sayde summes so to be collected, to bee payd ouer by such customer or officer, to the receipt of her Maiesties Exchequer, & to bee frõ thence deliuered to the vse aforesaid, by warrant of the Lorde Treasourer or Chauncellor of the Exchequer for the time beinge, wõout further warrant from her Maiestie. The accompt of the number of the saide Tonnes, to be made according to the entrie of every such shippe, vessel or crayer, in the custome house. And that no entrie of such vessell shalbee receiued or allowed in anye office of her Maiesties customes or subsidies, without true informatiõ by the othe of such owner, master, or shipper concerning the burden of such ship, vessell, or crayer, nor without or before payment of the summes aforesaide, by the shipper, master, or owner of suche shyp, vessell or crayer, of which payment the

Subiects

xx. Tunne

Foreine coũtrey

vii. yeares

iii. pence

Customers

Writing

Warrant

Entrie

Othe Shipper.

said master, owner, or shipper, shall haue allowaunce of the merchants, according to the rate of the goods in such ship, vessel or craper by way of auerage. And ỳ euerye customer or officer, in whose wilfull default ỳ said sũmes shal not be truly collected & aũswered, as is before appointed shal forf. to the vse aforesaid, x. tymes as much as so shall not be collected or aunswered by his wilfull default, to bee recouered by ỳ Maior & Iurates of the towne of Douer, to the said vse, against such customer or officer, by action of debt in any court of record, In which action, no essoine, protection, or wager of lawe shalbee admitted or allowed. An. 23. El. ca. 6.

Auerage

Customer Forf.

¶Dower.

Widowes

Quarentine

Sealed Counter Damages

Amerce

Writ

Iustices Writ

Default

FIrst of widowes, which after ỳ death of their husbands, are deforced of their dowers, & may not haue their dowers or quarentine wout plea, we will ỳ whosoeuer deforce thẽ of their dowers or quarẽtine in the lands whereof their husbands died seysed, & ỳ the same widowes haue recouered after by plea, they that bee cõuict of such wrongful deforcement, shal yelde dãmages to the same widowes, that is to say, the value of the whole dower to thẽ belõging, frõ the time of ỳ death of their husbãds, vnto the day ỳ the said widowes by iudgemẽt of our court haue recouered seysiõ of their dowers, & the deforcers neuertheless shalbe amerced at the kinges pleasure. Merton cap. 1. See the like statute in part'. Weomen. 1.

2 ¶In a writ of dower called (Vnde nihil habet) the writ shal not abate by the exception of ỳ tenant because she hath receiued her dower of an other man before her writ purchased, vnlesse he can shewe, that she hath receyued part of her dower of him selfe, & in the same towne, before ỳ writ purchased. W. 1. ca. 48. An. 3. E. 1.

3 ¶In case where the husband being impleded for land, geuing vp the land demaũded vnto his aduersary by couin: after ỳ death of ỳ husbãd, the Iusticers shal award ỳ wife of her dower, if she demãd it by writ. But in case where ỳ husbande leeseth it by default, the land being in demaund, & ỳ wife after ỳ death of her husband, demaundeth her dower, it hath ben seene that some Iusticers haue awarded vnto the woman her dower, notwithstãding the default which her husbãd made, other Iusticers being of ỳ contrary opinion, & iudging otherwise. To ỳ intent ỳ frõ henceforth such ãbiguitie shalbe take away & put in certaine: It is prouided, ỳ in both cases, ỳ woman demaunding her dower, shalbe heard. And if it be alleged against her, ỳ her husband lost the lande, whereof ỳ dower is demaunded by iugement, whereby she ought not to haue dower, & thẽ it bee enquired by what iudgement, and it be found ỳ it was by default whereunto ỳ tenant must aunswere: thẽ it behoueth him to aunswere further, and to shew that he had right, and hath in the forsaid land according to ỳ forme of the writ. that the tenant before purchased against ỳ husband. And if he can shewe, ỳ the husband of such wyfe had no right in the lands, nor none other but he ỳ tenant shal be quite, & ỳ wife shal recouer naught of her dower, which thinge if hee can not shew, ỳ wife shal recouer her dower. And so in these cases, & in certaine other following: ỳ is to say, when ỳ wife being indowed leeseth her dower by default, & tenants in free mariage, by ỳ law of England, or for terme of life, or in fee taile, diuers actions do cõcurre for such tenants, when they must demaund ỳ land lost by default: And when it is come to ỳ point ỳ the tenant must be compelled to shewe his right, for as much as the law will not compel them to make aunswere without them to whom the reuersion belongeth: therefore they are suffered to vouche to warrantie according to the tenour of the writ, as if they were tenants. And if they haue a warrãty, when ỳ warrãtour hath warranted, the plea shall passe betweene him ỳ is seysed & the warrantour, according to ỳ tenor of the writ that ỳ tenant purchased before, & by which he recouered by default, & so frõ many actions at length they shal resort to one iudgement, which is this, that either ỳ demaundãts shal recouer their demaund, or the tenants shal go quite. And if the action of such tenant, which is compelled to shew his right, bee moued by a writ of right, though that the great assise or battaile, can not be foigned by the wordes accustomed, yet it shalbee foigned by wordes conuenient and vsed, for when the tenant in that ỳ he sheweth his

Right

Frankmarriage

Vouche Warranty

Iudgement

Action

Graund ass.

his right which belongeth to him by the writ that he before purchased in ſtede of a demaundant, ẏ warrantour may well defend ẏ right of the tenant, which commeth in place of the demaũdãt as before is ſaid, & allege the ſeiſin of his auncestor, & to defende it by ẏ body of a freeman, or put him ſelfe in the great aſſiſe, & pray recogniſaunce to bee made thereof whether he hath more right to the lãd being in demaund, or elſe ẏ party before named: or it may be ioined otherwiſe by the great aſſiſe; & ſo the warrantour may defend the right, & knowledge the ſeiſin of his auncestour, & put him ſelf in ẏ great aſſiſe &c. & pray recogniſance to be made, whether he hath more right in the foreſaid land, as in that whereof he infeoffed ſuch a man, or ẏ ſuche a one releaſed & quited claime, &c. or elſe ẏ aforeſaid party &c. And when ſometime it chaunceth ẏ a womã which is not endowed of ẏ lãd of an heire being wiñ age, doth purchaſe a writte of dower againſt a gardeine, & ẏ gardein endoweth ẏ land by fauour, or maketh default, or by colluſion defẽdeth ẏ plea ſo faintly whereby the wife is awarded her dower in preiudice of the heire: It is prouided, that the heire, when he commeth to full age, ſhall haue an action to demaund ẏ ſeiſin of his aũceſtor againſt his wife, like as he ſhould haue againſt any other deforceor, Prouided alwaies ẏ the wife ſhal haue her exception ſaued againſt the demaundãt, to ſhew ẏ ſhe had right to her dower, which if ſhe can ſhew, ſhe ſhal go quite & retaine her dower, & the heire, ſhalbee greeuouſly amerced, according to the diſcretion of ẏ Juſticers. And if not, the heire ſhal recouer his demaũd &c. In like maner ẏ wife ſhalbe ayded, if the heire or anye other do impleade her for her dower, & if ſhee leeſe her dower by default, in which caſe ẏ default ſhal not be ſo preiudicial to her, but ẏ ſhe ſhall recouer her dower, if ſhe haue right thereto, & ſhe ſhal haue this writ.

Auncestor

Woman

Gardein
Default
Collusion

Heire

Action
Scisin

Exception

Amerce

Precipe A. quod iuſte &c. reddat B. que fuit vxor F. tantam terram cum pertinentijs in C. quam clamat eſſe rationabilem dotem ſuam, vel de rationabili dote ſua, & quod prædictus A. ei deforceat, &c. And to this writ the tenant ſhal haue his exception, for to ſhew that ſhe had no right to be endowed, which if he can verifie, he ſhal go quite, & if not, the wife ſhall recouer the land whereof ſhe was endowed before: And where as before time if a man had loſt his land by default, he had non other recouery thẽ by a writ of right, which was not maintenable by any that coulde not claime of meere right, neither of tenants for terme of life, in free marriage, nor in taile, in which eſtates a reuerſion is reſerued: it is prouided, that from henceforth their default ſhal not be preiudicial but that they may recouer their eſtate by an other writ, then by a writ of right, if they haue right. For land in free marriage loſt by default, ſuch a writ ſhal be made. Precipe A. quod iuſte &c. reddat B. manerium de D, cum pertinentijs quod clamat eſſe ius et maritagiũ ſuum, et prædictus A. ei deforceat. Likewiſe of land for terme of life loſt by default, thys writ ſhalbe made.

Default
Frankmarriage

Precipe A. quod iuſte &c. reddat B. manerium de D. cum pertinentijs, quod clamat tenere ad terminũ vite ſue, et quod prædictus A. ei deforceat. Likewiſe quod clamat teneri ſibi, et heredibus de corpore ſuo legittime procreatis, et quod prædictus A. ei deforceat. W. 2. ca. 4. Anno 13. Ed. 1.

4 ¶ See Rape 2. howe a wife ſhall loſe her dower for goinge away with her adulterer.

Adulteris

5 ¶ See Forfaiture 5. cõcerning dower by the cuſtome of Kent.

6 ¶ Albeit any perſon or perſonnes of what eſtate, conditiõ, or degree, he or they be, ſhal hereafter fortune to be attainted, cõuicted, or outlawed of any treaſon, petty treaſõ, miſpriſion of treaſon, murder, or felony whatſoeuer. yet that notwithſtanding, euery woman, that is or ſhall fortune to be wife of the perſõ ſo attainted, conuicted, or outlawed, ſhalbe endowable and enabled to demaũd, haue, and enioy her dower, in like maner & fourme, as though her huſband had not bene attainted, conuicted, or outlawed, anye ſtatute, lawe, vſage or cuſtome, to the contrary in anywiſe notwithſtanding. Sauing to al & euery other perſon or perſõs, bodies politike & corporate, their heires & ſucceſſours, & to euery of them, other then to ſuch offendor & offendors as ſhalbe attaynted, conuicted, or outlawed, all ſuche right, title, intereſt, entre, leaſes, poſſeſſion, cõdition, profit, cõmoditie & hereditaments

Attaint.
Outlawed
Treaſon
Murder
Felony

Leaſes

mẽts, as they or any of thẽ had, or should or of right ought to haue, before or at the time of ỹ said attainder, cõuiction, or outlagary. An. 1. E. 6. ca. 2.

See Treason 10. this last act altered in parte.

¶ Drapery.

Clothes Measure Aulnegeors Maiors Bailife

Length

Breeth

Marke

Defectiue

Forf. Indenture

Eschequer

Merchant

ALL clothes in suche places where they shal be put to lãd, shalbe measured by ỹ kings aulnegeours in ỹ presence of the Maiors, & bailifs where there is a Maior & where no Maior is, in presẽce of ỹ baylifs of ỹ same places, ỹ is to say, ỹ length of euery cloth of ray, by a line of 7. yards fower times measured by ỹ lift, & ỹ breedth of euery ray cloth vi. quarters of measure by the yarde. And of coloured clothes the length shalbe measured by the backe by a line of vi. yards & a halfe iiij. times measured, & the breedth vi. quarters & an halfe measured by ỹ yard wout defoyling the clothes. And ỹ the Maior & bailifs where a Maior is, or ỹ bailifes where no Maior is, of ỹ townes or places where such clothes shal cõe, shalbe ready to make prowfe what time they shalbe required by the meater, wout taking any thig of ỹ marchants. And clothes which be of the said assise, shalbe marked by ỹ Maior & bailifs where a Maior is, or by ỹ baylifs where there is no Maior as wel as by ỹ aulnegeour. And ỹ al ỹ clothes which shalbe foũd defectiue of ỹ same assise, shalbe forf. to ỹ king & prised at their true value in ỹ presence of ỹ said Maior & bailifs. And to remain wt ỹ aulnegeors by indẽture betwixt thẽ to aũswere to ỹ king of ỹ said clothes so forfaited. And ỹ ỹ Maior & bailifs shall deliuer ỹ indentures made of such clothes forf. euery yeare into ỹ Eschequer, ỹ morow after the feast of S. Michael, for to charge ỹ said aulnegeour. And at ỹ same time shal ỹ aulnegeour be put to answere at ỹ Eschequer of the said forfaitures. It is the kings minde & his coũsailes, ỹ this act shall extende to such clothes as shall come into ỹ land after ỹ feast of S. Mychael. And this act shalbe published & proclaimed throughout ỹ realm, so ỹ no marchãt priuey nor straũger shalbe supprysed by this statute. Anno 2. E. 3. ca. 14. But See after 3.

2 ¶ And that in ỹ said lands of England, Irelande, Wales, & Scotland wtin ỹ kinges power, a man may make ỹ clothes as long & as short as a man wil. An. 11. E. 3. cap. 2. But See this altered by diuers statutes after. Ireland Wales Scotland

3 ¶ Item it is accorded & stablished, ỹ no marchãt forreine nor denizẽ, nor none other, after ỹ said feast of S. Michel, shal bringe or cause to bee brought primely nor apertlye, by him selfe nor by other into ỹ said lands of England, Irelãd, wales, & Scotland wtin ỹ kings power, any clothes made in any other places, thẽ in the same, vpon the forfaiture of ỹ said cloths, & further to be punished at the kings wil. An. 11. E. 3. cap. 3. Merchant Denizen Clothes forf.

4 ¶ All ỹ clothworkers of straũge lãds of what soeuer contrey they be, which wil come into England, Ireland, Wales, & Scotland wtin ỹ kings power, shall come safely & surely, & shalbe in ỹ kings protection & safeconduit, to dwel in ỹ same lãds chosing where they wil. And to ỹ entent ỹ sayd clothworkers shall haue ỹ greater will to come & dwel heare: Our soueraign lord ỹ king wil graũt them franchises as many, & such as may suffise them, An. 11 E. 3. ca. 5. Cloth workers Ireland Wales Scotland Safeconduit Frãchises

5 ¶ It is accorded & assented in ỹ parliament, ỹ al maner of clothes vendible, which shalbee solde for whole clothes in England, in whose hands, of ỹ marchãts of the realme of England, or other of the same realme, they be found, shalbee measured by the kinges aulnegeour and hys deputies, in al cities, boroughs, and other townes within fraunchyses or without, as wel in ỹ city of London as elsewhere. And that all the clothes which shalbee founde of lesse measure by a yarde, then of the assise conteyned in the statute of Northampton (before 1.) by which it is ordeyned that the length of every cloth of ray, shal bee measured by a line of seuen yardes fower times measured by ỹ lyst. And the breedth of euery cloth of raye, vi. quarters of the measure by the yard, and of coloured clothes ỹ length shall be measured by the backe by a line of fyre yardes & a halfe, fower times measured, and the breedth vi. quarters & a halfe measured by the yarde, without defoyling the clothes: shall bee forfayted and arrested to the king. And that the aulnegeour delyuer ỹ same to the kings wardrope by indẽture, notwith- Clothes Merchants Aulnegeour London Forf. Wardrope Indenture

not wtstãding any frãchise, vsage, or p̃uiledge made to ẏ cities, boroughs, or to any person of the realme of England to ẏ contrary. And ẏ kinges Aulnegeour shal be sworne to do his office wel & lawfully. And in case he therof be found in default, & thereof be attainted before the kẽpers of ẏ faires, & Maiors, & baylifes of ẏ places where the cloth shalbe bought, or before any other, whõ our soueraigne Lord the king shal thereto assigne, he shal haue imp̃isonmẽt for one yere, & raunsome at ẏ kings will, & put out of his office for euer. And ẏ Aulnegeour shal aunswere as wel for his deputies as for him selfe. And also it is accorded & stablished, that euerie buyer of cloth or other ẏ will sue, and affirme that the said Aulnegeour hath done any fraude or deceipt in his office, & ẏ falsitie bee notoriously p̃oued & knowen, at his suit, shal haue the one halfe. And that euery buyer of such cloth, after ẏ hee hath agreed of the p̃ice wt the seller, may freely measure the cloth at his wil, to assay if it be of ẏ assise or not, before that hee hath payd his money, although the aulnegeors seale be put to the same. And if the buyer find any default after the buying, he shal shew the same default to ẏ Maiors & bailifes of the place, or to ẏ kẽpers of ẏ faire or market, & if ẏ default be found notoryously before them, ẏ cloth, shalbe forfayt to the king, & seised in ẏ kings hands by ẏ said Maiors and bailifs, or kẽpers of the faire or market, & shall remayne in their custody, and the said Maiors & baylifes or kẽpers, shall certifie the Chauncellor, of the same forfaiture, at ẏ suit of the buyer or of other, which wil sue wout any thing taking of him. And the Chauncellor vpõ this certification shal sende a writ to the sayd Maior & baylifes, or kẽpers to deliuer to him, which so hath sued ẏ one halfe of the forfayture, & to saue the other halfe to the kinges vse. And if ẏ Maior, baylife or kẽpers refuse to do execution of thys accord, in the manner aforesaid, they shal be punished by fine and raunsome, when they shalbee thereof attaynted, aswell at the kinges suit as the partyes. And that this article beginne to hold place, the first day of September next comming, so that the marchants and other which haue clothes to sel, may freely deliuer them of the clothes that they haue in their handes in the same time. Anno. 25. Ed. 3. statute 4. But this is nowe repealed.

Sworne
Ieraint
Faires
Maior
Baylife
Imprison
Raunsome
Losse of office
Deputis
Moitie
Default
Forfl.
Chauncellor
Moitie
Refuse
Punishe
Merchants

6 ¶ There shalbee no clothes forsayt, although they be not of ẏ same assise, but the kinges aulnegeour shall measure the cloth, & marke the same, by which marke a man may knowe how much the clothe conteineth. And of as much as the cloth, which is bought for cloth of assise, shalbee found to be lesse then ẏ assise, allowance or abatement shalbee made to ẏ buyer in ẏ paimẽt, which he shal make for ẏ same cloth, after ẏ quãtity of ẏ p̃ice for which ẏ cloth was bought, & the aulnegeour shal take for euery cloth so measured, which is of assise, ẏ is to say, of ẏ seller an halfepeny, & of halfe a cloth a farthing, for hys office & no more, nor they shall take nothing of the clothes which be lesse then of the halfe clothe. (And for this a subsidie was graũted vpon euery cloth as appeareth at large.) And that suche manner of clothes which be put to sale before ẏ they be sealed with ẏ said seale, shalbe forfayt to ẏ king, & takẽ into his hand by the said collector or aulnegeor, or by ẏ deputy of one of thẽ, or else by ẏ bailifs of ẏ towne where such cloth bẽdible, not sealed shalbe found, An. 27. E. 3. ca. 4. statut'. 1.

Aulnegeours
Marke
Content
Abatement
Subsidie
Seale
Forf.

7 ¶ That all the makers of clothes wtin the realme, aswell men as women, shal confirme thẽ to make their clothes according to ẏ p̃ice limitted by this ordinance. And that all the drapers shall buy & purvey their sorts according to ẏ same p̃ice, So ẏ so great plẽty of such clothes be made and set to sale in euery citie, borough & marchaunt towne, & else where within the realme, that for default of such clothes the said ordinance be in no poynt broken. And to that shal ẏ sayd clothmakers & drapers be cõstrained by any maner way ẏ best shal seeme to ẏ king and his counsel. Anno. 37. Ed. 3. cap. 15. See the prices in the statut at large. But they be not nowe in force.

Clothiers
Price

8 ¶ The clothes of Ray to be made in England shal haue ẏ length of 28. yards measured by ẏ list. And the breadth of 6. quarters, & ẏ cloth of colour, of the lẽgth of 26. yards measured by ẏ back and the breadth of vi. quarters, at ẏ least, & ẏ ẏ half cloth be it of colour or of ray, shal hold the lẽgth & bread aforesaid after ẏ rate. And if any cloth bee put to sale after ẏ guise of

Ray
Content

Auguſt, that is not of the ſaid aſſiſe, it ſhal be forfait to the king, in whoſe hands ſo euer it be found: Sauing the cloths which people make for their owne vſe, or for their meynie, or to ſell to poore people, which ſhal not be forfait, although they be not of ſuch meaſure. An. 47. E. 3. cap. 1. But this is repealed. Forf.

9 ¶ No woollen cloths ſhalbe caried in to no party out of our realme of England before they be fulled, nor ỳ no ſubſidie bee therof demaunded nor payd before that they be fulled. An. 50. E. 3. cap. 7. Caſte out. Fulled Subſidis

10 ¶ No ſubſidie nor aulnage ſhalbee payd, leuied, nor demãded of cloths called friſe ware, which be made in Irelãd, or otherwiſe in Englãd of Iriſh wool brought vñto the realme of Englãd, becauſe that thoſe cloths do not containe ỳ length and breadth ordeined by ỳ ſtatut, & for ſo much they ought not to be compriſed in the ſtatuts, late made of Ray cloths, and coloured clothes. An. 50. E. 3. cap. 8. Subſidie Aulnage Friſe. Iriſh wool

11 ¶ The ſtatuts made of ỳ ſaid clothes before this time, & not repealed, be kept & duely put in execution. And more ouer it is aſſented, ỳ if any the ſaid aulnegors, or collectors of ỳ ſubſidie of ỳ ſaid clothes, do frõ henceforth ſet his ſeal to any ſuch cloth ſo ſowed in diſceipt, the ſame cloth ſhalbe forf. to the king, in whoſe hands ſoeuer it be found, & alſo ỳ aulnegeour or collector therof found giltie, ſhall forfait his office. And if he haue put the ſãe ſeal to any other cloth vendable, ỳ is not of ỳ ſaid aſſiſe, the ſame aulnegeor or collector ſhal forfait to the king ỳ value of the ſame cloth ſo ſealed in diſceit of ỳ people, together wt his ſayd office. And neuertheles, for ỳ ſaid falſitie he ſhal haue one yeres impriſonment, & therof be raunſomed at ỳ kings will. An. 3. R. 2. ca. 2. Stat. 1. Moſt of this is not in force novv. Aulnegers. Collectors Seale. Forf. Forf. Office. Forf. Impriſon Raunſome.

12 ¶ Upon miſchief which daily happeneth vpon the falſitie & deceipt, whych is foũd in cloths vendible, aſwel coloured as ray cloths, againſt ỳ aſſiſe therof ordeined before this time, it is ordeined & aſſented, ỳ al the ſtatuts therof made in times paſt wt the ſtatuts made of aulnegors & collectors of ỳ ſubſidy of ỳ ſaid cloths, be holde, kept, & put in due & good execution: Joyning to ỳ ſame, ỳ he which frõ henceforth ſhal eſpie & proue default in any ſuch cloth ſet to ſale, againſt ỳ aſſiſe therof ordeined of the ſaid cloths, & againſt ỳ forme of the ſaid ſtatuts, ſhal haue the iij. part of euery ſuch cloth defectiue for his labour, by the deliuery of ỳ ſhirikes, if they be preſent, or of the lords of ỳ faires & Parkets, & other places, where ſuch cloths ſhalbe found defectiue, or of their ſtewards or bailifes, or of ỳ conſtables of ỳ towns & places aforeſaid by indenture betwirt thẽ duely to bee made, which indenture ſhalbe euery yere from the feaſt of S. Michaell deliuered to the Eſchequer, by thẽ which ſo ſhal make ỳ ſaid deliuerie, to ỳ effect there to charge the aulnegeors & collectors aforeſaid, by whom ſuch defaults ought to haue bẽ ſerched, corrected, & amended, & be not, but commonly maintained & concealed in all parties, for which iij. part ỳ perteineth to the king, as his forfeiture, by force of the ſtatuts made in times paſt. ỳ aulnegors & collectors aforeſaid in euery county and place, where ſuch cloths defective ſhalbee found, for ỳ paine againſt ỳ ſaid offẽces & concealmẽt, ſhal make græ of their owne mony to our ſouereigne lord ỳ king in his Eſchequer, of ỳ valour of the ſãe iij. part. So ỳ aſwel of the ſame third part, as of ỳ remnant of the ſaid cloth, the king ſhalbe wholly aunſwered at his ſaid Eſchequer. An. 7. R. 2. cap. 9. But this concerning the aſſiſe is novv of no force. 3. Part. Shirikes. L. of Faires Markets Stewards Bailifes Conſtables. Indenture. Eſchequer. Aulnegours.

13 ¶ Coloured clothes to be made and wrought at Briſtow, & in ỳ counties ther about ſhalbe of the meaſure, another time ordeined by a ſtatut made at Weſt. the xlvi. yere of king Edward, graund father to our ſouereigne lord ỳ king ỳ now is, ỳ is to ſay, the cloths of ray of the length of xxvij. yards meaſured by ỳ liſt, & b. quarters of breadth, ỳ the coloured cloth bee of xxvi. yards of length meaſured by ỳ back, & bi. quarters of breadth at ỳ leaſt, & ỳ the halfe cloth be it of ray & colour, vppon the peine conteined in the ſame ſtatut. An. 12. R. 2. cap. 14. But this is altered after. Briſtow. Content.

14 ¶ From hẽceforth it ſhalbe lawful to euery man to make ſuch maner of cloths (cogware & kendal) of the length & breadth as it hath ben vſed before this time, notwſtanding any ſtatut to ỳ contrary. Prouided alwaies, ỳ the makers & workers of ſuch cloths ſhal not make thẽ of no better wool thẽ they were wõt to do. And alſo it is aſſented, ỳ al ſuch cloths as be arreſted by force or colour of ỳ ſaid ſtatuts or any Cogware Kendall. Default.

of

of them, shalbe disarrested & redelivered. An.13.R.2.cap.10. But see of this after.

plaincloth 15 ¶ No plaine cloth tacked nor fulled shalbee let to sale wtin the said countyes, (Somerset, Worcester, Bristow, and Gloucester) but that they be opened, vpon payne to forfait them, so that the buyers may see them, & know thē, as it is vsed in the county of Exeter, & ỳ the workers, weuers & fullers, shal put to their seales to euery cloth ỳ they shal worke, vppon a certeine pein to be limitted by ỳ iustices of ỳ peace, & ỳ this ordinãce begin to hold place at the feast of S. Jo. Baptist next following. Prouided alwaies ỳ after ỳ the marchants haue bought the same cloths for to cary thē out of the realme, they may take thē & fold thē at their pleasure for ỳ more easier cariage of them. An.14.R.2. cap. 11. But of this after.

Foyl. Weuers Fullers Seales Justices Marchants

Fuller Buy Sealed 16 ¶ No fuller nor other persõ whatsoeuer he be, shal buy wtin ỳ said townes & counties any cloth before the same cloth be fulled & fully performed, in his nature, & also sealed vnder the seale therto ordeyned vpon paine of forfaiture of ỳ sãe. An. 15.R.2.ca.10.

Kerseys Duties 17 ¶ Euery man of the Realme may make & put to sale & sell cloths, aswel kerseis as other, of such lẽgth & bredth as him please, paying the aulnage, subsidy & other duetties, ỳ is to say, of euery pẽce of cloth after the rate, not withstanding any statut, ordinance, proclamation, restraint, or defence made to the contrary. And ỳ nõe shal sel nor put to sale any cloths before ỳ they be measured by the kings aulneger, & sealed with ỳ seale to ỳ ordeined, vpon the peines cõteined in ỳ statuts therof made, & that no man shal put, meddle, cause, nor make other discript, in the clothes of karseys, vpon paine of forfaiture of the same An.17.R.2.c. 2. But this is altered againe afterward.

Measure Aulnegeour Sealed Foyl. Aulnage

Ferme Treasurer Baron of eschequer 18 ¶ The sayd aulnage (s. of clothes throughout ỳ realm) may be set to farme by improuement after thadvice of ỳ treasourer of England for the time being, & of ỳ Barons of the eschequer, notwithstanding the said statut (s.17.R.2.ca.5.) made to ỳ contrary. An.4.H.4.ca.24.

Marchants London 19 ¶ The marchants of Londõ from henceforth shalbee as free to packe their cloths & quite for ỳ sãe packing, as ỳ other marchants, or other straungers wtin the same citie, or wtin other cities & boroughs in ỳ realme be, & if any letters patents be made to ỳ cõtrary, they shalbe vtterly repealed, annulled, & holden of no force nor vertue. An.1.H.4.ca.16. Letters Patents

20 ¶ An.1.H.4.ca.19. it was enacted to endure for 3. yeres ỳ certein cloths should not be sealed, nor no subsidy payd for thē. Woyd

21 ¶ One sufficient mā shalbe assigned, by the same our soueraigne lord ỳ king, to seale ỳ said cloths, which shalbe wrought wouen & fulled in ỳ said city, (s. London) & the suburbes of the sãe, with a seale of lead, as in old times was vsed, in ỳ sãe city & suburbs, & ỳ no such cloth so wrought, wouen & fulled, wtthin ỳ same city & suburbs, be in any wise sold or bargained, nor set to sale, vnles it be sealed with a seale of lead, as before is said. And ỳ same our soueraigne lord the king, shal haue the forf. of the cloths, sold contrary to this statut, if any be. An.4.H.4.ca.6. Seale Foyl.

22 ¶ The whole coloured cloth shal cõteine in lengthe 28. yardes, & the cloth of ray almuch, measured wont defoyling the clothes, & in bredth as before is ordeyned by the statute. And if the clothmakers frõ henceforth make their cloths of lesse lẽgth or bredth, ỳ then the same makers shall forfait the cloths, which by thaulnegeour shalbe found of lesse length or bredth. And thaulnegeour take ỳ same, & deliuer thē to the wardrope, to ỳ vse of our soueraigne Lord ỳ king. An.7.H.4.ca.10. Content Clothiers Foyl. Wardrope

23 ¶ No cloth called Kendall, whereof the doleyn palleth not vi.s. viij.d. shal not be sealed wt none of ỳ kings seals, nor aulnage great nor little be payd for ỳ same. And that the owners of such cloths may freely sell the same cloths not sealed, wont forfaitting any thing to ỳ king for ỳ same, notwtstanding any statute or ordinance made to ỳ contrary. An.9.H.4.ca.2. Kendall

24 ¶ The makers of ỳ said clothes of Ray, & the sellers of the sãe, shal be as free in the making & selling of ỳ same, as they were before the said parliamẽt, holden at Westm. (An.7.H.4.ca.10. before 22.) And ỳ the said statut made in ỳ said parliamẽt touching this matter, be wholly annulled repealed, & of no force nor valour. An. 9. H.4.ca.6. Ray Repealed

25 ¶ A new seale having a signe and a mark differing frõ ỳ old seale of ỳ said office of aulnegour, shalbe made & deliuered Seale

to the

Aulnegeours to the said aulnegeours, & ỳ after ỳ sāe so newly made, to be delyuered to ỳ said aulnegeours, proclamatiō shalbe made opēly in the west parties & other places through the said realme, ỳ no person making such maner of clothes and doseins in the same west parties, nor els where within ỳ realme of England, be so hardie to take and plite together such maner cloths, before ỳ the aulnegeour hath duely made his serch & surueying of the same clothes, that they hold their length & breath, ordeined in the statut, vpon paine of forfaiture of ỳ lame, & that the said aulnegeour after that, shall set the newe seale of his office to the sayd clothes & doseyns, sauyng alwaies that ỳ clothes and doseins of the colour of Kay, which be enseled with the said olde seale, after ỳ proclamatiō made, may haue their course to be sold without any impedimēt, impeachement, or restreynt, vppon them to be made by the said aulnegeours, or any other officers, betwirt the day of ỳ said proclamation, & the feast of Saint Peter ad vincula next comminge. And in case ỳ any aulnegeour in doing his said office do contrary to this statut, & thereof be duely attainted: that he at the first time that he shalbe so attainted, shall lose x.li. & at the second time xx.li. to be leuyed and payd to the vse of our said Soueraigne Lorde the King, of al his lands & tenements, goods & cattals, in whose handes soeuer they be. And at the third time his body arrested, & all his goods & cattals at ỳ kings wil. And moreouer the same our soueraigne Lord the kinge will, that euery person that will sue for the king or for him selfe, shal haue the suit to attaint such aulnegeours, so doing against this statut. And the same partie pursuinge shal haue for his labour the fowerth part of the paine of x.li. or xx. li. aforesaid: according as ỳ case shal happē, sauing to Lords & other, their franchise, if they haue any in this cale. Anno 11. H. 4. cap. 6.

Streites

Proclamatiō

Content

West partes

Serch

Alnage Custome

Forf.

Doseins

Cutt

Officers

Seale Forf.

Forf.

Arrest

iii. Parte

26 ¶ The said statutes (s. Anno 7. H. 4. ca. 10. & 11. H. 4. ca. 6. before 22. & 25.) be firmely holden & kept & put in due execution. Anno 13. H. 4. ca. 4.

Content

Cloth

27 ¶ This worde (Cloth) in the sayde statutes before rehersed, shall haue relation, & shalbee vnderstand of whole clothe, called broad clothes, & broad dozens, & not of other clothes & peeces of clothes called

Broad clothes
Broad dozens

streites, now made or to bee made. And moreouer hath ordeyned & stablished, that euery man may make, set to sale, & sell, al maner of clothes called streits, conteining in length xviij. yards, and in the bread one yarde vnwatered, or els xii. yardes watered, wout impechment of any officer of our soueraigne Lord the king, paying to the king the aulnage, subsidy, customes & other duities, that is to say, of euery cloth & of euery peece of cloth after the rate cōteined in ỳ said statuts. And if the makers of the said cloths called streits, make any clothes to sell of lesse lenghth & bredth thē next aboue is declared, that then it shalbe lawful to the aulnegeour to cut of the list at the one end of all such streight clothes, not conteyning the said length, & the same to be sold for a remnāt or a peece, and not for a cloth. And ỳ no such clothes be put to sale til the aulnegeour hath measured thē, and made his search, and put to them the kings seale, thereto ordeyned, vpon paine of forfaiture of the same. And if any aulnegeour enseale any such clothes called streites, not conteyninge the length and breadth of ỳ straits aboueslid, & cut not of the list of al such clothes that do not hold the sayd length & bredth of the straits, that thē ỳ said aulnegeour shal pay to the king for euery peece of cloth so found defective vi. s, viii. d. An. 11. H. 6. ca. 9.

28 Anno 18. H. 6. capitulo 16. An acte was made to endure to the next Parliament concerninge the measuringe of cloth.

26 ¶ Euery whole wollē cloth called broade cloth which shalbe made and set to sale after ỳ feast of S. Peter called ad vincula, which shalbe in the yere of our Lord 1465. After the ful watering & racking, strayning or tenturing of the same, ready to sale, shal hold & contein in length xxiiii. yardes, & to euery yarde an ynche cōteyning the breadth of a mans ynche, to bee measured by the crest of the same clothe. And in bredth ii. yardes or viii. quarters at the least within the listes, and if the cloth be longer in measure thē fower & twenty yardes, & the ynches, then the buyer therof shal pay to the seller for almuch as doth excede such measure of xxiiii. yardes, after the rate of ỳ measure aboue ordeined. And it is ordeined & established, by authorityes of the sayd lordes, that al manner clothes

Pay for the ouer plus

called

Streits called streytes, to bee made and put to sale after the same feast, after ỳ full watering and racking, streining or tẽturing thereof ready to sale, shal hold & contein in lẽgth xii. yardes & their vnches, after the measure aforesaid, & in breedth one yard within the liztes. Also it is ordeyned and Kerley established by thauctority aforesaid, that euery cloth called karley, to be made & put to sale after the said feast, after the full watering and racking, strayning or tẽturing of the same readye to sale, shal hold and conteine in length xviij. yardes and their vnches, as is aforesaid, and in breedth one yard and a nayle, or at the least one yarde within the lyst. And also it is ordeyned & Halfe cloth established, ỳ euery halfe cloth of euery of the said whole clothes, streites, and karseys, shall kẽpe his measure in length & breedth after the rate fourme and nature of of his whole cloth aforesayd. And no person, which shall make or cause to be made any maner wollẽ cloth to sel after ỳ sayd feast shal medle or put in or vppon the sãe cloth, nor the woll, whereof the said cloth shalbe made, any lambes woll, flocks, or Lambes Wooll For Cotke Fork. cotke in any maner, vppon paine to forfayt xx. s. for euery cloth or halfe cloth, wherein or whereuppon any such lambes woll, flockes or cotke shalbe put or medled. The one halfe therof to be to the king, Mottie and the other halfe to him that shall sesse the same cloth, and duely proue the sãe to be made contrary to this ordinaunce, (except that he shal chuse to make of lambes wool by him selfe without mingling with any other woll) Except also ỳ cotke may be vsed in dying vppon wooded woll, and Dying also in dying of al such cloth that is onely made of wooded wool, so ỳ the sãe wool and Wooded Wooll cloth be perfectlye boyled & madered. Ex- Madered cept also ỳ cotke may be put vppon cloth, which is perfectly boiled & madered. Also it is ordeined & enacted, ỳ euery of the said clothes & demie clothes, shal perfectly and Imperfections rightfully pursue and follow one order of workmanship, frõ one end to ỳ other, wõout difference in ỳ weauing, fulling, knotting or burling. And in case any such difference or rawe or skawe, cockel or fagge, happen to be in any part of ỳ said cloths, Sesse Treasurer streites or kerseies, that thẽ a seale of lead therefore ordeined, & by the treasourer of England for ỳ time being prouided, shall be set & hanged in ỳ lowest part of ỳ edge of the same cloth streit or karsey, for perfect knowledge to be had to ỳ buyer therof. And ỳ euery of the said clothes, streyt & kersey, of the length & breedth aforesaid, & also of the said pertection, shalbee frõ the feast of S. Peeter ad vincula, sealed at the end of ỳ same with a double print in lead, deuised & ordeined by the said treasurer, in record & witnesse of thaforesaid true lẽgth breedth & making. And if any of the aforesaid clothes, streytes, & kerseis, do not cõteine thaforesaid length & breedth, or be not of the perfect workmanship aforesaid, and the two parts of the same clothes streites or kerses, be of the true & perfect workmã ship aforesaid, kẽping their said length & breedth: ỳ then euery such cloth, streyt and kersey, shalbe sealed with the said seales in Seales ỳ fourme aforesaid. And ỳ euery halfe cloth conteyninge greater length then ỳ halfe cloth, & lesse length then the whole cloth, of the sortes of the cloths aforesaid, being of the said perfect workmanship & breedth, shalbee sealed wỏ a seale printed in leade, hauing a marke differinge from both the seals aforesaid, in recorde & witnes of the true length, breedth, & making of the halfe cloth. And if any wollẽ cloth of any sorts of the clothes before recyted, perfectlye made, & hauing breedthe after their sort be fore limited, cõteining iii. yards & demy, or more, lesse then the halfe cloth, bee put to sale after the said feast, the same cloth shalbe sealed with a seale printed in lead, hauing a marke differinge frõ any of the said seales, for a knowledge to be had of ỳ default of the halfe cloth, the said seales to be deuised & ordeined by the said Treasourer, & to be put at thend of euery of ỳ halfe clothes, & clothes lesse then halfe clothes. Also by thaduice, assẽt & auctority aforesaid, it is ordeined & established, ỳ the trea- Treasorer sourer of England for ỳ time beyng, shal haue power & auctority to make such & as many kẽpers of the said seales as hee Keepers shal think necessary: So that no stranger borne be made any of ỳ said kẽpers. And that euery of ỳ said kẽpers so to be made, shal accõpt yerely of the reuenues of their Accompt said offices, in the said Eschequer, before ỳ Eschequer treasourer of England, and the Barons there for the time being, duely shewinge in the sãe accompts, the number of the clothes, halfe clothes, streytes and karseys, sealed by them, with the names of

thowners

thowners of ẏ ſame. Euery of the ſame keepers to be rewarded yerely at his ſaid accõpt for his labour & diligẽce in this behalfe, at the reſcript of the ſaid Eſchequer, by the diſcretion of the ſaid treaſourer and Barons, without payment of any thinge in ẏ ſaid eſchequer, in or for ẏ making of his ſaid accõpt. And in caſe any of ẏ ſaid keepers do ſeale any of ẏ aforeſaid cloths with any other ſeale, or any of the ſame clothes, otherwyſe made then after the maner & ordinance abone ſpecified, & ẏ by ſufficient proofe & examination ſhewed & approued, before the ſaid Treaſurer & barons, by the depoſitiõ, teſtimony & record of ſuch ſufficient perſons, of good & due reputation, which haue had prompt experyence in weyeing, fullynge and making of cloths, or if ẏ ſame keper do refuſe to ſeale any of the ſaid clothes made according to the ſaid maner & ordinance, or if any ſuch keper or aulnegeour do take after ẏ ſayd feaſt for the king, of any perſon for ẏ ſealing or meaſuring of any maner cloth, any other ſumme of money then is cõteyned in the ſtatuts & ordinances made before thys time and not repealed, or if any ſuch keper or aulnegeour, after ẏ ſaid feaſt do refuſe to ſhew his commiſſion of his office to any perſon deſiring the ſame vpon ẏ ſealing or meaſuring of any ſuch cloths before reherſed, & that examyned & truely proued: that then he, as often as he ſhall offende in any of the premiſſes, ſhall forfait the ſũme of xx.s. The one halfe therof to the kinge, and the other halfe to the partie prouyng the ſayd offences, by ſuyt to be made before the ſaid treaſourer and barons, by bill of debt in the ſaid Eſchequer, in which bill like iudgement & execution ſhalbe had, as is accuſtomably had & vſed againſt other accomptaunts in the ſame eſchequer. And that theſe ſtatutes & ordinances, & other ſtatuts and ordinãces made before this time, & not repealed, cõcerning any of the premiſſes: ſhalbe conteined & ſpecified in euery cõmiſſion to be made to euery ſuch keeper or aulnegeour after ẏ ſaid feaſt. Alſo wher as before this time in thoccupatiõs of clothmaking, ẏ labourers thereof haue bene oftimes to take a great part of their wages, in pinnes, girdels, & other vnprofitable marchandiſes, of vnreaſonable prices. And alſo haue deliuered to them wolles to be wrought by very exceſſiue weyght, whereby both mẽ & weomen haue bene diſcouraged of ſuch labour: Therefore it is ordeyned that euery man & woman being clothmakers, frõ the feaſt of ſaint Peter, ſhal pay to ẏ carders, ſpinſters, & all ſuch other labourers, lawful money for al their lawful wages & paymẽt of the ſame. And alſo to deliuer wolles to be wrought accordinge to the faithful delinery & due weight, vpon paine of forfaiture to the ſame labourer ẏ treble of his ſaid wages ſo not payd, as often as the ſaid clothmaker doth refuſe to pay the ſame, in the ſaid maner & forme to any ſuch labourer, put by him to thoccupation, or any of the ſaid members of clothmaking. And alſo to forfait to ẏ ſame labourer for euery delinery of exceſſiue and vnlawful weight to him deliuered, to bee wrought ſix pence for euery default. Alſo it is ordeined and eſtabliſhed by thauctoritie aforeſaid, that euery carder, ſpinſter, weyuer, fuller, chereman, and dyer, ſhal duely do his labour in his occupation, vpon paine to yelde to the party greeued in this behalfe his double damages. And ẏ euery fuller, from the ſaid feaſt of S. Peter, in his craft and occupation of fulling, rowing or taſeyling of cloth, ſhal exercile taſels and no cardes, diſceiptfully empayring the ſame cloth, vpon paine to yeld to the party greeued his double dammages. And ẏ euery Juſtice of p. for ẏ time being of euery coũty of this realm throughout ẏ ſaide coũty, out of cities, borroughs & townes where any Maior, maſter, warden, bailife or bailifes is or be, & euery Maior, where there is no maſter, & euery maſter, where there is no Maior, and euery bailife or bailifs, where there is no Maior, nor maſter, and euery portreeue, where no Maior, Maiſter, bailife nor bailifes is or bee, of euery City, Borroughe & Towne within euery ſuch county aforeſaid, and euery cõſtable of hundred, where any Conſtable of hundred is, out of euery City, Burghe and Towne where any Maior, maſter, bailife or baylifes or portreeues is or bee: And that euery ſteward keepinge or holdinge wapentake, or leete of any perſon out of Citie, or Burghe, or towne where no Maior, Maiſter, baylife, or bailifes, or portreeues is or bee, ſhall haue power and auctheritie by this ordinaunce, to heare and determine the complayntes of

Reward

Refuſe

Aulnegour

Cõmiſſion

Foyl. Mourie

Judgement

Laboyers

Clothiers Carders Spinners Money Wages Wooles

Foyl.

Refuſe

Foyl.

Weauer Fuller Sherman Dyer Payne ii. dãmages

Taſels Cardes

ii. Damages

Juſt. of p.

Maiors Bailifes Maiſter & Portreue

Conſtable

Steward

Oier and terminer

of euery such clothmaker & labozer aswell
foz nonpaymēt of the said labourers wa-
ges, as of the said forfaiture & dammages
by due examination of the parties in thys
behalfe, there vpon foz non payment of ẏ
said duetie and forfaiture, & foz the sayde
damages, to commit the said offenders in
this behalfe to the next iayle within the
same county, there to remaine til the sayd
duetie forfaitures and damages be duely
payd to the sayd labourer oz clothmaker.
And also that euery of the said Justices of
peace, Maioz, maister, warden, baylife oz
bailifes, poztreeue, and steward of wapen
take and leete, vpon ẏ informazion oz cō-
plaint of any other person which is not
greeued in this behalfe, shall haue power
by the said aucthozity within his iurisdic-
tion, to cause ẏ partie to come befoze him,
against whom such informazion oz com-
plaint shalbe made, foz offending this oz-
dinance, & to examine them in & vpon the
matter contained in the same informazi-
on oz complaint. And if the party by exa-
mination oz other due proofe, be found gil-
tie oz defective, that then the same party,
as oftē & foz euery time that he is so found
giltie oz defective, shal forfait to the king
oz to such person oz persons, which is oz
be intitled to haue fines oz amerciaments
foz offences done within their iurisdictiō,
iii.s.iiii.d. And that euery of the said Jus-
tices of peace, and other officers afozesaid,
within his iurisdiction, vpon euery of the
said informazions, oz complaintes, shal
haue full power to make lyke prozesse a-
gainst the partie, vppon whom any such
informazion oz complaint, as befoze is re-
hearsed, shalbe made, to cause him perso-
nally to appeare befoze him, thereupon to
be examined, as Justices of peace haue
vpon informazion oz complaint made to
them foz mertie of peace, without any fee
oz reward to be taken oz had by any of the
said Justices oz any other officer in thys
partie, foz the execution of their offices in
this behalfe. Also it is ozdeyned & estabili-
shed, that al maner of woollen cloths made
in any other region, bzought into this Re-
alme of England, & set to sale within any
peece of this realme of England, after the
said feast of saint Peter, shalbee forfait to
our soueraigne lozd the king, except cloths
made in Wales, and Irelande, & clothes
taken by any of the kings leige people vp-
pon the sea without fraude oz collusion.
And by thauctheozity afozesaid it is ozdey-
ned & estabilished, ẏ any other act oz ozdy-
naunce, made in this present parliament
concerning clothmakinge, oz any of the
premisses, contrary oz not accozdinge to
this act, shalbe void & of none effect. An. Void
4.E.4.ca.1.

30 ¶ Al the said inhabitants & residēts
in any places within ẏ said three hūdzeds
(s. Lestom, Tauestoke, Bowbergh) wīn
the countie of Deuon, may make & cause
to be made al maner of woollen cloth, of ẏ
said woll, & to the same lawfully put and
do to be put, such quātity of flockes as shal Flox
be nēedefull and profitable to the maker
& owner of the same cloth. And that al the
clothes after such forme to bee made wī
flocks within the said three hundzeds and
euery of them, may be bought & sold at al
times without any impeaching oz dam-
mage of any person, & without forfaiting
of any of the sayd clothes, notwithstan-
dinge the said ozdinaunce aboue rehersed,
that is to say. (An.4. Ed.4. before 29.)
An.7.Ed.4.cap.2.

31 ¶ No person denizen oz straūger, Denizen
from ẏ feast of Thassumptiō, which shal
be in the yere of our Lozd God. 1468. shal
cary oz cause to be caried into any parties Cary out
beyond the sea, any woollen yarne, oz cloth Woollen yarne
not fulled, but ẏ the woollen yarne, which Cloth not
shalbe made after ẏ same feast in this re- fulled
alme, shalbe wouen in the same Realme.
And also all cloth therein made, after the
said feast, shalbe fulled and fully wzought
wīn the said realme, befoze that it be had Forf.
& caried out of this realme, vpon paine of
forfaiture of ẏ very value of al such yarne
vnwouen & clothe not fulled, had oz caried
out of this Realme. The one halfe of the Moity
sse forfaiture to be leuied to ẏ kings vse, &
the other halfe thereof to him oz thē ẏ es-
pyeth oz maketh proofe of any such vnwo-
uen yarne oz cloth not fulled after ẏ sayd
feast to be caried to any place beyōd ẏ sea.
An.7.E.4.ca.7.

32 ¶ Al the said clothes called bzode set Bzod le &
clothes & streight set cloths & euery of thē, clothes
which shalbe made wīn any of ẏ said coū- Streight set
ties (s. Nozffolk, Suffolk, & Eller) after ẏ clothes
first day of August, which shalbe in ẏere
of our Lozd 1468. shalbe rightfully made
in fozme ensuing. That is to say euery of
the sayd clothes called bzoade sett clothes,
after

Impōsion

Iust. of p.

Wdmyne

Gilte

Forf.

Iust. of p. Officers

Proces

Informacion

No fee

Woll clothes bzought into England,

Forf.

Wales Ireland,

Shouted Serched Content

after they be sufficiētly, perfectly, & rightfully made, cleane, scoured, fully serched, & ready to sale, shal conteine in length 28. yardes, & 28. ynches measured by ẏ crest, & in breadth vii. quarters wīn ẏ lystes directly frō one end of the said cloth vnto the other. And euery of ẏ said brode set clothes after al ẏ said sufficient & perfect workemanship, cleane scouring, & ful searching, & made ready to sale, shal wey 38. pounde at ẏ least. And also that euery of the sayd strept set cloths, which shalbe made in any of the said counties after the sayd first day of August, after all maner sufficient, perfect & right workmanship, clean scouring, & full serch, & ready to sale, shall conteine in length xiiij. yardes & xiiij. ynches measured by the list, & in breadth iij. quarters & demy quarter of a yard, within the listes directly frō one end to an other. And euery of the said strept set clothes, after al the said sufficient & perfect workmāship, cleane scouring, & ful serching, & made redie to sale, shal way ix. pound & demy, at ẏ least. And ẏ al the said cloths called brode set clothes & strept set clothes, which shall be made within any of the said countyes after the said first day of August of ryght & perfect workmanship, according to this ordinance, shalbe sealed by ẏ kings aulnegeour or sealer, with the seales of ẏ subsidie & avnage within euery of ẏ said coūties therefore ordeined pʳinted in ware. And that no person or persons, after the said first day of August, shall offer nor put to sale any of the said clothes called brode set clothes or strept set cloths not kēping ful length, breadth, & weight, or not cleane scoured or fully searched, according to this ordinance, vpon paine of forfaiture of the same, the one halfe thereof to thvse of our said soueraigne lord the kinge, & the other halfe thereof to the partie ẏ shal espie and seise the same. And that no person or persons after the said first day of August shal tache packe or carry of the said clothes called brode set clothes, or strept set clothes, out of any of the said counties, vnlesse the same be sealed by ẏ kings aulnegeour or sealer, after the manner above ordeigned by this ordinance, vpon paine of forfayture of the same. The one halfe to ẏ king, & the other halfe to the partie which shall espie & seise the same. And if any aulnegeour, or any of his deputies within any

Workmanshippe

Weight

Sealed Aulnegeour

Ware

Forf.

Mottie

Packe

Sealed

Forf. Mottie

Aulnegeor Deputies

of the said counties shall seale any of the said set clothes, not conteininge the same length breadth & weight aforelaid, ẏ then he shal forfait for euery brod cloth to sealed vi.s. viii.d. And for euery of the sayde streight set clothes so sealed xx.d. The one halfe of the same forfaiture to bee payd to thvse of our said soueraigne lord the king. And ẏ other halfe to him that will sue for the same by action of debt, by writ, or bil, in any of the kings courts at his electiō ẏ will sue in this behalfe. And in ẏ sāe actiō to recouer ouer & beside ẏ said forfaiture, such costes and damages as be cōmonly vsed in an action of debt sued at the comō law. An. 8. E. 4. ca. 1.

Forf.

Mottie

Costes Dammages

33 ¶ All the woollen clothes, halfe clothes, streits & kerseies beinge of good & perfect making of lēgth & breadth, after ẏ forme of the said act made in the said iiii. yere (S. 4. E. 4. ca. 1. before 29.) shalbee sealed with ware at both ends taking, no more for the same both seales, thē before was takē for ẏ sealing of an whole cloth, halfecloth, streite or karsey. Except only, that in the citie of London, & in the towne of Bristowe, al the clothes that ought to be sealed, shalbee sealed with Leade, as hath bene there accustomed. Moreouer it is ordeined, enacted and established by ẏ aucthority aforesayd, that the said Treasorer of England for the time being, shall haue power & auctho'itie, to let to farme the subsidie and aulnage of clothes, which ought to sealed, vnto persons willinge to haue ẏ same to ferme, by sufficient mainprise, in ẏ forme as was vsed & done, before the said statute, made in the sayd iiij. yere. The fermours to haue ẏ one halfe of the forfaiture of all the clothes & peces of clothes to be set to sale, not sealed with the said seales to their owne vse, payinge therefore & for the said subsidy & aulnage, to our soueraigne lord ẏ king at his eschequer, such yerely summes of money, as shalbee agreed betwixt the Treasorer of England & them, & to be accomptants to ẏ king, of the other halfe of ẏ said forfayture, at ẏ said Eschequer. The said statut made in the sayd fourth yere notwithstanding. An. 17. E. 4. ca. 5.

Woll̄en cloth

Ware seals

Strett Kercy London Bristowe London seal

Treasorer

Ferme Mainprise

Mottie

Eschequer

Accōptants

33 ¶ No person whatsoeuer he bee clothmaker nor other, shall sell nor put to sale after the feast of Saint Michaell the archangel next ensuing, any maner wollē clothes

Clothier Vnlesse

clothes called brode cloth, vnlesse ẏ same cloth be before fully watered. And ẏ euery whole cloth, & also brodcloth, which shall be made in this Realme of England, after the sayd feast of saint Michael tharchangel next comming, after that it be fully watered ready to sale, shal holde & conteine in length xxtiij. yardes, and to euery yarde an ynche conteining the breade of a mans ynche, to be measured by the creste of the same cloth, & also it shall holde and conteyne in bredth ti. yardes within the lystes by ẏ whole lẽgth in the same. Also that euery halfe cloth of the sayde whole clothes to be made after the sayd feast, after his full wateringe ready to sale, shal hold and conteine xx. yardes in length at the least, with the ynches afforesaid, to bee measured by ẏ creste, & ti. yards in bredth within the lystes. So that alwayes the same halfe cloth do not excede ẏ lengthe of xvj. yardes, vpon payne of cuttinge the whole cloth in tij. peeces, and of cuttinge the halfe cloth in two peeces. And also to lose for euery whole cloth vi. s. viij. d. and for euery halfe cloth iii. s. iiii. d. made, sold, or put to sale after the sayd feast, not fully watered, or made after the said feast not kéepinge their measure aboue ordeined. And if the whole cloth bee longer in measure then ẏ said xxtiii. yardes & the ynches afforesaid, & the halfe cloth of the same bee longer then xij. yardes with the sayd ynches, that then the buyer of the sãe whole cloth, shal pay for as much as it doth excede in the measure of xxtiij. yardes, & the buyer of ẏ same halfe cloth to paye for as much as it doth excede xii. yards: So that alwaies the said halfe cloth do not passe ẏ length of xvi. yardes as aboue is said. Also that al maner of clothes called streytes to be made after the sayd feast, after their full watering ready to sale, shal hold and contein xii. yardes in length, & the ynches after the measure afforesaid, and in bredth one yarde within the lystes, & throughout the length of the same, vpon paine of cutting of the sayd streyt in two peeces, and also to lose for the same streyt xx. s. Also that euery cloth called kersey, to be made or put to sale after the said feast, after the ful watering ready to sale, shal hold & cõtaine in length xviij. yardes & the ynches as is afforesaid, & in bredth one yard & an naple at the least within the lystes, vppon paine of cutting of ẏ said kersey in ti. peeces, & to lose for the same kersey iii. s. iiii. d. Al the said paines forfaitures & losses to run vpon ẏ sellars of ẏ said cloths, ẏ shalbe made contrary to this act. And that euery of ẏ sayd whole clothes, halfe clothes, streites, & karsetes, be perfectly and duely made throughout frõ one end to the other. Also before the said feast, seales shalbe prouided & ordeined by the treasorer of England to be printed in lead hauing ẏ kings armes of England in the one side, & in ẏ other side ẏ arme, signe, or token, of euery citie borough or towne, wtin this Realme of England, where ẏ cloth is made, hauinge such armes, signe or token, for a marke, or an eudente tokẽ & knowledge, of the cloth made within euery such citye borough, & towne of this realme, & besides ẏ seales for euery coũty of this realm, for the sealing of al manner cloth made wtin euery coũty, out of citie borough or towne of the same county, shal haue on the one side the kings armes, & on the other side the name of the county printed in ẏ same. And that the treasorer of England for the time being or his deputy, after ẏ said feast shal make no person or persons to be aulnegeour, sealer or kéeper of the seale, in any part of this realme, but such as be expert in making of cloth, of the sufficiency of an C. li. at the least at the tyme of the said deputation. And that no aulnegeour sealer or kéeper of any seale to be prouided as is afforesaid, after ẏ said feast, shal seale any of ẏ said whole clothes, halfclothes, streites, or karsetes, but such as shalbe only made after the same feast within the coũty, city, borough, or towne, where they shalbe deputed aulnegeour, sealer, or kéeper, vpõ paine to forfait to our soueraigne lord ẏ king for euery such whole cloth cõtrary sealed fiue markes, for euery halfe cloth xxx. s. iiii. d. for euery streit xxs. & for euery karsey x. s. Also ẏ no person whatsoeuer he be, after ẏ said feast, shal set nor drawe, nor cause to bée set nor drawen in length or bredth, wtin this realme of England, any maner woollẽ clothes, after ẏ it be fully watered, by teinteringe or otherwise, vpõ paine to forfait ẏ sãe cloth. Also ẏ no man of what condition soeuer he be, within this realme after ẏ said feast, shal set cast or put vpõ any maner of cloth, any flockes, or any other disceiptful thing like, vpon

Watered Brodcloth

Content

Payne of cutting Forf.

Seales

Citie

Treasorer

Aulnegour

Seale

Pay for the ouer plus

Forf.

Streits

Paine of cutting

Kersey

Drawe in length

Tentering Forf.

Content

Forf.

Flockes

Payne

vpon paine of xl.s. for euery cloth, where vpon any such person shal cast any flocks or such other thing. Also ỳ no cloth maker nor other person whatsoeuer he be, wiṫin ỳ said realme, after the said feast, shall set or cast vpon any white cloth or karsey, any chalk vpon like pein. Also ỳ no shermā or other person after ỳ said feast, shall shēre nor cancel any cloths wiṫin this realme, except such cloth be before fully watered, vpon pain to forfait xl.s. for euery cloth as often as he shal so do. And ỳ no persō strā ger nor other, shall sende nor conuey any wollē cloth ouer ỳ sea, after the said feast, vnlesse ỳ sāe cloth bee before fully watred And after ỳ the sāe cloth be so fully watered, ỳ then it shall in no wise be set nor drawē in lēgth nor bredth vpō paine of xl. s. for euery cloth cōueyed or sēt ouer ỳ sea contrary to this act. Also ỳ no maner person wiṫin this realme after ỳ said feast, retaile any wollē cloth or cloths lyning nor other, except it be ful watered before, & after ỳ it be fully watered it shal in no wise be set nor drawen in length or bredth vpō paine to forfait the same cloth or ỳ value therof. The sāe paine to run vpon ỳ sealer of al such clothes. Also our said soueraigne lord ỳ king, in ỳ eschewing of great falsity & deceipt, which hath growē & daily doth grow by meane of teintowrs: by ỳ assent & auctoritie aforesaid hath ordeined & enacted, ỳ no person whatsoeuer he be, shal kepe haue or occupy any teintour, or any other thinge in his owne house or place of his inhabiting, whereby wollen clothes may be in any wise drawen out in length or bredth, vpō paine to forfait xx.li. as often as he shal do contrary to this act, but ỳ al teintours which hereafter shalbe used or occupied for due stretching of cloth only, after ỳ it cometh frō ỳ mill, & before it be rowen, & for none other cause, aswell within the citie of Londō, as other cities, Boroughs, & townes, of this realme shal be set in open places. And ỳ euery Maire of London for the time beinge, & al other Maires & baliffes, & other gouernors of cities boroughs, towns, & villages of thys said realme, shal diligently survey & ouersee ỳ all clothes, which shalbe put vpon taintours, shal not be drawē out in lēgth & bredth, otherwise thē is before rehersed. Also ỳ after ỳ sayd feast no stranger shal buy any wolle, which shalbe sent or shall passe through ỳ streits of Marroke by galeis, carraks, or ships, or other vessels forted, clacked or barked. Nor no woll wher of any lockes or refuse shalbe made, but ỳ ỳ same woolle be as it is clipped & purelye wounde wiṫout discept, & marchandisable after ỳ growing of ỳ countrey, wiṫout any forting, berding, clacking of lockes, or refuse therof to be made, as afore is said vpō paine to forfait the same wool & ỳ double value therof. Moreouer our sayd soueraigne Lord the king hath ordeined & enacted, by auctority aforesaid, that no diер nor none other person, shal die or cause to be died within thys realme, after the sayd feast, any wollē cloth with orchel or corke called tarroke, vpon paine to forfait & lose xl.s. for euery cloth that he or any other for him or to his vse, shal die or cause to be died. Nor that no person after the sayd feast shal sel or put to sale within this said Realme, any such cloth which after ỳ said feast shalbe died, wiṫ orchale, or corke cal tarroke, vpon paine of forfaiture of such cloth so died or put to sale contrary to this act. This paines & losse al waies to renne vpon the seller, except that corke made within this realme of England may bee vsed in dying vpon woolwardes, & also in dying of al such cloth which is made onely of woolwardes, so that the same woll and cloth be perfectly boyled and maddered. Also that corke made in this realme may be put vpon cloth that is perfectlye boiled & maddered. Also that no dyer after ỳ said feast shall die any cloth within this said realme, except the same dyer do dye the said cloth and the list of the same with one colour, without tacking or sowing of any bulrushes or such like thinge vpon the lystes of the same, vpon payne to forfayt xl.s. for euery cloth ỳ he shal so die contrary to this act. And that no maner person whatsoeuer he be, shal put to sale within the said Realme after the said feast any maner of cloth, which after ỳ same feast shalbe disceitfully died, vpon paine to forfait the same cloth or the value thereof. The same forfaiture and paines alwaies to ren vpō ỳ seller. Also if any of ỳ kinges subiects, or any other hereafter happen to seise any wollen cloth, otherwise made or dyed then afore is said, thē ỳ same subiect or other shall bringe all the same cloth or clothes so by him seised, before the Maire, baliffes,

Calke
Payne
Sherman
Forf.
Watered

Stranger

Ouer sea

Drawne
Paine

Retaile

Forf.
Sealer

Tentor

Forf.

London
Maior

Surney

Stranger
Woolle

Marroke

Locks

Forf.

Dyer

Orchel
Corke
Forf.

Sell

Forf.

Woolwardes

Boyled
Maddered

List
Forf.

Sell

Forf.

Seale

Maior

Bailifes

Bailifes, or other gouernour of the cities, boroughes, townes, or villages, wher any such seising shal happen to be made of the same cloth or clothes, there to iudge by the discretion of the said Maior, Bailife, or other gouernour, calling to him or thē such persons, as by his or their discretions shal seme conuenient, whether the same cloth be otherwise made, wrought, or died, then is according with the acts before recited. And if it be iudged by the said Maior, bailife, or other gouernor, or other persons, called to them or any of them, as afore is said, that the same cloth is made or dyed & put to sale, contrary to the foresaid acts, then the same clothes so seised, & by them iudged, as is aforesaid, shalbe cut in three peces, in the presence of the said Maior, Bailife, or other gouernor: The one part thereof to bee deliuered in the Eschequer by him or them that so shal seise the same cloth or clothes to the kings vse. And the second part thereof to be deliuered to the seisor of the same cloth or clothes, & the third part thereof to be deliuered to ỳ said Maior, Bailife, or gouernour, to the vse of the Cominaltie, where they or any of thē be Maior, Bailife or gouernour: The one halfe of all the other fines, forfeiturs, and penalties aforesaid, and of euery of them to bee to our soueraigne Lord the king, & the other half to him or them of the kings subiects that shal seise the same, or sue for the same, by action of debt, by writ at the common law, or by bil, or plaint, after the custome of the citie, towne, or port, where such fines, forfaitures, and penalties shall happē to fal or be. And ỳ the defendant in any such action be not admitted to wage or do his law: Nor that any protection or essoine in the kings seruice be allowed for any such defendant. Prouyded alwaies, that this act, nor any thing therin conteined, shall not extend nor be preiudicial to the makinge of any woollen cloth called Ray, nor to any cloth made in Winchester or Salesburie, vsed to be put & toyned with ray. The cloth therof commonly vsed to be solde at xl.s. or within, nor to the making of any cloth called Perule, other wise called plonkets, turkens, or celestrins, with laised listes. Nor any cloths called packing whites, nor to the making of any clothes called besses, cogware, or worsteds, nor to ỳ making of any cloths called florences with cremilliſſes, nor to the making of any woollen clothes called baſtards, nor of any cloths called bēdals, nor to clothes called sayling ware, wō cremill listes, laised lystes, or smal listes, nor to any cloth called frise ware, nor to any of them, nor to the maker or seller of thē. So that the same cloths & euery of them, for the kings honour & profite of his Realme, be truely, duely, & parfitly made, according to the nature & making of euerie of the said cloths. An. 1, R. 3. cap. 8. infra 37. Howv this statut is suspended for certeine tymes.

Iudge
Cut
3 Parts

Eſchequer

Cominaltie

Mottie

Ray
Winchester
Salesbury

Plonkets
Packing
whites
Besses
Cogware
Worsteds

35 ¶No straunger nor denizen, cary nor make to be caried out of this realme, any woollen clothes, but they before bee barbed, rowed & shorne, wīn the same realme, for the relefe & setting on worke of the poore commens, vpon paine of the forfeiture limitted in the statut of king Edwarde (s. An. 7. E. 4. cap. 3. before 30.) made vpon cloth caried out of this realm, not fulled, to be deuided in maner & forme as in the same statute it is conteined.

Strangers
Denizen
Cary out

Barbed
Rowed
Shorne
Forf.

Prouided alwaies, that clothes called besses, bayes, sayling clothes, & all other clothes commonly sold at xl.s. or vnder, be not comprised in this present act. An. 3. H. 7. cap. 11.

36 ¶No person sell within this Realme at retaile, a broade yard of woollen cloth of the finest making, scarlet grained or other cloth grained, what colour soeuer it be, to any of the kings subiects, aboue the pri[ce] of xvi. s. a broade yarde. And a brode yarde of woollen cloth of any other colour out of graine, any maner of Russet of the finest not aboue the price of xj. s. vpon paine of forfaiture for euery such yarde solde to any of the kings subiects aboue the said price of xl.s. & of euery other cloth what colour soeuer it be, that is vnder the said price a brode yarde to be solde to the kings subiects after the rate of the gwdnes therof. And he ỳ will sue for any such forfaiture, haue an action of debt therof, against hym that so doth forfaite, in which action none essoine, ne protection be allowable. And the defendant not to be admitted to wage his law. The kyng to haue therecution of thone halfe therof & the partie that shall sue the other halfe. An. 4. H. 7. cap. 8.

Retaile
Scarlet

Prices

Russets
Forf.

Action

Mottie

38 ¶The acte made An. 1. R. 3. cap. 8.

Suſpended

is by 12.H.7.cap.4.ſuſpended to the beginning of the next parliament. And after An.1.H.8.cap.2.it is ſuſpended to the beginning of the next parliament.

38 ¶The ſaid acts & ordinãces (s.An. 7.E.4.cap.3. & An.3.H.7.cap.11. before 30.& 34.) may ſtand & continue in their full ſtrength & vertue. And that they from hẽce forth be duely put in execution, according to the tenour, purport, & effect of the ſame, & of either of them. And that euery perſon ẏ will ſue for the ſame forfaitures, be admitted to his action of debt, by bill, or information, in any of ẏ kyngs courts of record, where the ſame may be determined after the courſe of the cõmon law, & that the defendant in ſuch behalf, in no wiſe be admitted to wage his law, nor ẏ any protection or eſſoine be in the ſame allowable: Moreouer beleo &c. be it &c. that cloths called beſſes, rayes, ſayling cloths, & other clothes now cõmonly ſold at iiij. markes or vnder, be not compriſed in this or any of the ſaid acts, but may be caryed & cõueied out of this realm, into ẏ parties beyond the Sea, not barbed, rowed, nor ſhorne, this or any the ſaid acts notwithſtanding. An.3.H.8.cap.7. See this Statut altered here followving 39.

Sute
Action of debt

Cary ouer Sea

39 ¶No perſon make ſuch cloths (called white ſtraites) to ſell, wout that it bee when it is raw ready to be tucked, of the breadth of a yard & halfe a quarter, and of length v.yardes. And ẏ no perſon make ſuch clothes, but bee ſet his ſpecial marke vpon euery of the ſaid cloths ſo by him or thẽ made. And ẏ no perſon vſe no marke on his cloths ſuch as any other perſõ doth, & hath vſed befor him, vpon pain of forfeture of euery of ẏ ſaid cloths, the one half to the king, & thother halfe to him that ſo ſeiſeth the ſaid cloths ſo made or marked, contrary to ẏ forme & effect afore expreſſed. And thys acte to endure to the next parliament. An.5.H.8.cap.2. This act is made perpetual here followving 40.

Streites

Content

Marke

Forf.

Moitie

40 ¶Euery white wollen cloth, ſold at v.markes & vnder, may be carried and conueyed into the parties beyond the ſea, there to be ſold at the pleaſure of ẏ buyers of the ſaid cloth, vnbarbed, vnſhorne, & vnrowed, any acte or actes to the contrary made not withſtanding. And ouer this be it enacted &c. that if any perſon or perſons conuey, or cauſe to be conueyed into the parties beyond the Sea, any white wollen clothe, vnrowed, vnbarbed, and vnſhorne, aboue the value of v. markes, in other fourme then is afore ſaide, that then the perſon or perſons ſo offending, ſhall forfait the value of the ſaid cloth or cloths ſo caried or conueyed into the parties beyond the Sea. Thone moitie &c. to be to our ſaid ſoueraigne lord the king, and the other moitie to any perſon &c. wherin &c. An.5.H.8.cap.3. This act is altered here followving 46.

white

Ouer ſea

Vnrowed

Forf.

Moitie

41 ¶The ſaid act (s.An.5.H.8.cap.2. before.36.) concerning making of cloths (called white ſtraites) & euery thing there in contained, ſtand & be in his ful ſtrength vertue & effect. And ouer that it is ordeyned by the ſaid auctho[r]itie, that no perſon nor perſons, from the feaſt of S. John Baptiſt next comming, ſhall make any ſuch clothes (called white ſtraites) nr any cloths of the making of ruſſet colour (called ruſſet ſtreits) without that they & euery of them (being raw) be of the breadth & length reherſed and marked in maner & forme before expreſſed, and ſo being raw to wey xliij.li. by true weight at leaſt, vp on paine of forfeiture of euery of the ſayd clothes made, and being leſſe in length or els in breadth, or marked contrarie to the forme and effect before reherſed, or els being of weight contrarie to the forme before expreſſed, the one half of the ſaid forfaiture to be to the king, & thother halfe to him that ſo ſeiſeth ẏ ſame cloths ſo made, & being of weight, contrarie to the forme & effect afore ſaid. And this act to endure for euer. An.6.H.8.cap.8.

White ſtraits

Ruſſet ſtraits

Weight

Forf.

Moitie

42 ¶The wool which ſhalbe delinered for or by the clothier, to any perſõ or perſons, for breaking, kembing, carding, or ſpinning of the ſame, the delinery therof therefore ſhalbee by euen, iuſt, and true poyes and weight of haberdepoyes, ſealed by auctho[r]ity, not exceeding in weight after the rate of xij. pound of ſeimed wool, aboue one quarter of a pound for ẏ waſt of ẏ ſame wool, & in none other maner. And that ẏ breaker or kember to deliuer again to ẏ ſame clothier the ſãe wol ſo broken & kempt, & the carder & ſpinner to deliuer again to ẏ ſaid clothier, yarne of ẏ ſãe wooll by ẏ ſame euen, iuſt & true poies & waight (the waſt thereof excepted) without any part therof concealing, or any more ople,

Wooll

waſt

Clothier

Broken

Kempt

yarne

water,

Deceipt Fork. L. of Leete

water, or other thinge put thereunto deceiueably, vpon the payne to forfait to the lord of the Léete within ẏ precinct where such default is done, for euery such default xij.ß. vpon due proofe of such disceit afore, & by the discretion of the Maior, Bailife, or other head Officer of the citie, borough or towne where, the disceipt shal appeare, the same Maior, Bailife, or head Officer, calling to him such persons as shall seeme to him conuenient for the proofe of suche disceipt. Item that the weauer which shal haue the weauing of any wollen yarne to be webbed into cloth, shall weaue, worke, & put into the webbe for cloth to be made thereof, asmuch & al the same yarne as the clothier, or any other person for him, shal deliuer to the same weauer, with his bled marke put to the same, without chaũging any parcel therof, or leauing out of ẏ same webbe, and to restore to the same clothier the surplus of the same yarne, if any shalbe left not put into the same webbe, & without any more oyle, byne, moisture, dust, sand, or other thing deceiueably, putting or casting to the same webbe, vpon paine to forfait for euery default iij.s.iiij.ð. Item ẏ no maner person buy any coloured wool or coloured yarne, of any carder, spinner, or weauer, but onely in open market, vppon paine of forfeiture of such wooll & yarne so bought. Item that the walker and fuller shal truely walke, full, thicke, & worke euery webbe of wollen yarne, which he shal haue to walke, full, thicke, or worke wõut any flore, or any other maner disceipt to be vsed on ẏ same, and shal not row nor worke any cloth or webbe wõ any cards on the right side, nor the wrong side, vpon paine to forfaite for euery such default vi.s. viij.ð. Item that the clothier nor other person whatsoeuer he be, shal not put any cloth to sale, which when it shalbe ful wet, shal shrinke more then one yard in al the length, & one quarter of a yarde in the breadth, for the more part thereof. And cloths called narrowes or streits after the rate, vpon paine to forfait for euery clothe otherwise put to sale vi.s. viij.ð. And beside to deduct of hys price for the same to be rebated to ẏ buier thereof asmuch after the rate, as the same cloth, so other wise put to sale, being full wet shalbe shronk more then one yard of that it was in length time of ẏ same sale, & it shall (being wet) want of the breadth of one yard, & iij. quarters of a yard. Item that ẏ buier of woollen cloths, denizens or aliẽs, after ẏ buying therof, shal not drawe nor cause to be drawen in length, nor straine nor to be strained in breadth, ẏ same cloths or any of them, by tentour or winch, or by any other meãn, vpon paine of forfaiture for euery of the same clothes so to be drawen or strained C.s. Prouided alway ẏ if such buier of woollen cloths for proofe, cause the same to be wet, he may draw & straine them for euening of them only, so ẏ he exceede not one yard in length more then it shalbe when it shalbe ful wet. Itẽ ẏ no maner of person worke or put vpon any woollen clothes, any flore, or other deceiueable thing, vppon paine to forfait for euery cloth so wrought deceiueably wyth flore, or other deceiueable thing xx.s. Itẽ that no maner person buy or sel any woollen cloths by other measure more or lesse, then after ẏ true content therof to be meten & measured by the yard, adding to euery yard one ynch of the rule, vpon payne to forfait for euery cloth to the contrarie measured C.s. The one moitie &c. to bee to our soueraigne Lord the king, & ẏ other moitie to ẏ person which shal sue &c. wher in &c. Prouided alway, ẏ this acte extend not to woollen clothes called Kendals, nor cloths called Capernal whites, commonlye made for lyning for hosen, nor to any clothes called Tauestokes, made in the countie of Deuonshire, nor to any woollen clothe made in the countie of Cornewall, nor for any cottons or plaine lynunge, or frise made or to be made in Wales, Lancashire, & Chesshire, or any of them. Anno 6.H.8. cap.9. Note that Anno 3.H.8. cap.6. an acte was made to endure to the next Parliament, almost vvord for word like this former act of An. 6.H.8.cap.9. vvith an article that none should take auãtage of any forfeiture or penalty, made by 1.R.3.cap.8. concerning clothes.

Maior Bailife

Weauer

Marke

Surplus

Deceipt Fork.

Buy Coloured Wooll yarne Market Fork. Fuller

Flore

Deceipt Row with Cardes

Fork.

Clothier

Shrinke

Streits Fork.

Abate

Buyer Denizen Alien

Straine Tentour Winch Fork.

Euening

Flore Fork.

Buy Measure

Fork. Moitie

Cornewall Cottons Frise Wales Lancashire Chesshire

43 ¶ An. 14.H.8.cap.1. an acte vvas made concerning broad vvollen clothes to endure to the last day of the next parliament.

Brode Clothes

44 ¶ Al cloths called bestes, otherwise called set cloths, what colour so euer they be of, not being aboue ẏ value of xl.s. a cloth, shal not be forfait for ẏ they lack in length & breadth when they be full wet after the

Set clothes

sale of them afore this time made, or here after to be made: The said acte made in the vi. yere of king Henry 8. (s. cap. 9. before 41) or any other act heretofore made to the contrarie notwithstanding. Anno 14. H. 8. cap. 11.

Worcester

45 ¶ No maner person ne persons of what degree or condition soeuer they bee of, shal make or cause to be made wtin the said shire of Worcester, any maner of wollen clothes to be sold, except only such person or persons, as after ẏ said last day of Septemb. shalbe dwelling & inhabiting wtin the said citie of Worcester, the boroughs & townes of Euesham, Droitwich, Kaddermin ster, & Bromisgroue, wtin the said county of Worcester, or in any one of them, vpon pain of forfeiture for euery such brod cloth made after the said day, by any person or persons, contrary to ẏ true meaning of this act xl. s. And farther it is &c. ẏ the lords & owners of the meases, tenements, or cottages wtin the said city, or any of the townes & boroughes aforesaid, shal at no time hereafter dimit, set or let any mease, tenemẽt, or cottage sufficiently repaired wtin the said citie, borough, or townes before limited, to any person or persons, that hereafter shal inhabite in ẏ said city, boroughs, or towns, & exercising any of the said misteries or craft, at any higher rent, imposition, or charge, then was geuen for the same at any time wtin xx. yeres next before the making of this act onely except, Prouided alway ẏ this acte be not hurtfull ne prejudicial to any person or persons for making any clothes for their owne wearing, their children or seruants wearing. Also prouided, ẏ in the said citie & towne, & euery borough aforesaid, there shalbe due serch made of euery such cloth before said there made, & ẏ they be meated both length & bredth being wet from the mill, & before they be set vpon ẏ racke & dried: & that they shalbe sealed wt the seale of the searcher of the same citye, towne, or borough, which seale shall haue a stamp, conteining the true numbers for the length & bredth of the same cloth being wet, in paine of forfeiting of euery cloth put to sale not hauing ẏ said seale of ẏ searcher x. s. And the sealer to forfait for euery cloth by him serched & sealed contrary to ẏ true meaning of this act vi. s. viii. d. The one halfe of the said forfaits to be to the king &c. & the other half to the partie that will sue &c. wherein &c. And the sercher shal haue for the serching & sealing of euery cloth a peny & not aboue. An. 25. H. 8. ca. 8. See the sta. next following.

Lokt tenements

Forf.

Rent

Housholde Cloth

Seled

Measure

Sealed

Forf.

Mortie

46 ¶ All & euery clothier within thys Realme, shal weaue or cause to be weuen his or their seueral token or marke in al & euery cloth kersey, & other cloths whatsoeuer they be, made & wrought to be vttered & solde. And when any such cloth shalbe ready made & dressed to be put to sale, euery of ẏ same clothiers shal set his seale of lead vnto euery of the same his or their clothes & kerseis, in which seale of lead shalbe conteined the true & iust length of euery of the same clothes or kerseis, as it shalbe duely found by euery buyer of the same vpon due prose therof to be tried by water. And in case vpon any such prose to bee made by any buyer of them at the water, there shalbe found lesse or smaller content in length, then is contained & specified in euery of the said seals: then euery of the said clothiers making such default shal lose & forfait vnto euery such buyer of the same, ẏ double value of so much cloth as shal want & lacke of his said content in length, at the only sight and iudgement of any ij. indifferent persons that shal measure the same clothes and kerseis. And euery clothier sending or puttinge any of their clothes to sale, before such time as al & euery of the same cloths shalbe sealed by the aulneger of the same counties, where it shal chaunce any of the same clothes so to be made, and also to be ordered & sealed by euery of the said clothiers, in forme aforesaid, shall lose and forfait his cloth or clothes what soeuer they be, the one halfe &c. to the king, & the other halfe to hym ẏ will sue &c. wherein &c. And it is &c. that after the said feast of S. Michaell tharchangel, euery broad cloth shal conteine in bredth vij. quarters of a yard within the liste at the least, & to hold the same content al waies, if it be proued at the water. The act made in the first yere of ẏ raigne of our said soueraigne Lord, ẏ euery brod cloth should contein two yards in bredth, within the listes, or any other thing there in conteined, touching the képing of the same bredth of two yardes, in any wise not wtstanding. And euery kersey shal cõtein in bredth one yard within the list at the

Marke Kersey

Leaden seale

Content

Forf.

Put to sale

Aulneger

Forf.

Mortie

Bredth

Kersey Bredth

the leaſt, if it be proued in the water, vpon
Forf. paine to forfait for euery ſuch broad cloth
iij.s.iiij. & for euery ſuch kerſey xx.d. To
Moitie be recouered to the vſe of the kings hyghnes, & of any other that will ſue for ỳ ſame
in maner & fourme before declared. Pro-
uided alwayes, that this preſent acte er-
Set clothes Suffolke tend not to any clothes called ſet clothes,
of al ſorts made in the county of Suff. not
exceeding the price of xlvj. s. viij. d. the
clothe, nor to any clothes called Tauel-
tokes, Weſterne dozens, friſes, kendalls
Course Clothes cottons, & al maner of courſe cloths made
Aulnegeor Seale for lynings. And be it &c. that the Aulne-
ger of any county, ſhal not ſeal any of the
ſaid clothes wt the kings ſeale, vntyll ſuch
time as they & euery of them ſhalbe fyrſt
Forf. Office Buyer ordred & ſealed with their content, accor-
ding to the true meaning of this preſent
acte, in fourme aforeſaid, vpon payne of
leeſing of his office. And that no buyer of
any of the ſaid clothes or kerſeis, marked
& ſealed in forme aforeſaid, preſume by a-
Stretch ny maner of ſleight, means, or engins, to
draw, pul, or to ſtretch out, any of ỳ ſame
cloths or kerſeis, otherwiſe then to make
them euen after they bee wet, & to agree
with the contents ſpecified and conteyned
in the ſeale of euery of the ſame clothes &
Forf. kerſeis, as neere as they can, vpon payne
to forfait the double value of euery clothe
or kerſey ſo miſuſed, contrarie to the true
intent & meaning of this preſent act, to be
leuied to the vſe of the kings highnes, & of
any other that will ſue for the ſame, in like
maner and forme, as is before declared.

Prouided alway, that all cloth hereafter
Worceſter made to be ſold within the citie of Wor-
ceſter, the townes of Droitwich, Eueſ-
ham, Redermincſter, & Bromegrone, in
Seale the county of Worceſter, ſhalbe ſealed wt
the ſeale of the ſerchers there, accordyng
to an acte of parliamẽt in ỳ behalf prou-
ded & made, the xxv. yere of the raigne of
our ſaid ſoueraigne Lord (s.ca.18. before
Owners 44) & that the owners of the cloths made
wtin the ſaid citie & towns, ſhal not be cõ-
pelled by this act, to put their owne ſeales
to any cloths, there made or hereafter to
be made. An.27.H.8.cap.12. See this ſta-
tut altered in part here followyng.48.

White Coloured Clothe 47 ¶Euery white wollen cloth, ſold
for iiij.li. & vnder, & euery coloured clothe
ſold for iij.poũds & vnder, may be caried &
conueied into ỳ parties of beyond the ſea,
there to be ſold at the pleaſure of ỳ buyers
of the ſaid cloth or clothes, vnbarbed, vn- Vnbarbed
ſhorne, & vnrowed, any acte or acts to the
contrary made notwtſtanding. And ouer
this be it &c. that if any perſon or perſons
ſend or conuey, or cauſe to be ſent or con- Ouer ſea
ueyed into the parties beyond the Sea, a-
ny white wollen cloth, aboue the value of Coloured
iiij.pound, or any coloured cloth aboue the Cloth
price of iij.pound, vnrowed, vnbarbed, &
vnſhorne, in other fourme then is afore-
ſaid, that then the perſon or perſons ſo of-
fending, ſhall forfait the value of the ſaide Forf.
clothes ſo caried & conueyed into the par-
ties beyond the ſea. The one moitie &c. to Moitie
be to king, & the other moitie to him that
will ſue &c. wherin &c. An.27.H.8.cap.13.

48 ¶Where a certeine kind & ſort of White ruſſets Kenets
Walſh clothes called white Ruſſets, and
kenets, made & wrought in North wales
and Worceſter hundreth, adioyninge to
North wales, of long time haue ben, and
be ſo craftely & hard rolled together, that
the buyer therof cannot perceiue, nor diſ-
cerne the vntrue making & breadth therof,
to the great hurt, diſceipt, & impouriſhing
of the kinges true & louing ſubiects. For
remedy whereof be it &c. that all and eue-
ry the ſaid cloths, from & after the feaſt of
the Natiuitie of S. John Baptiſt next
cõming, that ſhalbe brought to any com-
mon markets or faires, to be vttered and Markets Fayres
ſolde, ſhalbe folded either in pleits or cut-
tel, as the clothes of al other countreis of
this Realme commonly haue ben vſed &
be vſed, to the intent that the buiers ther-
of may plainely ſee & perceiue the breadth, Breadth
and gwdnes of ſuch cloth & clothes that he
ſhal buy. And that euery peece of the ſayd
clothes, which after the ſaid feaſt ſhalbee
brought to any markets or faires to bee
vttered & ſold, contrary to the fourme a-
boue ſaid, ſhalbee forfeited, that is to ſay, Forf.
the one moitie thereof &c. to the king, and Moitie
the other to moitie to him that will ſue &c.
wherein &c. An.33.H.8.cap.3.

49 ¶It ſhal and may be lawfull to al
and euery of the kings ſubiects, to make,
worke, & put to ſale at their liberty & plea-
ſure, al maner of ſuch coloured kerſey and Kerſey
kerſeis, which ſhalbe ſolde at, or for xx.ſ.
or xxij.ſ. the yard or vnder, & not aboue, of Price
ſuch lengths & breaths as they did, might,
or were wont to do before the making of
the ſaid acte made in the ſaid 27. yere of

king Henry the eight (s. cap. 12. before 45.) or any other act, without incurring or running into any daunger or penaltie for the same, the said acte made in the said 27. yere or any thing therein conteyned, or any other acte or statute made to the contrarie notwithstanding. Prouided alway, that al maner of kerseis to be made, wrought, & put to sale within this realme of the colours of blacke, marble, russet, & white, which said colours be commonlie sold & retailed within this Realme, shalbe made of such content in breedth, as is limited in the said former acte, vpon payne in the saide former acte conteined, any thing in this present act conteined to the contrarie notwithstanding. And it is &c. that al and euery person & persons, which shal make or work any kerseis of the prices aboue rehersed, or vnder, shall at all times hereafter from time to time, make the same kerseis truely without disceipt, & that they or any of them do, nor shal fally or vntruely make or stoppe any maner of kerseis with flockes, thrummes, or other deceiueable thing or things, to the deceipt of any person or persons, nor shall by colour of any libertie to them geuen or other matter comprised in this statute, make, worke, and put to sale, any coloured kersey or kerseis, of the prices aboue rehersed, which shal contein any lesse in breedth then three quarters of a yard, & one nayle within the list, to bee tried at the water, vpon paine to forfait for euery kersey so falsly made or stopped with flore, thrûms or other deceiueable thing or things, to ỹ disceipt of any person or persons xx.s. and vpon paine to forfait for euery such coloured kersey of the price aboue rehersed, to be made & put to sale not conteining three quarters of a yarde & one naile in breedth within the list, to be tried at the water as is aforesaid xx.s. The one halfe &c. to bee to the king, & the other halfe to him that will sue &c. wherein &c. Prouided alway that the said former act, made in the sayd xxvij. yere (s. cap. 12. before 45) & al clauses and articles in the same conteined (other then concerning the breedth of coloured kerseis, of the price afore rehersed) shal stand & be in their full strength & effect, & be kept and obserued, according to the tenour and purport of the same act. Prouided also and be it &c. that the Aulneger of euery countie, shal and may lawfully seal euery of the same coloured kerseis of the prices aboue said, in like maner & fourme as he or they should or might haue done, if the said former act had neuer bene had nor made. Prouided also, that none of the said kerseis of the prices afore limitted, nor any other kersey or broad cloth made within this Realme to be vttered & solde, shalbe put to sale, before that they & euery of them shalbe sealed by the Aulneger wt the kinges seale, as hath ben accustomed. An. 33. H. 8. cap. 18.

Blacke
Marble
Russet
White
Retaile

Make kerseys

Flore
Thrummes

Breedth

Forf.

Forf.

Mottie

Aulneger

Seale

50 ¶ No person or persons from hence forth shall carrie or ship, or cause to bee shipped in any shippe, boat, craye, or vessell, any white woollen cloth aboue the value of iiij. pound, or any coloured cloth aboue the value of iij. li. vnrowed, vnbarbed, or vnshorne, to thintent to be cõueied vnto ỹ parties beyond the sea, vpon paine of forfaiture of the same cloth or clothes, or the value therof, the same forfaiture to be recouered in such maner & fourme, as is afore mencioned. (s. An. 27. H. 8. cap. 13. before 46.) An. 33. H. 8. cap. 19.

Shipping
White Clothes
Vnshorne
Ouer sea
Forf.

51 ¶ No maner of person wythin the said thre shires of Carmerthen, Cardigan, and Penbroke, do make any rawe frises, called Welsh frise, or any Cottons called Welsh cottons, to bee solde in any faire or market, or els where in any other place, vnles euery peece of frise called a high frise raw, be made of cleane woll, without flore or thrumme, weying in yarne fower & fiftye pounde of haberdepoyes at the least, & conteyning in length xlvi. yards raw, and in breedth one yarde and one quarter. And that euery halfe peece frise high, shal weygh xxiij. pound, and conteine in length xxiij. yards, and in breedth one yarde one quarter. And that euery peece cotton raw, shal weigh xlviij. li. of yarne at the least, without flore or thrûme, & contein in length xlviij. yards, & in breedth one yard & one quarter & one naile. And ỹ euery halfe peece cotton shal weigh xxxij li. of yarne wythout flore or thrûme, & contein in length xxiij. yards, & in breedth v. quarters & one naile, vpõ paine to forfait euery peece & halfe peece frise, & euery peece cottõ & half peece cotton so put to sale, cõtrary to ỹ true meaning, intent & purpose of this preſẽt act: thone half &c. to the king, & ỹ other half to him ỹ wil sue &c.

Carmarthen
Cardigan
Penbroke
Frises
Cottons
High frise
Flor
Thrummes
yarne
Weight
Content
Weight
Forf.
Mottie

Where

wherein &c. An. 34. H. 8. cap. 11.

57 52 ¶ For asmuch as by subtle making of clothes & colours, great slaunder hath growen to the realme, & great losse ensued to the kings subiects, by the vse & wearing of the same. Be it &c. That euery clothier & clothmaker, shal from the feast of Thannunciation of our Lady next cõming, set his seale of lead to his cloth, declaring thereby the iust length thereof, to be tried by the water. And that no person shal from the said feast, straine or stretch any set clothes, or any other cloth aboue one yard & an halfe in length, and a quarter of a yard in breedth, vpon paine to forfait xl. s. for euery default. And that no person or persons shal from the said feast vpon paine last before remembred, put to sale any cloth, which when it shalbe wet shal shrinke more then one yard & a halfe in al the length, and a quarter of a yard in the breedth, and that narrow streits and kersets, shall not from the said feast bee stretched aboue a yarde in length, & halfe a quarter of a yard in breedth, vpon paine for euery default therein xx. s.: Nor shall put to sale any cloth, narrow streight, or kersey, the peeces whereof being wet shall shrinke more then after the same seuerall rates in the whole peece, vpon paine to forfait for euery such offence xx. s. And further that no person or persons occupie the feat of dying, shal dye or alter into colours, or cause to bee died or altered into colours, any woollen clothes, as browne blewes, piewkes, tawnies, or violets, except the same woollen clothes be perfectly boyled, greyned, or maddered vpon the woad, and shotte with good and sufficient corke or orchal, after a due, substanciall, & sufficient maner of workmanship, according to the auncient worshmanship in time past vsed, vpon paine for euery default to forfait xx. s. Nor that any person shal from the said feast, dye any woll to bee conuerted into cloth, called Russetts, Musters. Marbles, Grayes, Rayes, and such like colours, or to bee conuerted and made into Hatts, or Cappes, vnlesse the same woll be perfectly woaded, boyled, and maddered, according to the true auncient vsage, vpon the paine of forfeyture for ỳ falle dying of euery such cloth, or of asmuch woll, as shal serue for the making of euery cloth, contrarie to the true meaning thereof xl. s. Nor shal dye with brasell, to thintent to make a falle colour in cloth nor woll, hatts nor cappes, vpon paine for euery default to forfaite xx. s. And that no person or persons, shal after ỳ said feast, put any flocks, chalke, flower, or sterch, or any other deceiueable thinge vpon any set cloth, or vpon any other cloth or clothes, coloured or vncoloured (but see after 55. some exception) vpon paine to forfait for euery such offence xl. s. And ỳ no person shal from the said feast, occupy any yron cardes or ppcardes in rowing of any set clothe, or any maner of wollen cloth, vpon paine to forfait aswel the said yron cardes, as ppcards, as also the sume of xx. s. for euery such offence. Nor that any person shal from the said feast sel any cloth by any lesse measure then after the true content thereof, to be meten & measured by the yarde, adding to euery yarde an ynch of the rule, according to the statut made in the yere of the raigne of ỳ most worthy prince of most famous memorie king Henry the eight (s. cap. 9. before 41.) vpon paine to forfait for euery yarde of cloth so put to sale, by any other lesse measure vj. s. viij. d. And that no person shal from the said feast put to sale here within the realme, either by retaile or otherwise, any cloth being prested to be occupied and worne here within the realme of England, Wales, or Ireland, vpon paine of forfeiture of the same cloth, or the value thereof, that haue ben so prested and put to sale, as is last before remembred. And for the better executing of this statute, be it &c. that in euery towne, village, or hamlet, being not corporat, where any cloth shalbe made or sold, the Justices of peace of the same Shire where any such towne, village, or hamlet is, or ij. of them at the least, and in euery citie, borough, or towne corporate, the head officer or officers of euery the same citie, borough, or towne corporat, together with the Wardens of ỳ Clothworkers, or two of them at the least, shal haue full power and authoritie by vertue of this acte, once euery yere to conuent and call before them by their precept, or otherwise, ij. iiij. vj. viij. or more, as they shall thinke good by their discretion of the most honest, discrete, & indifferent men of euery such citie, borough, towne, village, or hamlet, where any

Clothier
Seale
Stretch
Fork.
Sell
Shrinke
Kerseys
Paine
Shrinke
Fork.
Dyers
Workmanship
Fork.
Dying of Woll
Hatts Cappes
Fork.
Brasell
False colors
Fork.
Flore
Chalke
Flower
Sterch
Fork.
Iron cardes
Ppcardes
Fork.
Measure
Fork.
Retaile
Prested
Fork.
2. Iust. of p.
Officers
Wardens
Once euery yeare

any cloth shalbe made or sold, & then shal
Ouerseers constitute, ordeine, & appoint to bee ouer-
seers for one whole yere then next follow-
ing, within the citie, borough, towne, vil-
lage, or hamlet, where the same ouerseers
shalbe dwelling, charging them all vppon
Othes their othes, and as they do tender the ho-
nour of the Realme, and the common
wealth of the same, that they do endeuour
them selues for that yere, as much as in
them shall lie, to see that this statute bee
truely obserued and kept within the ly-
mites of their charge in euery part there-
Ouerseers of. And that the same ouerseers, or two
euery quarter of them, shall euery quarter of ỹ said yere
at the least, or so often as nede shall re-
quire by their discretions, by force hereof,
visite, & go into euery clothiers, drapers,
clothworkers, dyers, & pressers houses,
shoppes, and other places, where cloth or
dyed woll shalbe, and there to make due
Sered Woolls search and to view the clothes and wools,
made or died, or remaining to be sold, and
to search and trie as wel, whether the said
clothes bee drawen or strayned or falsely
dyed, as also of all other the defaultes
before specified, committed or done, con-
trarie to the true meaning of thys acte.
Streyned And if vpon the search the clothes be found
drawen or strained, or the cloth or wolls
falsely died, or coloured, or any other of ỹ
Forf. said faults committed or done, contrarie
to the true meaning of this statut: That
then the said seuerall forfeitures to incurre
Mottie vpon the partie or parties which shall of-
fend in the same, or in any of them, the
one halfe of all which forfeitures to be vn
to the king, his heires or successors, and
the other half to such of the said ouerseers
as doth find the said defaults or causes of
forfeitures, and that will sue for the same
Just. of p. in any of the kings Courts of recorde, or
before the Justices of peace, within any
such Citie, Borough, or towne corporat,
or before the Justices of peace within any
shire where any such forfeitures shalbee
had out of any Citie, or towne corporate,
the same suit to be pursued by bil, playnt,
action of debt, information, or otherwyse,
& in which suite no wager of law, essoine,
or protection shalbee allowed for the de-
fendant. And if the said ouerseers shalbee
Negligent negligent, and will not sue for the same
Halfe yere forfeitures by the space of one halfe yere,
next after the cause of the same forfey-
tures committed and done, that then the
one halfe of the same forfeitures, to bee Mottie
vnto the king, his heires or successors, and
the other halfe to them which will sue for
the same, as is aforesaid, within one other
halfe yeare next after such default be had
by the said ouerseers. And if any of ỹ sayd
persons so commaunded to appeare to be
made ouerseers, as is aforesaid, & hauing Ouerseers
no reasonable excuse, do refuse to come &
take vpon him or them to be an ouerseer,
as is aforesaid, that then euery such per-
son so refusing and hauing no reasonable
excuse so to do, to forfait for euery such re-
fusing xl. shillinges, the one halfe thereof Refuse Forf.
to the kinge, and the other halfe to the Mottie
Justices of peace, or other head Officer Just. of p.
or Officers, by whose commaundement Officers
he was commaunded to appeare, or to be
an ouerseer, and the same ouerseer so of-
fending, to remayne in the warde of the Imprison
Sherife, vntill such time as he hath made
payment of the said forfeiture, or other-
wise put in sufficient bond to the satisfac-
tion of the same. And if the same ouer- Ouerseers
seers, or two of them at the least, doe not
once euery quarter of the yeare, make due
search for ỹ true executing of this statut,
ỹ then euery of ỹ said ouerseers to forfait Forf.
for euery such default x.li. ỹ one half to be
to ỹ king &c. & the other half to him ỹ wyl Mottie
sue &c. wherein &c. And if ỹ said ouerseers
shalbe interrupted & not suffered to enter Interrupt
into the said houses, shopps, or other pla-
ces, where any such clothes or wolls shal
bee made or dyed, or any other of the said
defaultes shall happen to be done or com-
mitted, there to make searche for the
better executing of this Statut, that then
euery one that so shall make any such in- Forf.
terruption, shal forfait xx.li. the one halfe Mottie
of which forfeiture to be to the king, & the
other halfe to the said ouerseers, to whom
any such interruption shalbe made, & the
same to bee obteyned and pursued for, in
such maner and forme, as before in thys
act is expressed, for the recouery of other
of the said forfeitures. Prouided also that Proviso
no maner of person shall take any auan-
tage of any ỹ said forfeitures, by reason of
this statut, vnles ỹ same person doth cõ-
mence his suit wtin one yere next after ỹ within one yeare
said offences & forfaitures committed

And to the intent that all such cloths as
shalbe made within this Realme, or any

other

other the kinges dominiõs, after the said feast, shalbe the better knowen from the other clothes made before the same time.

Clothier

We it &c. that euery clothier shall before such time as hee shall put his cloth to sale, being made after the sayde feast, cause euery cloth to bee marked with a letter E crowned, wrought in the cloth, vppon paine of forfaiture for euery cloth so beeing sold and not marked with the sayde letter E. by any such clothier, twenty shillinges, the one halfe to the Kinge &c. and the other halfe to him that will sue for the same, in maner & fourme before rehersed An. 3. E. 6. ca. 2.

Mark:

Forf.

Moitie

53 ¶ Where diuers good statuts haue bene made for the true makinge of cloth, within this Realme, which notwithstanding, clothiers for their gaine do stil dayly practise sleight & slender making therof some by minglinge of parnes of diuers spinninges in one cloth, some by mynglinge fell woolle, and lambes woll, or eyther of them with fierce woll, some by puttinge to lyttle stuffe, some by takinge them out of the mille before they bee full thicked, some by ouer stretchinge them vppon the tentour, and then stoppinge with stockes such brackes, as shall be made by meanes thereof, finally by vsinge so many subtile sleightes, and vntruths, as when the clothes be put in water, they ryse neyther in lengthe, nor breedthe, as they ought to do, besides cocklinge, bandinge, and diuers other notable faultes. And do not onely procure the Auinegeour to set the Kinges Seale to such false and faultie cloth, but do weaue into the same the lykenesse of the kinges imperial Crowne, and also the first letter of his name, which should be testimonies of truth, to the great slaunder of the kinge and the shame of this lande, and to the vtter destruction of so notable a commodity, as the lyke is not in any forreine nation. The kinge therefore mynding to aduaunce truth, and also to prouide for the continuaunce of the sayd commoditie to his honour, and the common profite of the Realme, hath by the aduyse &c. caused, aswell diuers honest clothiers, as also diuers drapers, marchant Taylours, Clothworkers, Sheermen, and other Artificers, to whom it appertayneth, to bee examyned, by certayne sage knightes and Burgesses of this present Parlyament by whose declaration, consent, and aduise, after diuers meetinges, and great deliberate aduise taken in the premisses. It is enacted, as hereafter followeth, to remayne firme and perfecte, notwithstandinge any suggestions hereafter to bee made to the contrary. That is to say, that euery cloth, carsey, piece of fryse, and cotton, shalbee made in such sorte and fourme, and shall conteyne in length, breadth, and weigh as is herein hereafter particularlye mencioned, vppon such paynes, penaltyes, and forfeytures, as bee hereafter expressed, and appointed.

All and euerie broade clothe & clothes, which shalbee made after the feaste of Saynt Michaell tharchangell nert comminge, within the Shires of Kente and Sussex, or at the Towne of Redding or any of them or els where of like making, as the clothes made there shalbe of, shall conteyne in length at the water, euery peece beynge thorough wette, betwixt twenty eyght and thirty yardes of measure, that is nowe customably vsed, and in breedth seuē quarters at the least within the lystes, by the whole length of the same cloth, the listes of the same clothes to bee of lyke makinge and assise as they haue heare before tyme beene vsed to bee made, and that euery peece of the sayde clothes beinge wel scoured, thicked, mylled, and fully dryed, shalbee in weyght, and weygh fourscore pounde at the least. (See this vveight altered after 60.) And that al and euery wette cloth and clothes which shalbe made within ỹ city of Worcestour, commonly called longe Worcesters, and all lyke clothes of like making made within the city of Couentrie or elsewhere after the sayd feast, shall conteyne in length, beinge wette as is aforesayde, betwirt nine and twenty and one & thirty yardes the peece, and euery yarde one ynche of the standerd, and shalbee of the breedth aboue specified, throughout & by all the length of the whole cloth, and listed as hath ben accustomed, & being wel scoured thicked, millied, & fully dried, shall weygh fower score fower pound ỹ peece at ỹ least. (See this weight altered after 60.) And al coloured clothes, made in the said Cities of Couentrie & Worcester, or els wher of like

Wyde Cloth

Kent

Suller

Redding

Content

Scoured

Weight

Worcester

Couentrie

Content

List

Weight

like making after ỹ ſaid feaſt, ſhal cõteine & be of length and breadth as is laſt before mencioned, and be liſted as aforeſaid, bæinge wel ſcoured, thicked, and fully dried, ſhal weigh fower ſcore poũd the pẽce at ỹ leaſt. And that al & euery white cloth and clothes commonly called ſhort Worceſters, which ſhalbe made within the ſayde city or coũty or els were of the ſame ſort, after the ſaid feaſt, ſhal conteine in length being wette betwirt thrée and twentye & fiue and twenty yardes, yarde and ynche of the rule, and ſhalbee of breadth as is aforeſaid, throughout and by al the whole cloth, and lyſted accoꝛding to the auncient cuſtome, and being wel ſcoured, thicked, & fully dryed, ſhal weygh thrée ſcore pounde the pẽce at the leaſt. And that all coloured longe cloths, which after the ſaid feaſt ſhalbe made within the ſhires of Sulfolk, Norfolk and Eſſex, or any of them, or elſe where of like ſort, ſhall conteine in length wet, as is aforeſaid betwirt eyght and twenty and thirty yardes, yarde and ynche of the rule, & ſhalbe in breadth ſeuen quarters of the yard within the liſt at the leaſt, throughout, & by al the whole cloth, and lyſted as hath bẽne accuſtomed, and being wel ſcoured, thicked, milled, and fully dried, ſhal weigh fower ſcore pound ỹ pẽce at the leaſt. And that all and euery ſhort cloth and cloths coloured, which after the ſaid feaſt ſhalbe made within the ſayd ſhires, laſt remembred or of any of thẽ, or elſe where of like ſort, ſhal conteine wet as is aforeſaid, betwirt xxiii. and xxv. yardes, yarde and ynche of the rule, and ſhalbee in breadth as laſt is remembred, throughout & by ỹ whole cloth. (See this bredth altered after 60.) & liſted as is aforeſaid, & being fully ſcoured, thicked, milled, & fully dried, ſhal weigh thrée ſcore and fower pound the pẽce at the leaſt. And ỹ all & euery coloured cloth & clothes, which after the ſaid feaſt ſhall be made within ỹ ſaid ſhires laſt remembred, or elſe where of like ſorts cõmõly called handy warpes of what length they ſhal happẽ to be, ſhal be in breadth out of the water throughout, & by al the whole cloth, as is laſt remembred, and liſted as they haue bene accuſtomed, and being wel ſcoured, thicked, milled, and fully dryed, euery yarde of euery ſuch cloth, ſhall weigh thrée pound at the leaſt, (See this vveight altered after 60.) and that al whytes which after the ſayd feaſt ſhall bee made in the ſaid Shires, or elſe were, as Cocksal whites, Glanſtord, and other beinge handc warpes, of what lengthes ſoeuer they ſhalbe, ſhal conteine in breadth as is afore remembred and bẽ lyſted as is aforeſaid, and being wel ſcoured, thicked, milled, and fully dryed, ſhall weigh by the yard thrée pound at the leaſt of ſuch meaſure as hath bẽne before vſed. And that all whites, and reddes whych after the ſayde feaſt ſhallbee made in the ſhires or counties of Wilſhire, Glouceſter and Somerſet, or any of them or els where of like making, & all other whites which ſhalbee made in any other partes of this realme and not afore remembred, ſhal conteine in length, beinge thorough wett betwirt fire and twenty, and eyght and twentye yardes, and ſhall bee ſeuen quarters of the yard in breadth within the lyſtes at the leaſt, and lyſted accordinge to the auncient cuſtome, and being well ſcoured, thicked, mylled and fully dryed, ſhall weigh euery pẽce thrée ſcore and fower pounde beinge whyte, (See this altered after 60.) and thrée ſcore beinge coloured at the leaſt. And that all broade plunkets, azures, blewes, and other coloured cloth, which after the ſayde feaſt ſhalbe made within the ſaid ſhire of Wilſhire, Glouceſter or Somerſet, or elſe where of like makinge, ſhal conteyne beinge wet as is aforeſaid, betwirt fiue and twenty and eyght and twentye yardes, yarde and ynche of the rule, and ſhalbee ſeuen quarters of a yarde within the lyſtes at the leaſt, and lyſted, accordinge to the auncyent cuſtome, and beynge wel ſcoured, thicked milled, and fully dryed, ſhall weygh fower ſcore and eyght pounde the pẽce at leaſt. And that al kerſeys called ordinaries ſhal conteine in length betwirt ſeuenténe and eyghténe yardes, yarde and ynch, as is aforeſayd, (See this lẽgth altered after 60.) & being wel ſcoured, thicked, mylled, dreſſed, and fully dryed, ſhall weygh twentye pounde at the leaſt. (See this vveight altered after 60. And all kerſeys called ſortinge kerſeys, which after the ſayde feaſt ſhalbee made in any part of Englande, ſhall conteyne in length at the water, betwirt ſeuentene and eyghténe yardes, yarde and ynche as is aforeſayd, and bæinge wel ſcoured, thicked,

Content — Weight — Suffolke Norfolke Eſſex — Content — Laſt — Weight — Content — Handy warpes — Weight

Whites Cocksall Glanſtord — Weight — Wiltshire Glocester Somerſet — Content — Laſt — Weight — Plunkets Azures Blewes — Content — Weight Kerſeys Content — Weight — Sorting Kerſeys Content

thicked, milled, dressed & fulled, dried readye to bee shewed, shal weygh fower and twenty pounde the peece at the least. And that all Deuonshire kerseyes, called douzens which shalbee made after the sayde feast shal conteine in length at the water betwene twelue and thirtene yardes and ynche of the rule, and beinge well scoured, thicked, milled and fully dryed, shall weygh fo werteene pound the peece at the least. (See this vveight altered after 60.) And that all and euery broade cloth and clothes called Taunton clothes, Bridgewaters and other clothes, which shalbee made after the sayde feast in Taunton Bridgewater, or other places of like sort shal conteine at the water in length betwirt twelue and thirteene yardes, yard & ynch of ỳ rule, & in bredth seuen quarters of a yard, & euery narrow cloth made after the said feast in the said towns or else were of like sorts, shal contein in the water in length, betwirt fower and twentye and fiue & twenty yardes, yard and ynche as is aforesayd, & in bredth one yarde of like measure, and euery such cloth, bothe broode and narrow, being wel scoured, thicked, milled, and fully dried shall weighe fower and thirty pound ỳ peece at ỳ least. And that al clothes, named check kerseis, & streites which shalbe made after ỳ said feast, shall conteine in length beinge wet, betwirt 17. & 18. yards, wᵗ the ynches as is aforesaid, and in bredth one yard at the least, at ỳ water, & being wel scoured, thicked, milled, & fully dried shal weigh xxuij. pound the peece at the least. And ỳ al and euery Welsh cotton and cottons, which after ỳ said feast shalbe made & wrought, ready to be sold, for a whole peece shal not be stretched on the tentour, nor otherwise a nayle of a yarde in bredth, and shalbe in lẽgth 32. goades in the water at the most, & in bredth iij. quarters of a yarde, at the water at ỳ least, & being so fully wrought euery whole peece thereof shal weigh 46. pounde at the least, & euery halfe peece of Welshe cotton, beinge ful wrought as is aforesaid, shal conteine in length, weight & bredth, after ỳ sãe rate. (See this altered both for length & weight after 60.) And that all Welshe frises, which after ỳ feast aforesaid shalbee made & wrought within the shires of Cardigan, Carmarden, and Penbroke, or any of them, or els where of like makinge, ready to be sold for a whole peece, shall conteyne in length at the water 36. yardes at the least, yarde & ynche of the rule, and in bredth thre quarters of a yerde, and being so fully wrought, shall weigh euery whole peece 48. pound at the least, and euerye halfe peece of Welshe Fryses, being fully wrought as is aforesayd, shal conteyne in length, bredth, and weight after the same rate. And that all & euery Northern clothes which after the sayd feast shalbe made, shal conteyne betwixt twenty three and fiue and twentye yardes in length, yarde and ynche of the rule, and in bredth, beinge through wette, seuen quarters of a yard within the lystes at the least, and beinge wel scoured, thicked, mylled, and fully dryed, shall weygh 66. pounde the peece, at the least, and euery halfe peece called douzen, made after the sayde feast, shall conteyne in length betwirt twelue and thirteene yardes of measure aforesayd, and seuen quarters of a yarde in breadth, as afore, within the lystes, and beinge wel scoured, thicked, mylled, and fully dryed, shal weigh thirtie and three pounde at the least. And that all clothe commonlye called Penystones, or Forest whites, which shal bee made after the feast aforesaide, shall conteine in length beinge wette, betwirt twelue and fortẽne yardes, yarde and ynche, as is aforesayd, and in bredth fire quarters and a halfe quarter out of the water at least, and beinge wel scoured, thicked, milled, and fully dried, shal weigh eyght and twenty pounde the peece at ỳ least. And that all and euery cottons, calleo Manchester, Lãcaster shire, and Cheshire Cottons, which shalbe made after the sayd feast, full wrought to the sale, shalbee in length twentye & two goades, and conteyne in bredth thre quarters of a yarde in the water, and shal weigh thirtye pound the peece at the least. And that al cloths called Manchester rugges, otherwise named Mãchester frises, which shall be made after the sayde feast and fullye wrought to sale, shall conteyne in length 36. yardes, and in bredth thre quarters of a yarde, comming out of the water, & shal not be stretched on the tentour, or otherwise, aboue a nayle of a yard in bredth & being so fully wrought, and well dried, shal weigh euery peece 48. li. at the least.

Weight. Deuonshire kerseys — Content — Weight — Taunton Clothes Bridgwaters — Content — Weight — Cheeks Kerley Streightes Content — Weight Welch cottons — Content — Weight — Frises Cardigan Carmarden Penbrooke — Content — Weight — Northerne clothes Content — Weight — Penistone Forest Whites Content — Weight Cottons of Lancaster Cheshire Manchester — Content Weyght — Rugges Fryses — Content — Weight

See

(See alteration of the lẽgth & weight of certeine of these cottons & rugges after 60. & 64.) And bee it further enacted ẏ all & euery person & persones, which after the said feast of saint Michael the archangell next comming, shal make, or cause to be made, any of the seuerall kinds of broad clothes abone reherled, of any shorter or longer measure, then is aboue specyfied & appointed for euery countrey, or seuerall kind of clothes to bee made, or make any such clothe, or clothes of lesse breadth or weight, being wel scoured, thicked, milled & fully dressed, then is aboue specified, & appointed for euery seuerall coũtry, or kinds of cloths, & shall put the same to sale: shall forfait & lose for euery such default of euery cloth sold or offered to be sold, in length or breath xl.s. & for euery pounde weyght, which any cloth so made & solde, or offred to be sold shal lack, exceding not aboue iiii. li. in weight shal also forfait ii.s. for euery pound, the sãe forfaiture to go to ẏ finder therof. And ẏ if any such cloth lack aboue 4. pound weight of the seuerall weightes aboue mencioned, that euery owner therof shal thẽ forfait xl.s. for euery such cloth so lacking of his weight, as is aforesayde. Prouided alwaies that if any brode cloth shall excede the seuerall length before appointed for euery coũtrey, or kind of making, by meanes of the finesse of the good perfect, and styffe making of the sãe cloth that then ẏ maker therof shal not encurre any losse or penaltie for the ouer length of any such fine cloth: Any thinge herein to the contrary in anywise notwithstãding. And be it further enacted that al and euery person or persons, which after the said feast shall make or cause to be made, any of the seuerall kindes of kerseys, narrowe clothes, streyts, douzens, frises, or cottõs aboue mẽcioned, which shal not bee made in such manner & fourme as is aboue said nor conteine and haue in length, breadth, & weight seuerally appointed, and limitted as is aboue specified, shall lose and forfayt for euery peece of cloth called streyght or douzen, & for euery peece of narrowe cloth karsey, frise, or cotton, so to bee made and sold, or offered to be sold xl.s. And be it further enacted, that from and after the sayd feast, no person or persones shall put any heare, flockes, or any parne made of lãbs wool, into any cloth, karsey, frise, or cottõ, so made & sold, or offered to be solde, vpon paine to forfait euery such clothe, karsey, frysee and cotton, wherein any such yarn heare or flockes shal be put, or the value of such cloth, kerseys, frise (See this article repealed for some places here following 55) And be it further enacted, ẏ if at any time after the said feast, any cloth through ẏ default or negligence of the carders, sppners or weauers, or any of them, shal or do proue, eyther pursy, baudy, squalye by warpe or woufe, or elle shal happen to be eml burled or wasted in the mille, or elle through the default or necligence of ẏ mil mã, or otherwise to be ful of holes, mille brackes, or to bee holy, that then the seale of the aulnegeour shal not be fired, or set to any such cloth, any law statut or vsage, to ẏ contrary notwithstanding. But ẏ accustomable fee, & allowance to ẏ aulnegeour, shal neuertheleffe be paied, vpon paine of forfaiture of such whole cloth or the value thereof. And be it further enacted, ẏ if any clothier or clothmaker, do after ẏ said feast put any cloth or kersey to sale, before hee shal haue payd to the aulnegeour, or his deputie, the accustomable fee, or agree for the same, as he, shee, or they haue bene accustomed, shal lose & forfait for euery default xx.s. And be it further enacted ẏ no persõ or persons, Englith denizẽ, alien, or strãger, shal after the said feast, carry or transport, or cause to be carried or transported, into any of the partes beyond the sea, any cloth, karsey, frise or cotton of the seuerall sorts aboue recited, vnlesse the kings seale or aulnegeours seale of this Realme, & ẏ seale of ẏ owner or maker of the cloth (declaring therin the length of the cloth as it shalbe in the water) be set vpon euery such cloth, vpon pain to forfait euery such cloth lacking the same seales, or any of them, or the value thereof. And be it &c. that no draper, marchãt tailer, clothworker, or other persõ which shal retaile any of the clothes or kerseys, frises, rugges or cottons of the seuerall makings aforesayd, shall after the said feast put to sale any of the cloths aforse mencioned, whereunto ẏ aulnegeour shal haue set to the kings seal, & the owner his seal, til such time, as he or they haue made trial as wel by ẏ water, as by the weight and measure, whether they, and euery of them shalbe made according to ẏ purport and true meaninge of this act or no. And if any

Forf.

Forf.

Forf.

Forf.

Heare For Lambes Woolle

Forf.

Repealed

Purfy Bauty Burled Woll

Aulneger

Forf.

Clothier

Put to sale

Forf.

Alien Denizen Transport

Seale

Forf.

Draper Marchaunt taylor Clothworker Retaile

Put to sale

Tryall

if any person or persons shal find any defectiue or faulty cloth in length, weight or measure made cõtrary to ỹ orders aforesaid, ỹ then he or they shall present euery such cloth to euery Maior, bailife, or other head officer, or head officers of euery city, borough or towne corporate, or to ỹ two Justices of peace next adioininge out of a citie, borough, or towne corporate where such cloth shalbe found faulty as is aforesaid, to the intent ỹ same cloth may be cut into three equal partes, & peces. The one peece thereof, to bee forfaited to our soueraigne lord ỹ king, an other peece to be to ỹ preleter therof, & the third part residu to such person or persons, as it shal thẽ be presented to, vpon payne ỹ euery such person as shal not so search euery of the clothes, karsets, cottons, or frises aforesaid, so by him to be bought & sold & shall not serse, & present such cloth or clothes, as he or they shal find defectiue as is aforesaid, shal forfait & lose the double value of euery such cloth. And be it further enacted that euery clothier, or other person whatsoeuer, which so shal sell any such faultye karsey, cotton or fryse, where vnto the Aulnegeour, & the owner shall haue sett to their seales, & shall so be sealed, as is aforesayd, shal within fower dates nertafter request made by writing, message or otherwyse, by such persõ which shal so buy such cloth, make payment of such summes of mony as he receiued for the same, or shall otherwise satisfie, discharge & acquite him for so much money as he shal or shoulde haue receiued for the sãe vpon payne of forfaiture to the partye greeued for euery non payment, or not acquitall as is aforesayd, the double value of ỹ mony so receiued, or to be receiued, the same to be recouered by bill, plaint &c. wherin &c. And for the further auoyding of much vntruth practised by stretching of clothes: Bee it enacted ỹ no person or persons, shal after ỹ said feast straine or stretch, or cause to bee strained or stretched, any cloth aboue one yarde in length & one halfe quarter in bredth vpon paine to forfait for euery such default v.li. And be it further enacted, that no person, which shal after the said feast keepe, haue, vse or occupy any tentour, shal haue vse, or occupy wrinch, rope, or ringe, with the same tentour, or shal vse any other engin vnlawfully to streine or stretch any cloth or clothes, vppon paine that euery offendor ỹ shal vse or occupy any tentour, or other engine to the contrarye, shall forfayt xx.li. And be it &c. that if any marchaunt shall by any meanes transport, or cary ouer into ỹ parties beyond ỹ sea any cloth, karsey, frise or cotton, which shalbe found defectiue or faultie, either in length, bredth or weyght, or elso shall haue any of the faultes aforesaid, that then the marchant, or other person which shall so transport ỹ same, shal returne againe the same cloth so found defectiue into Englande, at the costes and charges of the clothier, or cloth maker that sold the same clothe, the same costes and things to be recouered against such clothmaker, or clothier by action of debt, bill, plaint, or information in any of the kings courts, any promise, or bargain to the contrary not withstanding. Vppon paine ỹ euery marchaunt, or other person which shall not so returne such faultie or defectiue cloth (if through misfortune by tempest, pyrats, or enemies he be not letted) shal forfait & lose the value of ỹ cloth so shipped, & transported, and not returned as is aforesaid, the one moitie thereof to ỹ king, & the other moity to him ỹ will sue &c. wherin &c. And to thintent that it may perfectly be knowẽ which cloths are perfectly dressed, dyed, & pressed, with the cold presse without fraude, couin, & deceipt aswell within the Citye of London as elswhere, & haue sufficient workmanshippe. Be it further enacted, that aswell ỹ Maior of the Citye of London, and Aldermen, or the most part of them, for the time being as al & euery other Maior, bailife and other head officer or officers of euery Citie, borough or towne corporate wythin this realme, shal haue ful power and authority by vertue of this act to nominate, depute, and appoint from time to time, as occasion shal serue, and shal so from tyme to time nominate, depute & appoint two or moe honest, discrete and expert persons which shal frõ time to time, vppon their othes viewe and search al and euery cloth and clothes, that shalbee dressed, dyed, or pressed with the colde presse, within euery such citie, Borough, towne corporate, or port towne, and view and search whether the same cloth or clothes bee well and sufficiently dressed and pressed wyth the colde presse, without puttinge thereto

flere,

Defectiue — Forf.
Present Maior Bailife
Marchaunt Transport
Justices of p.
Defectiue
Cut Forf.
Retourne
Search
Action
Marchant
Forf.
Clothier
Aulnegeour
Moitie
London Workmanship
Forf.
Maior Bailife
Straine
Forf.
Tentour Wrinch
Search

Flor
Sollace
Chalke
Flower
Good co-
lours

flore, ſollace, chalke, flowꝛ or any other deceiptful thing, & alſo whether the ſame ſhalbe wel & ſubſtancially dyed with good & perfect colours, without any deceyuable thinge, or whether it ſhalbee ſtretched, or ſtrained any more then is aboue ſpecified, & ſhal haue full powꝛer & aucthoꝛity by ver tue of this act, to enter into al & euery per-ſõs houſe or houſes, where they ſhal think mẽte to ſearch & ſeyſe, al and euery ſuch cloth & clothes as they ſhal finde defectiue in the pꝛemiſſes as foꝛfayted, in whoſe hãds ſoeuer they ſhalbe found. The moity of which foꝛfaiture ſhalbe to the king, and the other moity to the Maiоꝛ, & commy-nalty of the Citie of London, or to the vſe of euery city, boꝛough, towne coꝛpoꝛate, poꝛt towne, or market towne, where the ſame ſhalbe ſeiſed. And that euery perſon or perſons in whoſe hãds or poſſeſſiõ ſuch defectiue or faulty cloth, either by euil or deceyuable dyinge, dꝛeſſing or pꝛeſſinge, as is afoꝛeſaid, ſhalbe founde & ſeiſed as is afoꝛeſaid, ſhal haue his, her, or their reme-dy by action of debt, bill &c. wherein &c. a-gainſt all & euery ſuch perſon or perſones, by whoſe defaults, or negligẽce, ſuch cloth ſhal ſo be found faulty, and ſhal therby re-couer al ſuch coſtes, loſſes, & dammages, as he ſhal ſuſteine by occaſion therof. And be it &c. that aſwel the ſaid Maiоꝛ of ỹ cy-tie of London, as euery other Maiоꝛ, bay-liſe, poꝛtrẽue, or other head officer of eue-ry city, boꝛough towne coꝛpoꝛate, or poꝛt towne, ſhal on this ſide ỹ ſaid feaſt, cauſe to be pꝛepared a ſeale of lead, wherein aſ-wel the armes as the name of euery ſuch Citye, boꝛough, towne coꝛpoꝛate, or poꝛt towne, ſhalbe grauen, which the ſame ſer-chers ſhal cauſe to be fired to euery cloth ỹ they ſhal finde after the ſaid feaſt well & ſufficiently dꝛeſſed, dyed, and pꝛeſſed, with the cold pꝛeſſe without any of ỹ deceiptes afoꝛeſaid, and ſhal haue foꝛ their paines, & trauailes therin to be taken, by the owner thereof foꝛ the ſealinge of euery cloth ii.d. And if any ſercher or ſerchers ſo to be ap-pointed, do after the ſaid feaſt find any of ỹ clothes being coloured or dyed, ſo made after the ſaid feaſt either cockly, purſy, baudy, ſqually, or rowie, or euil burled, or wafted in ỹ mile, or ful of holes or breaks: ỹ thẽ the ſame ſearcher or ſearchers, ſhall beſides the ſeale of the Citie, boꝛough, or towne coꝛpoꝛat, where ỹ ſame cloth ſhall be found, put another ſeale of lead, at eue-ry end of the ſaid cloth wherin ſhalbe gra-uen the letter F. and ſhall alſo ſet a marke in the lyſt, ryght againſt ſuch place where any of the faultes afoꝛeſaid ſhalbe, with ỹ pꝛint of a letter or marke of an ynche cõ-paſſe at the leaſt, whereby euery buyer may wel knowe what & where ỹ fault is. And further if any of the ſearchers afoꝛe-ſaid ſhal ſet the ſeale of any city, boꝛough, towne coꝛpoꝛat, or poꝛt towne, to any co-loured cloth, which ſhal not be ſufficiently dꝛeſſed, died, pꝛeſſed, and wꝛought as is a-foꝛeſaid, that then the Maiоꝛ & cõminalty, or Bailifes or comminaltie, or other coꝛ-poꝛation of the townеſhipp, by whatſoe-uer name, or names they ſhalbe encoꝛpo-rated, where ſuch cloth ſhall ſo bee ſealed, ſhal foꝛfait and loſe the whole value of ỹ cloth ſo ſealed. And be it &c. that if any of the ſearchers afoꝛeſayd, after the ſaid feaſt do ſet to the ſeale of the Citie, boꝛough or towne coꝛpoꝛate, within the limitts of of their ſearch, to any cloth which ſhalbe cockled, purſey, baudy, ſqualliе, roꝛwie, euil burled, wafted in the mille, or full of holes as is afoꝛeſaid, and not ſet at any end of ỹ clothes one ſeale, with the letter F. as is afoꝛeſaid, and alſo declare by the lyſtes as afoꝛeſaid what and where the faults of ỹ cloth be, ỹ then the Maiоꝛ & comminalty or other ỹ coꝛpoꝛation of euery ſuch Bo-rough, city, or towne coꝛpoꝛat, where ſuch ſearcher ſhalbe appointed, ſhal foꝛfait and loſe foꝛ euery ſuch omiſſion, or not ſetting to of any ſuch ſeale as is afoꝛeſaid v.poũd. And be it further enacted that no perſõ or perſons whatſoeuer they be, which com-monly vſe to retaile cloth, or karſey, ſhall put to ſale in groſſe, or by retaile to any maner of perſonne, any manner of cloth which ſhalbe made after the ſaid feaſt, be-ing dꝛeſſed died, & pꝛeſſed as is afoꝛeſaide, except there bee fired thereunto, at euery end of ỹ ſãe cloth the ſeale of ſuch city, bo-rough or Towne coꝛpoꝛate, where the ſãe cloth ſhalbe ſo dyed, dꝛeſſed, or pꝛeſſed or the ſeueral ſeale of euery ſuch citie, Bo-rough, or towne coꝛpoꝛate, where it ſhalbe died dꝛeſſed, or pꝛeſſed, to remayne at the laſt end of euery of ỹ ſaid cloth which ſhal be ſold, during & by all ỹ time ỹ any peꝛce or remnant of ſuch cloth is to be ſold, vpõ paine of foꝛf. ỹ whole value of ſuch cloth.

And bee it further enacted that euery Maiоꝛ,

Serch
Seale
Foꝛf.
Monie

Maiоꝛ

Remedy

Maiоꝛ
London
Bailife
Poꝛtreue

Seale of
lead

Viewers
Fee

Defectiue

Another
ſeale

Marke

Serchers

Seale

Defectiue

Maiоꝛ

Foꝛf.

Retaile

Seale

Foꝛf.

Maior, bailife, or other head officer of any citie, borough, or towne corporat, in which any such cloth or clothes, after ỳ said feast shalbee made, died dressed with the colour pressie, as is aforesaide, which doth not or shal not after the said feast of S. Michael nominate & appoint from time to time so many serchers as shalbe requisite to view & search cloths, vppon their othes as is aforesaid, shal lose & forf. for euery default x.li. And bee it further enacted that if any of the said searchers so to be appointed by the said Maior, being a free mã of the said City, or by ỳ Maior, bailife, or other head officer of any City, borough, or towne corporate as is aforesaid, hauing no reasonable excuse, do refuse to take vpon him to be a searcher, and doe not vse the office of a searcher, as is aforesaid, shal forfait and lose for euery such refusal, & not executing of his office so to him appointed v.li. The one halfe thereof to be to the king, & the other halfe to the vse of the commina'ty of euery City, Borough or towne corporate where he shal so be assigned, & to remaine in warde till such time as hee hath made payment of the said forfayture, or otherwise put in sufficient bond for the satisfactiõ of the same. And for as much as there be now in this time many false & deceiuable colours made in diuers places of thys realme, whereby many of the kinges louing subiects are deceiued: Be it enacted ỳ from & after the said feast of S. Michael tharchangel nert comming, no person or persons, shal put to sale by retaile within this realme, any cloth or cloths which shal be made after the said feast, of any other colour or colours, then is hereafter expressed. That is to say, scarlet, redde, crimson murrey, violet, puke, browne blewe, blacke, grẽnes, yellowes, blewes, or ẽgetawny, russet, marble, gray, sadd new colour, azure, watchet, shepes colour, Lion colour, motley, or yron gray, vpon payne that euery person offending to the contrary shall lose and forfayt the value of the cloth solde by retaile, which shalbe of any other colour. And ỳ no person or persons, after the said feast of S. Michael tharchangel, shal dresse any kind of cloth with ỳ hoate presse, or in any other kind of deceiuable maner, but only with ỳ cold presse, as is aboue specified, vppon payne of forfaiture of the whole cloth, so pressed cõtrarye to the meaning of this statute, or the value therof. And further if any person or persons, but such as are appointed, assigned, and permitted by this act, do at any time after ỳ said feast, counterfait set to, or take away from any of the cloths, karseis, frises, rugges, or cottons aforesaid, any of the seales so to bee fired as is aboue recited, ỳ then euery person so offẽdinge, shal for ỳ first offence (being therof duely conuicted by verdict of xii. mẽ, by two sufficient witnesses, or by cõfession of ỳ party) forfait & lose x.li. And for the secõd offence (being likewise therof cõuicted (shal sit on the pillory, & lese & forfait to our soueraigne Lord the king, al such his goods & cattels (his debts being duely & truly paid without fraude or coun) as he had or shal haue at the time of his conuictiõ. And bee it further enacted that if betweene ỳ first day of May nert comming & the feast of S. Michael tharchangel, then nert comming, any person or persons, which now doth vse the art or mistery of drapery, or clothmakinge, shal greue ouer drapinge, or clothmaking, except he be licenced so to do by iii. Iustices of peace at the least of ỳ Citie, county, borough or towne corporat where he dwelleth, vpon some reasonable cause shewed vnto ỳ said iustices, shal neuer after take vpon him to make or cause to be made any kind of cloth or kersey, to sel the same againe, vpon paine of forfaiture of euery such cloth or kersey ỳ he shal so sel. And be it further enacted ỳ al & euery article clause or sentence in any act of parliament, heretofore made, cõcerning making dying, dressing, pressing, serching or sealing any of ỳ kinds of cloths, broad or narrowe, white or coulowred, karseys frises, rugges, or cottons, heretofore in this act mencioned, & being repugnant or contrariaunt to any article or sentence in this statut, shal from the feast of S. Mychiel tharchangel nert, be vtterly voyde & of none effect.

And to thintent that al such clothes as shalbe made wtin this realm or any other ỳ kings dominions, after ỳ said feast, shal be ỳ better knowen frõ the other clothes made before ỳ sãe time. Bee it &c. ỳ frõ & after ỳ said feast, ỳ letter E. crowned shal not be wrought into the cloth, for & by the space of two yeres then nert ensuing, vpõ payne of forf. of xx. s. for euery cloth or karsey,

Affaid Baiuie

Searchers

Forf.

Maior Baiuie

Refuse

Forf.

Moitie

Imprisl.

Bond

Fullercolours

Put to sale Retaile

Colours

Vse

Forf.

Penalties

Forf.

Cõuter fait

Seales

Connict Verdict Confession Forf.

Pillory Forf.

Cloth making Licence Iust. of p.

Forf. Repeals

Repugnant

Voyd

Letter E.

karſey, wherin the ſaid letter E. ſhal ſo be wrought, ẏ moitie of al which forfaiture, & of al other forfaitures before erpreſſed, & not otherwiſe appointed by this preſent act, ſhalbe to the king &c. & thother moitie to him that wil ſue &c. wherein &c. Prouided alſo & be it &c. that it ſhall not be lawfull to any perſon or perſons, at any time after the feaſt of ſaint Michael tharchangel next comming, to boyle or cauſe to bee boiled any kinde of wools to be conuerted into any kynde of broad cloth or karſey, with any kynde of gals, rynes, barkes of trees, or ſawduſt, vpon paine to forfait all ſuch woll or the value thereof, to be recouered & had in ſuch forme & ſort as in the foreſayd act is limitted and erpreſſed.

Forf.

Moitie

Boyle Woolles Gales Rynes Barkes Sawduſt Forf.

Prouided alwaye that thys act or any thyngtherin cõteined, ſhal not in any wiſe extende to any cloth or clothes made in ẏ towne of Tauiſtoke in the county of Deuonſhire, or elſe where within ẏ ſaid cõtie commonly called Tauiſtoke clothes, but that it ſhalbee lawful to all and euery inhabitauntes of the ſayd Towne or makers of the ſaydc clothes commonly called Tauiſtokes, to make & ſeale the ſame with the accuſtomed ſeale, as they haue hertofore bene accuſtomed, any thinge in this act to ẏ cõtrary in anywiſe notwithſtanding. An. 5. E. 6. ca. 6.

Tauiſtoke

Seale

54 ¶ In An. 5. E. 6. ca. 8. it was enacted that none ſhould weaue & make or put to weauinge or making, any brode wollen cloth to be ſold, vnles ſuch perſon haue bẽ prentice to the occupation of brode wollẽ cloth making or weauing, or haue ben exerciſed therein by vii. yeres before, vppon forfaiture of ſuch cloth &c. But this act is repealed by 1. M. as appereth herafter 56.

55 ¶ For auoiding of all doubt vppon ẏ ſtatut 5. E. 6. ca. 6. (before 52) whether they of Deuõſhire & Cornwal may wõut daũger make certeine kinds of cloth called white plain ſtreights, & pined whit ſtreits becauſe they are to be made of hetry wool flocks & lãbs wool. And for ẏ true making and certeinty of the ſame, both in length breedth and weight. Be it &c. That euery peece of the ſaid clothes called white plain ſtreits, made after ẏ ſaid firſt day of May ſhal conteine in length being redy dreſſed to put to ſale, twelue yardes at the leaſt, & in breedth one yarde at ẏ leaſt, in weight xi. li. at ẏ leaſt, vpon paine of forfaiture of the ſame, or the value therof. And ẏ euery peece of the ſaid cloth called white pinned ſtreits made after ẏ ſaid firſt day of May, being ready dreſſed to put to ſale, ſhal cõteine in length xi. yardes at the leaſt, and in breedth three quarters of a yarde at the leaſt, & in weight viii. pounds at the leaſt, vpon paine of forfaiture of ẏ ſaid clothes, or true value thereof: the one moity &c. to the king &c. & the other moity to him that wil ſue &c. wherein &c. And be it &c. that it ſhal & may be lawful to, & for euery perſõ or perſõs whatſoeuer, inhabiting or dwelling within the ſaid countyes of Deuon & Cornewall, or either of them, to make ẏ foreſaid ſortes of clothes wt heare, flocks, or yarne made of lambs wolls, or otherwiſe without any penaltye, or forfaiture therof, the foreſaid act made in the ſayde laſt parliament. s. An. 5. E. 6. ca. 6. before 52.) or any other lawe or ſtatute had or made to the contrary notwithſtanding. Be it &c. that the owner or owners of al & euery ſuch cloth & cloths, ſo wrought & made, ſhal bring or cauſe to be brought, the ſame cloth or clothes to the nert City, borough, or towne corporate, where the ſame ſhal be fully dreſſed & made, there to be meaſured, weighted, & ſealed wt a ſeale of lead, fired to euery of the ſaid peces of cloth, in which ſeale ẏ armes or names, of euery ſuch Citie, borough, or Towne corporate, ſhalbe grauen, & that the Maior of euery Citie, borough, or towne corporate, wher the ſame cloth, or clothes ſhalbe brought, ſhall appoint & ſwere two officers for the true weyghing, meaſuring, & ſealing ther of. And that ẏ ſame officers ſhal haue for their weighing, meaſuring, & ſealing of euery peece of the ſaid cloths, one halfe peny, and no more. Bee it further enacted &c. that euery clothier or clothiers, which ſhal put any of the clothes, aforeſaide to ſale, or offer the ſame to be ſold, before the ſame be weighed, meaſured & ſealed as is aforeſaide, ſhall forfait for euery ſuch default, the cloth or cloths, ſo by him or thẽ ſold, or offered to be ſold, the one moity &c. to the King &c. And ẏ other moity to him that wil ſue &c. wherein &c. An. 7. Ed. 6. capitulo 9.

Pinned Streits

Plaine Streits Content Weight

Forf.

Content Weight Forf.

Moitie

Denon Cornewall Heare Flox Lambes Wooll

Seale

Maior

Officers

Aunegers Fee Clothier

Put to ſale

Forf.

Moitie

56 ¶ Euery perſon or perſons, inhabiting in any of the ſaid cities, boroughs, or Townes corporate, or in any market townes within the Realme of England, where

where cloth making at any tyme before the making of the said act hath bene vsed, shall, or may from hence forth lawfully make al maner of broad cloths aforesaid, & put them to weaving, walking, fullinge, dying, & shering, wout any impedimēt, so ỳ the same cloths be substancially made, bearing lawfull length, bredth, & waight, according to the statut for good & true cloth making, made in the 5. yere of ỳ raygne of our said late soueraigne lord, king Edward 6. (s. cap. 6. before 52.) any article, or clause to the said former statut (s. An. 5. E. 6. cap. 8. before 54.) or any other statut made to the contrarie, in any wyse notwithstanding. 1. Marlb. cap. 7.

Made brod Clothes

57 ¶ No person vsing the feat or misterie of clothmaking, & dwelling out of a citie, borough, market towne, or corporat towne, shal from the feast of S. Michaell tharchangel, now nert ensuyng, kepe, retaine, or haue in his or their house or possession, any more or aboue one wollen loome at one time, nor shal by any means directly or indirectly, receiue or take any maner profit, gaine, or cōmoditie, by letting or setting any loome, or any house, wherein any loome is, or shalbe vsed and occupied, which shalbe togethers by hym set or let, vpon paine of forfeiture for euery weeke that any person shal do contrary to the tenour & true meaning thereof xx. s. And be it &c. that no wollen weauer vsing or exercising the feat or misterie of weauing, and dwelling out of a citie, borough, market towne, or towne corporat, shal after the said feast, haue or kepe at any one time aboue the number of ij. wollen loomes, or receiue any profit, gaine, or commodity, be it directly or indirectly, as is aforesaid, by any more then ij. loomes at one time, vpon paine to forfait for euery weeke that any person shall offend or do to the contrarie xx. s. And it is &c. that no person which shall after the said feast vse, exercise, or occupie onely the feat or misterie of a weauer & not clothmaking, shall during the time that he shal vse the feat or misterey of a weauer, kepe, or haue any tucking mil, or shal vse or exercise the feat or misterie of a tucker, fuller, or dier, vpon paine to forfait for euery weeke that he shal so do xx s. And it is &c. ỳ no person which after the said feast shal vse, exercise or occupie, the feat or misterie of a tucker, or fuller, shal during the time that he shal so vse the said feate or misterie, kepe or haue any loome in his house or possession, or shal directly or indirectly take any profit or commoditie by the same, vpon paine to forfait for euery weeke xx. s. And it is &c. ỳ no person whatsoeuer, which hereto fore hath not vsed or exercised the feate, misterie, or arte of cloth making, shall after the said feast, make or weaue, or cause to be made or wouen, any kinde of broad whit wollen clothes, but onely in a city, borough, towne corporate, or market towne, or els in such place or places wher such clothes haue ben vsed to be commonly made, by the space of x. yeres, nert before the making of this act, vpon paine of forfaiture for euery cloth otherwise made x. poundes. Prouided alwayes and be it &c. that it shal not be lawfull to any person or persons being a weauer, or ỳ doth or shal vse the arte or misterie of a weauer, or weauing, dwellinge out of a citie, borough, towne corporate, or market towne, to haue in his & their seruice, any more or aboue the number of ij. apprentices at one time, vpon paine to forfait for euery time that he shall offend or do contrarie to this branche, or article, the sume of x. li. And further be it &c. that it shal not be lawful to or for any person or persons, to set vp the arte or misterie of weauyng after the said feast of Saint Michael, vnlesse the same person or persons so setting vp the same arte or misterie of weauyng, haue bene apprentice to the same arte or misterie, or exercised the same by ỳ space of vij. yeres at the least, vpon payne of xx. poundes to be forfaited to the king &c. the one moitie of all which forfeitures shal be to the king &c. and the other moitie to him that wil sue &c. wherein &c. Prouided alwaies and be it &c. that this acte or any thing therein conteyned, shal not in any wise extend or be preiudicial to any person or persons, that doth or shall dwell in the counties of Yorke, Cumberland, Northumberland, & Westmerland, but that they & euery of them, shall and may haue and kepe loomes in their houses, and doe and exercise all and euery thing & things, for or concerning spinning, weauinge, cloth working, and clothe making in the said Counties, as they or any of them might haue done or exercised, lawfully be-

One wollen Loome

Letting of Loomes.

Forf.

Wollen weauer

ij. Wollen Loomes

Forf.

Weauer

Tucking myl Fuller Dyer

Forf.

Loome

Forf.

Citie

Forf.

Apprentices Forf.

weaues

Apprentice

Forf.

Moitie

Spinning

fore the making of this estatut, any thing conteined in thys statut to the contrarie in any wise not withstanding. An. 2. & 3. P. & M. cap. 11.

58 ¶ No person whatsoeuer, inhabyting, or which shal hereafter inhabite wtin the said countie (s. of Somerset) shal after the feast of the Purification of our Lady next comming, commonly called Candelmas, put to sale any kinde of such clothes, as is aforesaide, or clothes of lyke nature, making & sort, made or to be made within the said county, except such clothe be first viewed, searched, & sene in one of ẏ boroughs, or towns, aforesaide (s. Bridgvvater, Taunton, & Charde) whether the same be perfectly & truely made, according to the statut, & also that the same be sealed with the seale of one of the said boroughes or towns, in such sort, maner, & forme, as in the statut made in the v. yere of kynge Edward 6. entituled, (An act for the true making of wollen cloth) is for sealing of clothes prouided & enacted, vpon paine ẏ euery person offending or doing contrary to the true meaning of this act, shall forfait the cloth sold or the value thereof, the moitie of all which forfaitures shalbe to ẏ king & Quene &c. & the other halfe to him that wil sue &c. An. 2. & 3. P. & M. ca. 12.

Put to sale
Bridgwater Taunton Charde
Seale
Fork.
Moitie

59 ¶ An. 24. H. 8. cap. 2. An act vvas made concerning true dying of clothe, hatts & cappes, to endure to the last day of the next Parliament.

Dying Hatts Capps

60 ¶ Where in the parliament holden at Westminster, in the fift & fire yere of the raigne of our late soueraign lord king Edward the first (before 52.) there was by great deliberation & aduise, one good act made for the true and perfect making of wollen cloth within this realme, sithence the making wherof, diuers clothiers found them selues agreeued, alleaging that it is vnpossible for them to obserue ẏ same act in al points, & haue in this present Parliament praied some mitigation therof: It is therof at their special instance & request ordered, established, enacted & prouided in maner & fourme following. In primis ẏ euery white clothe & clothes, commonly called long Worcesters, & all like cloth of like making, mencioned in the saide acte which by the same was limitted to weigh lxxiiij. pounds, being well scoured, thicked, milled, & fully dried, shal weigh lxxv. pounds at the least. Item euery whyte cloth which shalbe made in the countyes of Wiltes. Gloucester, & Somerset, or any of them, or els where of like making, being appointed by the said act to weygh lxiij. pounds, shal weigh being wel scoured, thicked, milled, & fully dried lxi. pounds at the least. Item euery broad cloth made in the shires of Kent & Suller, or at the towne of Redding, or any of them, or els were of like making, mencioned in ẏ sayd acte, which by the same was limitted to weigh lxxx. pounds at the least, shal weigh being wel scoured, thicked, milled, & fully dried lxxvi. pounds at the least. Item that euery course short cloth made in ẏ shires of Suff. Norf. & Eller, or any of them, or els were of like sort, & euery course clothe to be made within the shire of Kent, not exceeding the price of vi. li. al which by the said act are appointed to conteine vij. quarters of a yarde at the least in breedth, shall conteine & be at the water, being thorough wet fire quarters & a halfe within the list thorough & by al the whole cloth at ẏ least. Item euery yard of cloth commonly called bandy warpe, being well scoured, thicked, milled, & fully dried, shal conteine the breedth specified in ẏ said act, & shal weigh two pounds & a halfe at the least. And for almuch, as many persons do counterfaite the making of Cocksall, Bocking, and Braine træ cloths, cõmonly called bandwarpes, adding thereunto such like list, as the makers of such cloths do, to ẏ great deceipt of the king & Quenes maiesties subiects. Be it therfore enacted, ẏ no person or persons from ẏ 1. day of May nert cõming, shall ad vnto any cloth or cloths, any such like list or lists, except the warpe therof be spone vpon the rocke or distaffe, vpon paine of forfaiture of ẏ same cloth or cloths, or ẏ very value therof. Prouided al wayes ẏ the cloth makers wtin the city of Worcester, may make such lists as they haue done heretofore. Itẽ ẏ no person or persons, inhabiting wtin the west riding, in ẏ coũty of Yorke, shal make or cause to be made, any broad cloth or cloths, called pewkes, tawnies, violets, or greenes, except ẏ wool therof before it be converted into yarne, be first died, litted, & coloured wt the colour blew, of the value of ij. s. a poũd, vpon pain of forfaiture of euery such coloured cloth, or the value thereof, where of

White cloth Long worcesters
Weight
Wiltshire Gloucester Somerset
weight
Kent Suller Reding
Weight
Suff. Norf. Eller
Breedth
Counterfait
Lists
Fork.
Worcester
Westryding
Broad clothes
yarne
Fork.

of the woll shall not be first dyed, litted, & coloured with the colour blew of ij. pence. a pound as is aforesaid. Item that euerie ordinarie kersey mencioned in ỹ said act, shal contein in length in ỹ water betwixt xvi. & xvij. yards, yard & ynch, & being wel scoured, thicked, milled, dressed, and fully dried, shal weigh xix. poundes the peece at the least. And euery kersey called sorting kersey, mencioned in ỹ said act, being wel scoured, thicked, milled, dressed, and fully dried, ready to be shewed, shal weigh two & twentie pounds at the least. Item that euery Deuonshire kersey, called dozens, the which is appointed by the same statut to weigh, being drie xiiij. poundes at the least, shal weigh, being well scoured, thicked, milled, & fully dried, after the rate of euery yard one pound at the least. Item ỹ one article mencioned in the said statute concerning welsh cottons, touching the length & weight, shalbe clerely void, and euery goad of Welsh lining, shal contein & be three quarters of a yard in bredth in the water, & shal weigh one pound and a halfe quarter, & euery yard of Cotton being fully wrought & cottoned, shal weygh one pound at the least. And be it further enacted, that no person or persons which shall buy to sell againe by way of retayle, or otherwise, any of ỹ said welsh linings, shal dresse or worke, or cause to be dressed or wrought within his or their dwellyng house or houses, or in any other place, by him selfe, or his seruant or seruants, any of the said welsh linings, but shall put the same to some such person or persons, as shalbe of the arte or science of sheremen, cottoners, or frisers, to be by thē wrought & dressed, vpon paine of forfeiture for euerie welsh cotten or lyning frised or cottoned to the contrarie vi.s. viij.d. (See some addicion to this Article after 63.) Item that al and euery cotton or cottons, called Manchester, Lancashire, & Chelshire cottons, & al clothes called Manchester rugs, or Manchester frises, may be deuided into two halfe peeces, & shal contein & be after the rate of such bredth & weight, as in the said act is limitted & appointed to a whole peece of euery of the seuerall peeces of cottons and Rugges aforesaid, any thing in the said former statute to the contrarie in any wyse notwithstanding. And if any cloth or kersey, of the seuerall kinds of makings, mencioned in the said former acte or this estatut, do exceede ỹ seuerall legths mencioned in the same, that then euerie yard so exceeding, shall weigh after such rate as euery yard of such cloth or kerseis conteining the said seuerall lengthes, shal or ought to weigh, vpon paine of forfayture for euery parde not weighing after such rate v. s. And if any such clothe or kersey shall lacke of suche weight, as by the said statute, or this act it ought, & is appointed to haue, then the maker ther of, or other person in whose hands or possessions the same be found, shal forfait for euery pound lacking aboue iiij. pond, v. s. and also for euery pound exceeding not aboue fower pounds, ij.s. in maner and forme as in the said former act is appointed. Item one article mencioned in ỹ said statut, wherein the Aulneger is prohibyted to set his seale to any cloth or kersey which shal proue pursy, baudy, squally, in or by, warpe or wooke, or els shall happen to be euill burled, or wasted in the mill, or otherwise to be full of holes, milbracks, or to be holy, shalbe void & of none effect. Item it is enacted, that if at any time after the first day of May, any cloth or kersey thorough the default or negligence of the carders, spinners, or weauers, or any of them, shall or doe proue, either pursey, cockly, baudy, squally, or rowy, by warpe or wooke, or els shal happen to be euil burled, or wasted, in ỹ mil, or els thorough the default or negligence of the mill man, or otherwise to be ful of holes, milbracks, or to be holy, that then the maker of euery such cloth or kersey so beeing defective or faultie, as is aforesaid, shal fire vnto euery end of ỹ said cloth or kersy so being defective & faultie, & offered to be sold, one seale of lead, in the which seale shalbe ingraued this word (faultie) vpon paine of forfayture of such cloth or kersey, or the value thereof so offred to be solde, where vnto such seale shal not bee set. Item the Article mencioned in the said former acte of returning of defective cloths, kerseis, frises, or cottons, being transported ouer the seas by the marchāts, shalbe vtterly void. But neuertheles be it enacted by the authoritie aforesaide, that if it shal fortune hereafter any Marchant or Marchants, to transport any cloth or clothes, kerseis, frises, or cottons, whereunto the Seale

kersey
Lengeth
Weight kersey
Weight
Dozens
Welsh Cottens Void
Bredth Weight
Retaile
Dzelle
Sheremen
Fork.
Manchester Lancashire Cheshire Cottons Rugges Frises
Exceede in length
Lacke of length
Fork.
Aulneger Seale
Void
Negligence
Faultie
Seale
Faultie Fork.
Transport Void
Merchants Transport Seale

with this word (faultie) was not annexed at the time of the sale thereof, by the clothier, & the same clothes, kerseis, frises, or cottons so transported, or any of them to be found faultie or defective, & the same Marchant or Marchants thereof, wythin two yeres after such sale to bring a certificat, sealed with the seale of any towne, or company in the parties beyond ỳ seas, or assigned by a Notarie there, after the customed maner, testifying & declaringe therby the losse & dammage which the marchants shal haue susteined by such defectue & faultie cloth or clothes so transported: that then the clothier or clothiers, or other person of whom the cloth or clothes were bought, their executors or administrators, shal wỉn fiue weekes next after request made by the said Marchant, his executors, administrators, or assignes, wel & truely satisfy, content & pay, to such marchant, his executors, administrators, or assignes, al & euery such summe & sũms of money, as shall so bee mencioned, expressed, & declared in the said certificat, vpon paine of forfaiture to the party greeued, for euery non payment vpon such request, double the value of such summe or summes mencioned in the said certificat.

Certificat
Towne
Company
Notarie

Lose

Clothier

Executors
Administrators

Fork.

Prouided alwaies, that such Marchant shall not in any wise haue by vertue of this act, any recompence for lack of lẽgth, bredth, or weight, of or for, any cloth, whereunto the seale of any citie, borough, or towne corporat shalbe fired. Item if any person shal by him self, or by any other person by him procured, counterfait, set to or take away, from any cloth, kersey, and frise, rugge or cotton, any seale, appointed to be fired to any cloth, kersey, frise, ruge, or cotton, either by this act, or by the said former estatut, that thẽ euery such person so offending shall incurre & haue like penalties, forfeitures, & punishments, as in the said former act is appointed & limited for the like offence. And for the better execution as well of this present act, as of ỳ said former estatut, and to the intent that all kinde of Kerseis, Cottons, Frises, Rugges, and other woollen cloth, made in any towne, shalbe the better knowen: It is further enacted, that the seale of euery borough, or towne corporat, appointed or to be appointed for the sealing of any such kind of cloth, shalbe fired to all and euery such kind of cloth, being well & substancially made within such Citie, Borough, or towne corporat, which cloth so sealed vỡ the seale of any City, Borough, or towne corporat, shal not be searched, tried, or viewed, by any searcher or sealer of any other citie, borough, or towne corporat, by vertue of his said office, any thing in this act, or in the said former statut to the contrarie notwithstanding. Item be it further enacted by the auctoritie aforesaid, that euery person & persons not dwelling and inhabiting within any citie, borough, or towne corporat, and making any of ỳ cloths or kerseis aforesaid, may lawfully bring the same to the next citie, borough, or corporat town, where any such kind of cloth or kerseis bee or shalbe commonly made, there to be sealed in maner & forme as is before expressed. Item if any sercher or sealer appointed or to be appointed by vertu of this prẽsẽt act, or of ỳ said former statut, shal set the seale of any Citie, Borroughe, or towne corporat, to any cloth which shal not contein such lẽgth, weight, and bredth, as in the said former statut, or in this present act is appointed, that then the Maior and Cominaltie, or Bailife & Cominaltie, or other corporation of the townelship, by whatsoeuer name or names, it, or they shalbe incorporated, wher such cloth, kersey, frise, cotton, or rugge, shalbe so sealed, shal forfait & lose ỳ whole value of the cloth so sealed. It is also enacted by the auctoritie of this present parliament, that the said searchers or sealers & euery one of them, shal haue full power & auctoritie by vertue of this act, in the day time, to enter into al and euery house & houses of euery person or persons, wher he or they shal thinke mẽte, to search and to trie al and euery kind of cloths, kerseis, frises, & ruggs, as they shal find defective, either in length, bredth, or weight, & the same to trie by water and weight, & also to search and seise as forfait, al and euery cloth & cloths made of other colours then in the said former act is appointed, friers gray, crane colour, purple, & olde medley colours, most commonly vsed to be made before xx. yeares last past, onely excepted. And if any maner of person or persons, at any time after the first day of May nert comming, shall deny, withstand, or withstand with holde any cloth or clothes, kerseys, frises,

Counterfait

Seale

Tried
Searcher

Searcher
Sealer

Maior
Cominalty

Fork.

Search

Except

friſes, rugges, or any of them from the ſaid ſealers or ſearchers, or any of them, or wil not ſuffer them to enter into their ſhoppes, warehouſes, houſes, or places, where their cloths, kerſeis, friſes, or rugs ſhalbe, the ſame to be ſearched & tried, as is aforeſaid, that then euery ſuch perſon or perſons, ſo denying or withſtanding, for euery ſuch withſtanding, with holding or denyal, to forfait & loſe x. pounds. Be it lykewiſe further enacted, that it ſhal not be lawfull for any of the ſaid ſearchers or ſealers, or any other perſon, to ſearch any maner of woollen cloth or kerſey, whereunto the ſeale of a Citie, Boroughe, or Towne corporat, ſhalbe fixed within the common cloth market of London, commonly called Blackwell hall, or in any common cloth faire, or cloth market, of any other citie, borough, or town corporat, in and during ỳ time of the faire or market, any act or ſtatut to the contrarie notwithſtanding. Be it further enacted, that al and euery article, clauſe, & ſentence in ỳ ſaid former ſtatut made in the 5. & 6. yere of the raigne of our ſaid ſouereaigne Lord king Edward the 6. being not repugnãt or contrarie to any article, clauſe, or ſentence, conteined in this preſent acte, ſhall ſtand in full force & effect. Prouided alwaies, that no perſon or perſons ſhall incurre the daunger, penaltie, or forfeitture, limited and appointed for any offence in the ſaid former act, the which is al ready mitigated, or otherwiſe appointed by this preſent act. And bée it further enacted by the auctoritie aforeſayd, that euery clothier ſhal cauſe euery cloth which he ſhall put to ſale, from & after the feaſt of ỳ Natiuitie of S. John Baptiſt nert cõming, to be marked with the letter M. crowned wrought in the cloth, vpon paine to forfait xx. s. for euery cloth, being ſold or put to ſale by any ſuch clothier, after the ſayde feaſt not marked wt the ſaid letter M. as is aforeſaid. And more ouer be it enacted by the auctoritie aforeſaid, that no perſon or perſons after the ſaid feaſt of the Natiuitie of S. John Baptiſt, ſhal ſet or put to ſale within the Realme of England, anye coloured cloth of any other colour or colours, then are hereafter in this act mẽcioned, ỳ is to ſay, Scarlet, Red, Crimſon, Murrey, Violet, Pewke, Browne blew, Blacke, Greene, Yelow, Blewe, Orenge tawnie, Ruſſet, Marble, Gray, Sad new colour, Azurie, watchet, ſheps colour, Lion colour, Motley, Iron gray, Friers gray, Crane colour, Purple, & old Medley colour, moſt cõmonly vſed to be made aboue & before xx. yeres laſt paſt. And for the maintenance of diuers auncient Cities, Boroughes, & townes corporate, which begyn to decay, by reaſon that Clothiers do gene ouer dwellinge there, Be it &c. that from & after the firſt day of May next comming, no perſon or perſons, whatſoeuer ſhal vſe or exerciſe, ỳ feat or miſterie of making, weauing, or rowing of woollen clothes, long or ſhort, or kerſeis, pinned whites, or plain ſtreitghtes, to thintent to put the ſame to ſale, but onely in a Market towne, wher cloth hath commonly bene vſed to be made by the ſpace of x. yeres laſt paſt, or in a citie, borough, or towne corporat, vpon payne of forfeiture for euery ſuch woollen cloth, or kerſey, made, wouen, or rowed, out of ſuch citie, borough, towne corporate, or market towne, v. pounds. And it is further enacted, that from & after ỳ firſt day of May, no perſon whatſoeuer, ſhal weaue or make, or put to weauing or making, any woollen cloths or kerſeis laſt rehearſed to be ſold, vnles ſuch perſon ſhal haue ben apprentice to the occupation of making, weauing, & rowing of cloth & kerſeis, or haue ben exerciſed therein, by the ſpace of vii. yeres before, vpon paine of forfeiture of ſuch cloth or the valne therof. And be it further enacted by the auctoritie aforeſaid, ỳ al & euery pains, penalties, & forfeitures to be one by force of this ſtatut, or of the ſaid former act, being not otherwiſe appointed, ſhalbe deuided equally into two parts, wherof thone ſhalbe to the Quæns highnes, her heires & ſucceſſors, & thother vnto him ỳ wil ſeiſe (in caſes where ſeiſer is limitted or appointed) or els to him or them ỳ will ſue for ỳ ſãe pains, penalties, & forfeiturs, or any of them, by action, bil, plaint, information, or otherwiſe, in any court of record, wherein no eſſoin, protection, wager of law, or iniunction ſhalbe admitted, or allowed, or obeyed. Prouided alwaies, ỳ it ſhalbe lawful to any perſon, now vſing or exerciſing ỳ feat or miſterie, of making, weauing, or rowinge of cloth, or kerſey, to inhabit & dwel wher he now doth, & there to vſe the making, weauing,

Fork.

Blackwell-hall

Faire Market

Penaltie

Clothier

Marke M. Crowned

Fork.

Put to ſale

Colours

Clothiers Weauers Clothworkers

Market Towns

Fork.

Weauer

Apprentice

Fork.

Moitie

Inhabite

ning, or rowing of cloth or kersey, as hee hath done heretofore, any thing in thys acte to the contrarie notwithstanding.

Prouided alwaies, that it shalbe lawfull to all & euery person or persons, which now do, or hereafter shal, inhabit or dwel in any of the shires of Northwales, or Southwales, Cheshire, or Lancashire, Westmerland, Cumberland, Northumberland, Bishoprick of Durham, Cornewall, Suffolke, Kent, the towne of Godelmine in the cõtie of Surrey or Yorkshire, being not within xij. miles of ỹ city of Yorke, or in any the townes or villages nere adioyning the water of Stroud in the countie of Glouceſter, where cloths haue ben vsually made by the space of xx. yeres last past, & hauing bene prentice to the occupation of cloth making, or exercised in the same by the space of vij. yeres: to set vp, vse, & exercise the feat or misterie of making, weauing, or rowing of cloth, out of a citie, borough, or market towne, as heretofore they might haue done, any thing in this act to the contrary notwithstanding. This last Braunch touchinge the making and dressing of cloth but only in townes, cities, & boroughes, & the forfeitures by reason of the said braunch against such persons onely, as shal vse the same vvithin the counties of Somerset, Wiltes. & Glouceſter, is repealed by Anno 18. Eliz. cap. 16. hereafter 66. Prouided also, that it shalbee lawfull to any person, now vsing or exercising, or that hath vsed or exercised, the feat or misterie of cloth making, the same to continue, vse & exercise, although he hath not ben thereunto apprentice, or haue exercised ỹ same by ỹ space of vij. yeres, any thing in this acte to the contrarie notwithstandinge.

Prentice

Continue

Prouided alwaies, & be it further enacted by ỹ auctority aforsaid, that it shalbee lawful to any person or persons, to sel and put to sale by retaile or otherwise, all and euery such coloured cloth & clothes, as hee or they now haue, as freely as he or they may lawfully sel any cloths of the colours in this present act allowed to be sold, vntil the feast of S. Michael the Archangel next ensuing, this acte or the said former statut in any wise notwithstanding. An. 4. & 5. P. & M. cap. 5. See some alteration for some speciall places, here next followving 61.

Retaile

61 ¶ Because the Townes hereafter mencioned, be well planted for cloth making, & haue ben long inhabited with good clothmakers, Be it ordeined and enacted, that it shalbe lawful, to al and euery such person & persons, which now do inhabite or dwell, or hereafter shall dwel in ỹ said townes or villages of Bocking, Westbarfold, Cockshall, & Dedham, or in any of them, now vsing or exercising, or that hereafter shal vse or exercise, the feate or misterie, of making, weauing, or rowing of cloth or kersey by the space of vij. yeres at the least, or haue bene prentice thereto by the said space of vij. yeres, to inhabit & dwel in the said Townes or villages of Bocking, westbarfold, Cockshal, & Dedham, & in euery or any of them, & to vse the making, weauing, or rowing, of cloth or kersey, as before this time they myght haue done, if the said acte had neuer bene made, any thing in the said act to the contrarie thereof made, or any other act, statut, or law heretofore made, or hereafter to be made to the contrarie herof in any wise notwithstanding. An. 1. Eliz. cap. 15.

Bocking Westbarfold Cockshal Dedham

Prentice

62 ¶ For the better releefe of such as vse the art & labor of clothworking. Be it enacted by auctoritie of this present parliament, ỹ from henceforth for euery xx. cloths vnwrought, hereafter to be shipped or carried into any the partes beyond the seas, contrarie to the forme of any statut heretofore made, and now remayning in strength, by force of any licence hereafter to be graunted, ỹ party ỹ shal ship or carrie ouer the same, shal ship & carry ouer al so one like wollen cloth, of like sort, lẽgth, breadth, & goodnes, ready wrought & dressed, ỹ is to say, rowed, barbed, first coursed & shorne, from the one end to ỹ other, so that euery tenth cloth passing ouer the seas, in fourme aforesaid, may & shalbee dressed within this Realme, before the same shalbe shipped or transported ouer, vpon paine to forfait for euery such nyne clothes so to bee shipped or transported, contrarie to the meaning of this act x.li.

Transport

Licence

Ready wrought

x. Cloth

Forf.

Prouided alwaie, that euery such tenth cloth so to be transported ready wrought, shall not be accompted any of the cloths, permitted to bee transported by force of such lycence, but that such person as shall haue such lycence, may transport, according to such lycence, the full number of clothes

Transport Licence

vnwrought clothes vnwrought, mencioned in ỹ same licence, ouer & aboue the number of such tenth clothes, which they shalbe compelled to ship & carrie ouer by force of thys statut, And be it further enacted by auctho-ritie afore-said, that from the last day of Febr-uary now next comming, no per-son shall shippe or carrie into the partyes beyond the Seas, contrarie to the fourme of any statute heretofore made, now re-mayning in force, any cloth commonlie called Kentish cloth, or Suffolke clothe, made or to be made in ỹ counties of Kent or Suffolke, vnwrought & vndressed, wtin this realme, that is to say, not rowed, barbed, first cursed, & shorne, vpon paine to forfait for euery such cloth, cõmonly called Kentish or Suffolke cloth, made or to be made in either of the said counties, so to be shipped or transported contrarie to the fourme of this statut xl. s. And that no licence for transporting of any cloth or clothes, shalbe construed or expounded, to extend to any such Kentish or Suffolke cloth, made or to be made, in either of the said counties, to be from hence forth trãs-ported. And that al ỹ forfaitures appointed by this statut, for transporting of clothes, shalbe the one halfe to the Quenes Ma-iestie, her heires & successors, ỹ other moi-tie to the Maister & Wardens of the sayd companie of Clothworkers, to the relefe of the poore of the said companie, to be re-couered in any court of Record, by action of debt, bill, plaint, or information, wherin no essoine, protection, nor wager of law, for the defendant shalbe admitted or al-lowed. An. 8. Eliz. cap. 6.

Shipping

Foyl.

Licence

Kentish cloth Suffolke

Moitie

Wardens

Poore

63 ¶ Be it enacted by auctho-ritie of this present parliament, that from & after the feast of Easter next ensuyng, no maner of person or persons whatsoeuer, in-habiting & dwelling wtin the said towne of Shrewesbury, or the liberties & fraun-chises of the same towne, other then such as haue or shall haue serued as appren-tyces in the said occupation & science of dra-pers, or be or shalbe free of the said science or misterie, shall occupie, vse, exercise, or frequent the said trade, arte, misterie, or science of buying of the said Welsh cloth, or lyning, cottons, frises, & plaines, nor haue any Factor or doer for hym in the same, nor by any colour, engin, or fraud, be any occupier of the said frises, cottons, and plaines, vpon paine that euery person and persons, inhabituing as it is afore-said, & occupying, vsing, or exercising the saide trade, occupation, or science of buying of Welsh cloth and lyning, and not authori-zed by this present act, shall lose & for-fait for euery pece of the same clothes so bought vj. s. & viij. pence. And ouer that be it further enacted, that no person dwel-ling & inhabiting, as is afore-said, & vsing or occupying the said trade of buyinge of frises, cottons, or plaines, shal vse or ex-ercise the faculties of frising or cottoning, vpon paine to incurre such like forfaitures for euery offence, as is aboue mencioned: The moitie of all which paines & forfey-tures aboue mencioned, shalbe to our so-ueraigne Lady the Quene, her heires & successors, and thother moitie to such per-son and persons, as will sue for the same in any court of Record, by action, bill, or plaint of debt, wherein no protection, es-soigne, or iniunction, or wager of lawe shalbe allowed & admitted.

Shrewes-bury

Apprentices

Buying

Factor

Occupier

Forf.

Buying

Forf.

Moitie

Prouided alwaies, & be it further enac-ted by the auctho-ritie afore-said, that thys present act, or any thing, sentence or mat-ter, therein contained, shal not extende, or be in any wise preiudicial or hurtful, to any such person or persons, as haue heretofore vsed, occupied, or frequẽted the said trade, art, misterie, or science, of buying or sel-ling of Welsh clothes, and linings afore-said, but that euery such person & persons, which hath or haue vsed the said trade or science as is afore-said, shal and may haue and enioy the like benefit, commodity, & auantage, as wel in buying and selling the said Welsh cloths & lyning, as otherwise in as large, free, and ample maner and forme, as if this act had neuer ben made.

And further, to the intent the said poore Sheremen, Frizers, & Cottoners, may be the better releeued and mainteined, be it enacted by the auctho-rity afore-said, that all and euery person and persons, occupy-ing, and vsing, or which hereafter at any time shall occupie or vse the said trade, sci-ence, or arte, of buying & selling of welshe cloth & lynings afore-said, & shall from the feast of Easter next ensuyng, delyuer a-ny Welsh cloth, or lynings afore-said, to be cottoned, frised, dressed, or wrought, to any Shereman, Cottoner, or Frizer, shal deliuer, content, and pay to the sayd

Poore Sheremen

Buying & selling

Ready Money

Ware

Losse of freedome

Disabled

Put to sale Lancaster

Cottons Frises Rugges

Seale

Length

Aulneger

Seale of Portcullis

Weight

Fors.

Shereman, Cottoner, or Frizer, ready & present money for al his said worke, without any colour, fraud, or engin, whatsoever & shal not deliuer any ware, or other thing whatsoeuer, in contentation or satisfaction of his said worke, or any part thereof, vpon paine that euery person offending in this behalf, shal forthwith lose al such liberties, fredomes, & priuiledges, which he hath or shal haue, as one of the said company, fraternity, or guilde of the said art & misterie of Drapers, & also shal for euer after, be vtterly disabled & excluded to vse, occupy, or enioy by himselfe, or by any other for him, or to his vse, the said trade, art, misterie, or science of buying or selling of Welshe clothes, or lynninges, this acte, or any other matter or thing whatsoeuer to the contrarie in any wise notwithstanding. Anno 8. Elizabeth. capitulo 7.

64 ¶ Be it enacted by the authoritie of this present parliament, that no person or persons, from and after the first day of April next comming, shal sel or put to sale within the said Countie of Lancaster, or conueigh or cary, or cause to be conueighed and carried out of the said countye of Lancaster, any kind of Cloths, Cottons, Frises, or Rugges, hereafter to be made within the said countie Palantin of Lancaster, to be sold, before such time that the owner or maker of euery such cloth, cotton, frise, or rugge, shal fire and put to, or cause to be fired & put to euery such cloth, frise, cotton, or rugge, one seale of Leade, hauing the marke of euery such owner or clothier, ingraued on the one side thereof, & the true length of euery such cloth, fryse, cotton, or rugge, as it is found being wet, to be ingraued on the other side of the said Seale. And also the Quenes highnesse Aulneger of the said countie Palantin for the time being, vpon trial of the weight of euery such cotton, frise, and rugge, shall fire and put, or cause to be fired and put to euery such cotton, frise, & rugge, ỹ Quenes highnes seale of Lead, hauing the Portcullets crowned, ingraued on the one side thereof, and the true weight of euery such cotton, frise, or rugge, to be ingraued on the other side of the said Seale, vpon paine of forfeiture of all and euery such clothes, cottons, frises, and rugges, conueyed, carried, sent, solde, and put to sale, or to the intent to be solde being vnsealed, contrarie to the meaning of this present act: The one moitie thereof to bee to the vse of the Quenes highnesse, her heires and successors, and the other moitie thereof, to such person or persons, that shall seise the same cloth, cotton, frise, or ruge, or will sue for the same, to bee recouered in any of the Quenes highnesse Courts of Recorde, by bill, plaint, information, or otherwyse, wherein no essoine, protection, or wager of law, shalbe allowed to the defendant.

Moitie

And be it further enacted by the authoritie of this present Parliament, that the said Aulneger, after the said first day of Aprill, shall appoint and haue his lawfull deputie within euery of the saide seuerall Townes of Manchester, Rochdale, Bolton, Blakborne, and Berry, in the said Countie where the said Aulneger hath bene accustomed to haue his Deputie heretofore, there to bee readie vpon lawfull request vnto him made without delay, to weigh euery of the said cottons, frises, & rugges, as shalbe brought vnto euery such deputie, and sealed with the seale of the owner or maker of euery of the same clothes, in fourme aforesayd, and to fire and set to euery of the sayde clothes, cottons, fryses, and rugges, the Quenes highnes Seale before said, to be ingraued in maner and fourme before mencioned, vppon paine of forfeiture of xx. shillinges for euery packe of cottons, frises, or rugges, sealed by the sayd Aulneger, or any of his sayde Deputyes, before the same bee weighed, in fourme aforesayd: The one moitie thereof to bee to the vse of the Quenes highnes, her heires and successours, and the other moitie thereof, to him or them that will sue for the same, in anye of the Quenes Maiesties Courtes of Recorde, by bill, playnt, information, action of debt, or otherwyse, wherein no wager of lawe, protection, or essoigne shalbe allowed.

Aulneger

Deputie

Weight

Seale

Fors.

Moitie

Prouided allwaies, and be it enacted by the authoritie aforesaid, that it shalbee lawfull for the said Aulneger, or his Deputye, to haue and take of the owner or maker of euery of the saide clothes, cottons, frises, or rugges, for the weyghing and sealinge of euery packe of the sayde clothes, cottons, frises, & rugges iij. pence.

Aulneger

And

And for euery peece of such course cloths, cottons, frises & rugges, not amountinge to a whole packe, one halfe peny, and the same to be paied by the owner or bringer of the said clothes at the weighinge & sealing of the same: any custome, vse, or prescription to the contrary in any wise notwithstãding. And for almuch as such persons as commonly do vse to vtter & sel the said seueral kinds of Cottons Frises, and Rugges, haue bene & are dayly molested, vexed & troubled, to their great losse & hinderaunce, by meanes of the cruelte of informers & searchers, seekinge continually their owne priuate gaine, by findinge of ỹ said Cottons, Frises, and Rugges, at no time made accordinge to such fourme of weight, lengthes, & bredthes, as by ỹ former statutes of this Realme lately made for the true making of woollen cloth, is limitted & appointed (before 50. and 60.) And for that the same persons do alledge, that the makers of the said cottons, Frises, and rugges, can by no meanes be reduced to obserue the said weights, lengths and bredthes, in making of the said Cottons, frises, and rugges, according to the fourme of the said former estatutes, without the vtter vndoinge of great numbers of poore people, that are cõmonly the makers of such kind of cloths, & ỹ by meanes herof, the said cottons, frises, and rugges, sithens the makinge of the said estatutes haue ben, & are more scarce & dearer, then they were before the making of the sayd estatuts, and nothing at al mended in substance and fourme of making. For reformation wherof: Be it enacted, that from and after the first day of Aprill nert comming, euery of the sayd Cottons, beinge sufficiently milled or thicked, cleane scoured, wel wrought & fully dried, shal weigh xl. pound at the least, and shal contayn in length xxi. goads, or xx. goads at the least, and in bredth at the most three quarters of the yarde, or within one naile of three quarters of a yarde at the least. And that euery of the said frises, or rugges, beinge thicked and fully dried, shall weigh thirteene pound at the least, and shal containe in length betwixt xxxb. yards, and xxxbii. yards, & shall contayne in bredth at the most three quarters of the yarde, or within one nayle of three quarters at the least and not to be strained vpon the taintours aboue one nayle in bredth. And also yf any of the said Cottons, frises, or rugges, shalbe of any greater length, then is before seuerallye expressed, that then euery goad or yard so exceeding the said seuerall lengthes, shal weigh after such rate, as euery goad or yard of such cottons, fryses, or rugges, containinge the sayd seuerall lengths, shal or ought to weigh, vpon pain of forfaiture for euery goad or yarde not weighinge after such rate, twelue pence. And also if any of the said cottons, frises, and rugges, shalbe of any lesse weight, thẽ is before seuerally lymitted & appointed, that then al and euery such person or persons, that shall so sell, or offer to bee solde, any such cotten, frise, or rugge, shal forf. & lose for euery pound lackinge vnder three pounds, twelue pence, and for euery poũd waight lacking aboue three poundes, fiue shillinges, the one halfe of which forfaytures shalbee to our soueraigne Lady the Quẽnes highnesse, her heires & successors and the other halfe thereof, to such person or persons that shall sue for the same by action of debt, bill, plaint or information, in any of the Quẽns maiesties courts of record, wherein no essoigne, protection, or wager of law shalbe admitted, or allowed for the defendant.

And further be it enacted by ỹ authoritie aforesaid, ỹ al & euery braunch, clause, sentence, & article specified & contained in any other acts of parliament before this time made, concerning the sealing & making of ỹ said cottons, frises, & ruggs, shal be from henceforth vtterly repealed, void, and of none effect: Any thing in the sayd Actes conteyned to the contrarye, in any wise not withstanding.

Prouided alwaies, that this Act shall not in any wise extend to be preiudicial or hurtfull vnto any charter or liberty of any borough or corporat towne, within the said countie Palantine of Lancaster, cõcerning the making and putting to sale of any woollen cloth: Any thing therein conteined to the contrary not withstandinge. An. 8. El. ca. 12.

65 ¶ Bee it enacted that from & after the feast of S. Bartholmew the Apostle nert ensuing, it shal not be lawful for any person or persons, vsing, or that shal vse ỹ trade of makig of kerseys, to make or cause to bee made any kerseys, of the sort called ordinary

Fee

Cottons Thicked Cleane scoured Weighe

Content

Frises Rugges Weighe

Content

Greater length

Forf.

Moitie

Repealed Void

Charter Liberty

Kerſies Ordinarie Karſies Setting Kerſies Content

ordinary karſies, or any ſortinge karſies, or any other karſies, by what name or names ſoeuer they be called, aboue ỹ lẽgth of 18. yardes at ỹ moſt, to be meaſured by yard & ynch, beinge ready made: but that al karſies ſhalbe made of ỹ ſaid vſual lẽgths, & accordingto the proporcion of weight limitted by ỹ ſtatut in that behalfe made & prouided the 4. & 5. yeres of ỹ raignes of the late king Philip & Mꝛene mary, vpon paine ỹ euery perſon or perſons, that ſhal make, or cauſe to bee made any ſuch karſie or karſies, of more or greater lẽgth then 18. yardes, ſhal forfaitfor euery ſuch karſie xl.s. the one moitie wherof ſhalbee to the M. maieſty, her heires and ſucceſſours, & the other moity to him or thẽ that wil ſue for ỹ ſãe, by bil, plaint, or information, in any of ỹ Quẽns maieſties courts of Record, wherein no Eſſoine, protectiõ, or wager of law, for the defendant ſhalbe admitted or allowed. Prouided that if any karſie or karſies being purpoſely made to containe 18. yards in length, & no more, ſhal by occaſion happẽ to containe aboue 18. yardes, and being vnder 19. yardes in length, ỹ the maker or makers of any ſuch karſie or karſies, ſhal not incurre ỹ penaltie aboue conteined, any thing befoze mẽcioned to ỹ contrary, notwſtanding. An. 14. El. ca. 10.

Forf. Moitie

66 ¶ Wheras in ỹ parliamẽt holdẽ at Weſt. in the 4. & 5. yeres of ỹ raignes of our late ſoueraigne Lord & lady king P. & Mꝛene P. one ſtatut was made, entituled. An act touching ỹ makinge of wollen cloths (before 60.) wherby (among other things) it was ordeined & enacted, by the auctority of ỹ ſaid parliament, ỹ from & after ỹ firſt day of May thẽ nert cõming, no perſon or perſons whatſoeuer, ſhoulde vſe, or exerciſe ỹ feat or miſtery of making weaning, or rowing of wollen cloth long or ſhort, or kerſies, pinned whits, or plain ſtreites, to ỹ intẽt to put ỹ ſãe to ſale, but only in a market towne where cloth cõmõly hath bẽ vſed to be made by ỹ ſpace of x. yeres thẽ laſt, paſt or in a city, bozough, or towne corporat, vpon paine of forf. for euery ſuch wollẽ cloth or karſey, made woouen, or rowed out of ſuch Citie, bozough, towne corporat, or market towne v.li. as by the ſaid act amongſt diuers clauſes, articles, & prouiſoes, contained in the ſame, more plainly is exprẽſſed. And foraſmuch as diuers & ſũdry perſons haue heretofore of time vſed & exerciſed, & at this preſẽt do vſe & exerciſe, the feat & miſtery of clothmaking in ỹ coũties of Somerſet Wiltſhire, & Glouceſter, & haue to their great coſts & charges, planted thẽ ſelues & their dwelling houſes, diſperſedly throughout ỹ ſaid counties, & neither in cities, borroughs Townes corporat, or market townes, as might, & may ſeruc moſt cõuenientlỹ for the vſe & exerciſe of ỹ ſaid feats miſtery, as namly about the riuers of Fromewater, Kinglwod water, ỹ riuers of Auon, Willbourne, & Saliſbury bournes, & Strowd water, in the ſaid counties of Somerſet, Wiltſhire, & Glouceſter, & ỹ braũches of ỹ ſame waters, & alſo for ỹ the ſaid places & waters are very good & apt for clothinge together wth the great number of fullinge Pilnes & other workhouſes therunto adioyning, maintained only by the clothmaking in ỹ Villages & pariſhes therabout. And for aſmuch alſo, as a great multitude of poore people, as weauers, tuckers, ſpinſters & ſuch like, haue of long time heretofore, & at this preſent do inhabite & dwell neare vnto the ſaid places and waters, by means of ỹ great clothmaking there, here tofore & now vſed, & haue bẽ only relieued & ſuſteined by ỹ ſame, & alſo for ỹ great inconuenience might enſue wõn ỹ ſaid coũties of Somerſet, Wiltſhire, & Glouceſter in remouing & placing of ſuch a multitude in, or wõn any citie bozough, towne Corporate, or market towne, according to the meaning of this ſaid act: Be it further enacted ỹ the ſaid braũch & clauſe of the ſaid eſtatut, as touching onely the vſe or exerciſe of ỹ feat or miſtery of making, weauing, or rowing of any wollẽ cloths, to ỹ intent to put the ſãe to ſale, but onely in a market towne, city, bozough, or town corporat, & al & euery the penalties & forfaitures, by reaſon of ỹ ſaid braũch onely, as againſt any ſuch perſons, as hath vſed, or hereafter ſhal vſe & exerciſe ỹ ſaid feat and miſtery of making, weauing rowinge of any wollen cloth wõn the ſaid counties of Somerſet, Wiltſhire, & Glouceſter, or any of thẽ, ſhalbe frõ hencefozth repealed & made void, any thing conteined in ỹ ſayd act, or in any other act heretofore made to ỹ contrary therof, in any wiſe notwſtandinge. And further be it enacted by ỹ auctority afozeſaid, ỹ no perſon or perſons,

Diuers & ſũdry perſons haue heretofore of time vſed & exerciſed, & at this preſẽt do vſe & exerciſe, the feat & miſtery of clothmaking in ỹ coũties of Somerſet Wiltſhire, & Glouceſter, & haue to their great coſts & charges, planted thẽ ſelues & their dwelling houſes, diſperſedly throughout ỹ ſaid counties, & neither in cities, borroughs Townes corporat, or market townes, as might, & may ſeruc moſt cõuenientlỹ for the vſe & exerciſe of ỹ ſaid feats miſtery, as namly about the riuers of Fromewater, Kinglwod water, ỹ riuers of Auon, Willbourne, & Saliſbury bournes, & Strowd water, in the ſaid counties of Somerſet, Wiltſhire, & Glouceſter, & ỹ braũches of ỹ ſame waters, & alſo for ỹ the ſaid places & waters are very good & apt for clothinge together wth the great number of fullinge Pilnes & other workhouſes therunto adioyning, maintained only by the clothmaking in ỹ Villages & pariſhes therabout. And for aſmuch alſo, as a great multitude of poore people, as weauers, tuckers, ſpinſters & ſuch like, haue of long time heretofore, & at this preſent do inhabite & dwell neare vnto the ſaid places and waters, by means of ỹ great clothmaking there, here tofore & now vſed, & haue bẽ only relieued & ſuſteined by ỹ ſame, & alſo for ỹ great inconuenience might enſue wõn ỹ ſaid coũties of Somerſet, Wiltſhire, & Glouceſter in remouing & placing of ſuch a multitude in, or wõn any citie bozough, towne Corporate, or market towne, according to the meaning of this ſaid act: Be it further enacted ỹ the ſaid braũch & clauſe of the ſaid eſtatut, as touching onely the vſe or exerciſe of ỹ feat or miſtery of making, weauing, or rowing of any wollẽ cloths, to ỹ intent to put the ſãe to ſale, but onely in a market towne, city, bozough, or town corporat, & al & euery the penalties & forfaitures, by reaſon of ỹ ſaid braũch onely, as againſt any ſuch perſons, as hath vſed, or hereafter ſhal vſe & exerciſe ỹ ſaid feat and miſtery of making, weauing rowinge of any wollen cloth wõn the ſaid counties of Somerſet, Wiltſhire, & Glouceſter, or any of thẽ, ſhalbe frõ hencefozth repealed & made void, any thing conteined in ỹ ſayd act, or in any other act heretofore made to ỹ contrary therof, in any wiſe notwſtandinge. And further be it enacted by ỹ auctority afozeſaid, ỹ no perſon or perſons,

Somerſet Wiltſhire Glouceſt

Riuers

Fulling mulnes

Poore people

Repealed

now

now dwelling or abiding, or which hereafter shal dwel or abide, wthin the said cõtties of Somerset, Wiltshire, & Gloucester, or any of thẽ, shall frõ henceforth vse or exercise ỳ said feat & mistery of making weauing, or rowing of any wollẽ cloth, or cloths, out of any Citye, borough, towne, corporate, or market towne, except onely wthin such houses & places in ỳ said rcõties of Somerset, Wiltshire, & Gloucester, or any of thẽ, as such wollẽ coths haue bene most cõmonly vsed to be made, wouen, or rowed, by the space of x. yeres next before ỳ making of this act, vpon payne of forf. for euery such cloth, made, wouen, or rowed, cõtrary to this present act v.li. ỳ one moity of which forf. shalbee to our soueraigne lady ỳ Q. maiesty, her heres & successours, & ỳ other moity, to him or thẽ ỳ wil sue for ỳ same. And be it further enacted by thauthority aforesaid, ỳ such person or persons, as after ỳ feast of S. Michaell Tharchãgell next cõminge, shal vse or exercise ỳ trade or mistery of clothmakig. in any of ỳ said houses & places, out of a citie, borough, towne corporate, or market towne wthin ỳ said cõtties, or any of them, which now doth not vse & exercise ỳ same trade or mistery, shal not keepe in his or their occupatiõ or mãnrãs, aboue xx. acres of lãd, meadow, & pasture, at ỳ most. And ỳ euery persõ now vsing or exercisig ỳ said trade or mistery, out of a Citie, borough, towne corporate, or maket towne, wthin ỳ said cõtties or any of them, shal not haue or take in, or into his or their occupation or manurance any land, meadow, or pasture, but ỳ which he or they now haue, or as much only in lieu therof, vpõ payne of forf. for euery acre of land meadow & pasture, by such person or persons, occupied or manured cõtrary to ỳ tenour of this act, for euery yere ỳ he shal so occupy ỳ same, and so vse the trade of clothmakinge vi.s viij.d. And ỳ al & euery such forf. hereafter to be due by force of this statut shalbe diuided equally into two parts, whereof the one shalbe to the Quenes highnes, her heires & successors, & ỳ other to him or thẽ ỳ wil sue for the same. Prouided alwaies, & be it enacted by the auctority aforesaid, ỳ euery persõ or persõs, being by this statut allowed to vse or exercise, ỳ feat or mistery of makinge, weauinge, or rowing of wollẽ cloth, lõg or short, or karsies, pinned whits, or plaine straites, not being by the former statuts allowed therunto, shalbe subiect to such serch, forf. & other orders, as other persons dwelling out of boroughs & townes corporat, allowed of by ỳ said former statut or any other statuts, were subiect or bound vnto, before ỳ making of this act: Any thing in this act cõteined to the cõtrary notwithstanding. An. 18. El. ca. 16.

Somerset Wiltshire Gloucester

Forf.

Market towns

xx. Acres of lande Medowe Pasture

Land Forf.

Mottie

Search

1567 ¶ Whereas of late yeres there hath bin brought into this Realme, a certaine kind of stuffe called Logwoad, alias blockwoad, where with diuers do dye dayly diuers things. Forasmuch as ỳ colour made wth the said stuffe, is false & deceitful. Be it &c. ỳ al such Logwoad, alias Blockwoad in whose hands soeuer the sãe shalbe found after the feast of S. Michael the archangell next ensuing, shalbe forfaited, and openly burned by auctority of ỳ Maior, or other head officer of the city or towne corporat, or of two Justices of peace of the countie where it shalbe found, & that from & after xx. daies after ỳ end of this session of parliament, no person, of what degree soeuer he be, shal die, or cause to be died, any cloth woll, or any other of the premisses aboue mencioned, or any other thing whatsoeuer, with any of ỳ said ware or stuffe called Logwoad, alias Blockwoad, vpõ pain that ỳ dyer of euery such seuerall thinge so dyed, shal forf. the valne of the sãe thing so died: ỳ one moity to ỳ vse of ỳ Q. maiestie, her heires, or successors, and the other moity to him ỳ wil sue for ỳ same, by action of debt, bill, plaint, or information in any court of Record, in which suit, no essoigne, protection, wager of law, nor writ of priuiledge for ỳ defendaunt, shalbe admitted or allowed: And ỳ partie offẽding. being therof conuicted, to remain in prison wout baile or mainprise, till hee haue satisfied the same value.

Woade

Burned

ii. Just. of p.

None dye

Forf.

Moitie

Imprit. ✶

And where clothes, karsies, and hosen haue ben dyed, with a colour which is cõmonly called a galled & mathered blacke, or wth a colour cõmonly called a thomacke & mathered black, which colours, although they carry a shew of a good, true & perfect colour of woaded & mathered black, (& of such as do buy the sayd colours, either in cloth, karsies, or hose, taken so to be) not wthstãding in prose & wearing prooue cõtrary to the great decept of ỳ Quenes subiects. & discrediting of the cloth, & other thinges so dyed: For reformation, whereof, be it enacted, that no kinde of cloth or clothes, karsies,

or karſeis, baies, Friſeadowes, broade or narrow, boſen, or other things, being in ỹ nature of cloth, ſhall from henceforth bee mathered for a blacke, except the ſame bee firſt grounded with woade onely, or with wood and a nele, alias blewe Inde, vnleſſe the madder be put in with ſhomake or gallys. And that from & after xx. daies after the end of this Seſſion of parliament, no perſon of what degree ſoeuer he bee, ſhall dye, or cauſe to be died, any cloth or cloths, or other things aboueſaid, of what kind or nature ſoeuer, mathered for a black, not hauing a ground of woad only, or of woad & a nele, alias blew Inde, vnleſſe the madder be put in with ſhomake or gallys, vpon paine ỹ the Dyer of euery ſuch ſeuerall thing ſo dyed, ſhal forfayt the value of the ſame thing ſo dyed, the one moity ther of to the vſe of the Quenes Maieſty, her heires or ſucceſſors, & the other moitye to him that will ſue for the ſame, by action of debt, byll, plaint or information, in any court of record, in which ſuit, no Eſſoign, protection, wager of Lawe, nor writte of priuiledge for ỹ defendant, ſhalbe admitted or allowed, & the party offēding being therof cōuicted, to remaine in priſon, wout baile or mainpriſe, til he haue ſatiſfied ỹ ſame value. Prouided alwaies, ỹ it ſhall & may be lawful to dye al maner of galle blacke, ſhomacke blacke, alias plain black, wherin no mather ſhalbe vſed, as heretofore lawfully hath ben done, this act, or any thing therin conteined to the cōtrary, not withſtanding. Prouided alſo, that euery dyer ỹ ſhal after the feaſt of Pentecoſt next enſuing the end of this ſeſſion of parliament, dye any of the ſaid black clothes, karſeys, or Friſeadowes, mathered & not woaded, ſhal before he deliuer any of the ſame forth of his hands, fix a ſeale of lead to euery of thē, in which the letter (M) ſignifying mathered, ſhalbe conteined, vpon paine ỹ euery Dyer offending to the contrarye, ſhal forfait for euery yard of ỹ ſaid cloth, karſeys, baies, or friſeadoes, ỹ ſūme of i.ſ.viij.d. And ỹ if any perſon ſhall ſell any cloth, karſeis, baies, or friſeadoes mathered & not woaded, after ỹ ſaid feaſt of Pentecoſt, & ſhal not firſt giue notice to ỹ buyer therof, that the ſame is not woaded, ſhal forfait alſo the double value of al ſuch cloth, herſies, baies, & friſeadoes, as he ſhal ſo ſel, which forfaitures ſhalbee to the party that ſhal ſue for the ſame in any court of record, by actiō of debt, bil, plaint, or information, wherein no eſſoigne, protection, or wager of lawe ſhall lye. An. 23. El. ca. 9.

Woade

Shomake

Forf.

Plaintife

Prouiſo

Seale Letter (M)

Forf.

¶ Dures.

AN. 1. E. 3. ca. 4. it was enacted ỹ fines gifts, graunts, & recognizances, made after the exile of the Spencers, by dures ſhould be anoided &c. Spencers

2 ¶ Where as many in this realme in the time of the kings father ỹ now is, by meanes of his falſe and euil cōcellours, haue men excited by dures, to binde themſelues by writing, to come to the king wō force & armes whenſoeuer they ſhould be ſent for, vpon paine of life & limme, & to forfait al ỹ euer they might forfait: by vertue of which writtings, diuers of his land haue bene often diſtroyed. The king cōſideringe that ſuch writings were made to the kings diſhonour, ſithence ỹ euery mā is bound to do to ỹ king, as to his leige lord, al ỹ perteineth to him wout any manner of writing: will ỹ from henceforth no ſuch writting be made. And ỹ ſuch as be made, by the ſight of the chauncellour & treaſourer ſhalbe ſhewed to the king, & the kinge ſhal cauſe al ſuch as be made againſt right & reaſon to be cancelled. An. 1. E. 3. ſtat. 2. cap. 15. Writting Chauncelor Treaſorer

3 ¶ The prelates & clergy of this realme do greatly complaine them of that, that people of holy church, purſuyng in the ſpiritual court for their tithes & their other cauſes, which of right ought & of old times were wont, to perteine to ỹ ſame ſpiritual court, & ỹ the iudges of holy church, hauing cogniſance in ſuch cauſes, & other perſons therof medling according to the law, bee maliciouſly & vnduely, by this cauſe endicted, impriſoned, & by ſeculer power greeuouſly oppreſſed, & alſo enforced with violence by othes & grieuous obligations, & by many other meanes vnduely cōpelled, to leaue & ceaſe vtterly frō hauing ỹ thinges aforeſaid, againſt the liberties & fraunchiſes of holy church: Wherefore it is aſſented, ỹ al ſuch obligations, made or to bee made by dureſſe of vyolence, ſhalbe of no valour. And as to thoſe that by malice do procure ſuch ēdictmēts, & be alſo thē ſelues endictours, after ỹ the ſame endictes bee Clergie Tythes Spirituall court Obligations Indictments

ſo

Procurors

ſo acquite, ſuch procurours ſhall haue & incurre ỹ ſame paine ỹ is conteyned in the ſtatute of Weſt. 2. of thoſe which procure falſe appeales to be made. And ỹ Juſtices of aſſiſes or other Juſtices, before whom ſuch endictmẽts ſhalbe acquited, ſhal haue power to ẽquire of ſuch procurors & endictours, & duly to puniſh thẽ after their deſert. An. 1. R. 2. ca. 13.

Juſt. of aſſ.

4 ¶ An. 5. R. 2. ca. 6. it was enacted ỹ al writtings & bondes made by dures, in the time of the late inſurrection, ſhould be void, & ſhould be reſtored, and al entre and feffementes then made by dures ſhoulde be voyd.

¶ Durham.

AN act (not printed) was made in An. 7. Ed. 6. whereby the biſhoprycke of Durham was diſſolued, and that the king ſhould haue ỹ lands & hereditamẽts therof, & an other act was made in An. 7. Ed. 6. ca. 10. whereby the towne of Garſhide was vnited to Newcaſtel vppon Tine, But theſe two acts be repealed by An. 1. M. 2. parl. ca. 2. And by this act the biſhoprycke of Durham is reuiued & erected, & thereto annexed al the eccleſiaſtical & temporal iuriſdictions, & the towne of Gateſhide, & al lands & hereditamẽts before belonging to the biſhoppryck, & diuers matters, be at large in this act cõcerning theſe matters, therfore ſee this ſtatut.

Newcaſtel Repealed

Gateſhide

¶ Eccleſiaſtical iuriſdictions.

IT may be ordeined & enacted by authority of this preſent parliament, ỹ al and ſinguler perſõs as well lay as thoſe ỹ now be maried or hereafter ſhalbe married, being doctours of the ciuil law, lawfully created and made in any vniuerſity, which ſhalbe made ordeined, conſtituted & deputed to be any Chaunceller, vicar general, commiſſarie, official, ſcribe, or regiſter, by your maieſty or any of your heires or ſucceſſours, or by any archbiſhop, Biſhop, archedeacon or other perſon, what ſoeuer, hauing authority vnder your maieſty, your heires or ſucceſſors to make any chaunceller, vicar general, cõmiſſary, official, or regiſter, may lawfully execute & exercile al maner of iuriſdiction cõmonly called eccleſiaſtical iuriſdiction, & al cenſures & coercions appertayninge, or in any wiſe belonging vnto the ſame, albeit ſuch perſon or perſons be lay, maried, or vnmaried, ſo ỹ they be doctours of the ciuil law as is aforeſaid. any lawe, conſtitution, or ordinance to ỹ contrary notwithſtandinge. An. 37. H. 8. ca. 17

Marriage D. of ciuile lawe

Chaunceller Vicar general Cõmiſſary

Archbiſhop

Official Regiſter

Married

¶ Egiptians.

FOr as much as before this time diuers & many outlandiſh people calling themſelues Egiptians, vſing no craft nor ſcat of marchandiſe, haue comen into this realme, & gone frõ ſhire to ſhire, & place to place in great company, & vſed great ſubtil & craftye meanes to deceaue ỹ people, bearing them in hand, that they by Palmeſtry, could tel mennes & womens fortunes, & ſo many times by craft & ſubtilty haue deceiued the people of their money: And alſo haue cõmitted many & hainous felonies, & robberies, to the great hurt and deceipt of the people ỹ they haue cõmen among. Be it &c. that from henceforth no ſuch perſons be ſuffered to come wiñ this Realme, & if they do, then they & euery of them ſo doing ſhal forfait to the kinge all their goods & cattels, and then to be commaunded to auoide the realme within xl. daies nert after the cõmaundement, vpon paine of impriſonmẽt. And it ſhalbe lawfull to euery ſheriſe, Juſtice of peace & eſchetour to ſeiſe to the vſe of the king &c. all ſuch goods as they or any of thẽ ſhal haue, & thereof to make accompt in his Eſchequer. And if it ſhal happen any ſuch ſtraũger hereafter to commit within this Realme any murder, robbery, or any other felony, & thereof be endicted & arraigned, and to plead not guilty, or any other plea tryable by the coũtrey, ỹ then the enqueſt that ſhal paſſe betwene the kinge and any ſuch party, ſhalbe altogether Engliſhmẽ, albeit ỹ the partie ſo endicted pray Medietatẽ linguę, according to ỹ ſtat. of An. 8. H. 6. or of any other ſtatut thereof made. Prouided alway ỹ euery ſuch perſon or perſons which can proue by two credyble perſons before the ſame party that ſeiſeth ſuch money, goods or cattelles of the Egiptians, that any part of the ſame goods, money or cattailes were craftely or felonioſly tabẽ or ſtollẽ frõ him, ſhalbe incõtinently reſtored vnto ỹ ſãe goods, mony, or

Egiptians

Palmeſtry

Felonies Robberies

Forf.

Impriſ.

Sheriſe Juſtices of p. Eſchetour Scyſe Accompt Eſchequer

Murder Felony Indict

Enqueſt Engliſhmen

Medietas linguæ

Prouiſo

Goods

Reſtored

or cattels whereof hee maketh such prowfe before the same partie that so seiseth the same money goods, or cattals, vpon paine to forfait to the same partye that maketh such prowfe, the double waine of the same, by action of debt byll, or otherwise in any of the kings courts &c. wherin &c. any thing in this act to the contrarye notwithstanding. Prouided alwaies & be it further enacted, that if any iustice of peace, Sherife, or Escheator, which by auctority of this Act, haue power to take or seaze any goods or cattelles of any egiptians, at any time hereafter, do seaze or take the goods or cattels of any such egiptians, that then euery such Justice, sherife, or eschetour doing the same, shal haue, kæpe & retaine to hys owne vse, the moity of al such goods so by him seyzed, & of ỳ other moity so by him taken or seised, shal make accõpt to ỳ king in his Eschequer, according to ỳ tenour of this present act, any thing in this same act to the contrary hereof notwithstandinge. And ỳ vpon any accompt hereafter to bee made for the sayd other moitie of ỳ same goods, ỳ accomptant shal pay no maner of fee or other charges for his accõpt or dyscharge to be had in ỳ kings eschequer nor els where. An. 22. H. 8. cap. 10. But See here 2. & 3. a greater penaltie appointed.

Forf.

Action of debt

Justices of p. Sherife Eschetour

Retaine the moitie

Accompt Eschequer

Accompt

No fees

☞ 2 ¶ For as much as diuers, calling thẽ selues Egiptians, not fearing the penalty of the statut 22. H. 8. ca. 10. (before 1. haue come ouer againe into this realme vsing their ould, accustomed deuelish, & naughty deuises, with such abhominable liuing, as is not in any christian Realme, to be permitted, & be not duly punished for the sãe. For reformation, wherof be it &c. ỳ if any person or persons after the last day of Januarie nert cõming, do willingly trãsport bringe & conuey into this realme of England, or Wales, any such persons callinge them selues, or cõmonly called Egiptiãs, that then he or they so transporting bringing, or conueying in, any such persons, cõtrary to the true meaning of this act, shal forfait and lose, for euery time so offẽding xl. li. of lawful mony of Englãd. And be it further enacted, by ỳ auctority aforesaid that if any of the said persons called egiptians, which shalbe transported, & cõueyed into this realme of England, or wales, as is aforesaid, do contmue, & remayne, wỉn the same, by the space of one moneth, that then he or they so offending, shal by vertu of this act, be deemed & adiudged a felon, & fellons, & shall therefore suffer paines of death, losse of lãds, & goods, as in cases of felony by ỳ order of the cõmõ law of this realme, & shal vpon the trial of thẽ or any of thẽ, therein be tried in the county, & by ỳ inhabitãts of the county or place, where they or he shalbe apprehended, or taken, & not per medietatem lingue, & shal lose the benefit & preuiledge of sanctuarie & clergy. And be it further enacted by ỳ auctoritie aforesaid that if ỳ Egiptians, & other persons, cõmonly calling them selues Egiptians & euery of thẽ, now being wỉn this realme of Englãd, or wales, do not depart out of the same, within twentye dayes next after, Proclamation of this present act shalbe made, that then hee or they which shal not depart, wỉn the said tyme, according to the true meaning of this act, shal forfait & lose all his & their goods, and catteles, & ỳ then it shal be lawful to al and euery the kinge, & the Quæns subiects, to seise the same, the one moity therof to be to the vse of our soueraigne lord & lady the king & the Quæne, & ỳ other moity therof to be to the vse of him, or thẽ that shall so seise the sãe. And be it also enacted by ỳ auctority aforesaid, ỳ if the Egiptians, & other persons cõmonly called Egiptians, and euery of thẽ, now beinge within this realme of Englãd or wales, do not depart out, & frõ the same, within xl. dates nert after proclamation shalbe made of this act, that thẽ he or they, which shal not depart, and auoid within the said time, of xl. daies according to the true meaning of this act shalbe adiudged and demed according to to the lawes of this realme of Englande, a fellon and fellons, and shal suffer therefore paines of death, losse of lands & goods as in other cases of felony, & shalbee tried as is beforesayd, & without hauinge any benefit, or priuiledge of sanctuary or clergie. And be further enacted by the auctoritie aforesaid, that if any person after the first day of Januarye next comminge, shal sue for the obteininge of any licence, letter, or passort, for any of the sayd persons called Egiptians, to abide or contynue within thys Realme of Englande or Wales, contrarie to the tenure of thys acte, that then euery such person so suing, shal forfayt and lose, for the same fortye pounces,

Transport

Egiptians

Forf.

Continue One moneth

Felony

Triall Countie

Medietas linguæ Clergie

Depart xl. dayes Proclamation

40. daies

Felonie

Clergie

Forf.

poundes, of lawfull money of England, and that euery such licence, letter and paſport, ſhalbe by vertue of this act voyde, to all intentes and purpoſes, thone moitie of all which ſummes of money to be forfeyted, as is beforeſaid, ſhalbe to the king and Quéene, our ſoueraigne lord & lady, and ý other moity thereof, to be to him or them, that will ſue for the ſame, in any court of record, by action of debt, bill, plaint, or information, wherein no eſſoygne, wager of law, nor protection, ſhalbe admitted, or allowed. Voyde

Prouiſo Prouided alwaies, and be it enacted by ý auctority aforeſaid, ý this preſent act, nor any thinge therein conteined ſhal not extend, nor be hurtfull to any of ý ſaid perſons, commonly called Egiptians which within the ſayde time of xx. daies, next after ý ſaid proclamation to be made, as is beforſaid, ſhal leue ý naughty voel, & vngodly life, & company, & bee placed in the ſeruice of ſome honeſt, & able inhabytant, or inhabitantes within this realme, or that ſhal honeſtly exercyſe him ſelfe in ſome lawfull worke, or occupatyon, but that hee or they ſo continuinge in ſeruice, or other lawfull worke or occupatyon, ſhall durynge ſuch tyme as hee or they ſhall ſo contynue, bee diſcharged of all peines, and forfeitures conteined in thys act. Leaue ydle life

Prouiſo Prouided alſo and bée it enacted, by ý auctority aforeſaid, that this act ſhal not in any wiſe extend to any child or childrē, being not aboue the age of xiiij. yeres, nor to any of the ſaid perſons, beinge nowe in priſon, ſo that he or they, ſo being in priſō do depart out of this realme, within xiiij. daies, next after his or their deliuerie out of priſon, nor ſhall extende to charge any maner of perſon, or perſons, as acceſſarie to any offēce or offences, conteined or ſpecified in this eſtatut. An. 1. and 2. P. & M. ca. 4. See here 3. An enlargement of this Statute. Children Priſoners Acceſſarie

☞ 3 ¶ Where as ſince the act of 1. and 2. P. and M. cap. 4. (before 2.) there is doubt ryſen whether perſons borne within the Quéenes dominions, and beinge of that fellowſhippe by diſguiſinge their apparell and counterfaytinge their ſpéech or behauyour, bée punishable by the ſayd ſtatute, as other of that ſort are, beinge ſtraungers borne, and tranſported into this Realme: for auoydinge of all doubt, Bée it enacted, that the ſayd ſtatut made in the firſt and ſeconde yeres of the ſayd late kinge and Quéene concerninge thoſe vacaboundes, callinge them ſelues Egiptians, ſhall continue, remayne and bée in full force, ſtrength, and effect. And yet moreouer bée it enacted by the auctority aforeſayd, that all and euery perſon and perſones, whych from and after the firſt day of May nowe nert enſuing, ſhall bée ſéene or founde within this Realme of Englande or Wales, in any company or fellowſhippe of vacabondes, commonly called or callynge themſelues Egiptyans, or counterfaytinge, tranſportinge, or diſguyſinge them ſelues by their apparell, ſpeache, or other bæhauiour, lyke vnto ſuch vacaboundes commonly called or callinge them ſelues Egiptians, and ſo ſhall or doo, continue and remayne in the ſame, eyther at one time or at ſeuerall tymes, by the ſpace of one monethe: that then the ſame perſonne or perſonnes, ſhall by vertue of thys act, bée déemed and iudged a felone and felones, and ſhall therefore ſuffer paynes of death, loſſe of landes and goodes, as in caſes of felonye, by the order of the common lawes of this Realme: and ſhall vpon the tryall of them or of any of them therein, be tried in the county, and by the inhabitants of the county, or place where they or bée ſhalbee apprehended or taken, and not per medietatem linguę, & ſhall loſe the priuiledge and benefit of Sanctuary and clergie. Vacabondes Wales Apparell Speach 1. Moneth Felony Landes Goodes Tiall No ſanctuarye nor Clergie

Prouided allwayes and bée it enacted by the auctority aforeſayd, that this act ſhall not in any wyſe extende to anye childe or children beinge within the age of fourtéene yeares, nor to any of the ſaid perſons beinge, in priſon the laſt day of this preſent Parliament, ſo that bée or they ſo beinge in priſon, do within fourtéene dayes next after his or their delyuerie out of priſon, eyther depart out of thys Realme of Englande and Wales, or put him or them ſelues to ſome honeſt ſeruyce, or exerciſe ſome lawefull worke, trade, or occupatyon, and vtterly forſake the sayde ydle and falſe trade, converſation, and behauiour of the ſaid counterfayt or dyſguiſed vagabondes, commonlye called, or callynge themſelues Egiptians. Children Depart Seruice

Prouyded alſo and bée it enacted by the

the authoritye afore∫aid, that the ſaid act made in the firſt & ſecond yeres of the ſaid late king & Quæne, ſhal not extend to cõpel any perſon or perſons borne wĩ any of the Quænes maieſties dominions, to depart out of this realme of England and Wales, but only to conſtraine & bind thẽ & euery of them to leaue their ſaid naughty idle & vngodly life and company, and to place them ſelues in ſome honeſt ſeruice, or to exerciſe thẽſelues at home with their parẽts, or els where honeſtly in ſom lawful worke, trade, or occupatiõ. Any thing mencioned in the ſaid former act to ỹ cõtrary hereof in any wiſe notwĩſtandinge. An. 5. El. ca. 20.

Borne wĩ

Seruice

*

¶ Election,

BEcauſe elections ought to be frée, the king commaundeth vpon great forfaiture, that no great man nor other by force of armes or manaſſing, ſhal diſturbe any to make frée election. Weſt. 1. ca. 5. An. 3. E. 1.

Force
Diſturbe

2 ¶ If any dignity be vacant where election is to be made, it is deſired ỹ ỹ electours or chuſers may frélý make their election wout feare of any tẽporal power, & ỹ al praiers & oppreſſions ſhal in this be halfe ceaſe, ỹ aunſwer is, they ſhalbe frée, according to ỹ ſtatutes & ordinances. Arcler. ca. 14. An. 9. E. 2.

Free

¶ England & Engliſhmen.

THat by the cauſe or colour of that that we be king of Fraunce, & that the ſaid realme to vs perteineth, as afore is ſaid, or ỹ we do vs to be named kig of Fraũce in our ſtile, or that wée haue changed our ſeale or our armes, nor for commaundements, which we haue made, or frõ hẽceforth ſhal make as king of Fraunce, our ſaid realme of England, nor ỹ people of ỹ ſame, of what eſtate or condition they be, ſhal not in any time to come be put in ſubiection nor in obeiſaunce of vs nor of our heires, nor ſucceſſors as kings of Fraũce as afore is ſaid, nor be ſubiect nor obediẽt, but ſhal be frée & quite of al maner ſubiection & obeiſance afore∫ayd, as they were wont to be in ỹ time of our progenitours kings of Englãd for euer. An. 14. E. 3. ſta.

Fraunce

Seale
Armes

Subiection

Free

Borne in

2 ¶ Al & euery ſuch ſubiectes borne in Englãd, & ſworne to be ſubiects to forein princes, & Lords of outward parties (as long as they ſhal ſo abide, & be as ſubiects to forein princes & lords) ỹ frõ hẽceforth ſo long, they & euery of them ſhal pay ſuch cuſtomes, ſubſidies, tolles, & other impoſitiõs within this realme of England, as other ſtraungers of thoſe parties where ỹ ſaid Engliſhmen make their habitation, pay or ble to pay within this ſaid realme: And ỹ the knowledge of al and euery ſuch perſon or perſons inhabitaunts, & ſworne in maner and fourme as is afore reherſed within the Archedukes coũtries that is to ſay, Holland, Zeland, Brabant & Flaũders, only ſhalbe had by certificat therof made by ỹ gouernours of ỹ marchantadũturers, & ỹ aſſiſtens there for ỹ time being, & alſo for al other realmes & coũtries of forein princes to be certified by ỹ kings moſt noble imballadours, beinge at ſuch time there as they ſhall happen to be in ỹ ſaid countries vpon ỹ kings affaires, ſhall likewiſe certifie, as is before∫aid, vnder their ſeale, into the Chauncery of our ſouereigne lord the king, & therupon out of ỹ ſaid Chauncery writs to be made & directed vnto the Cuſtomers, comptrollers, or other officers of the kings Cuſtome, in euery Port, Hauen or créke, within this ſaid Realme to perceiue, leuie and take al maner of ſuch cuſtomes, ſubſidies, tolls, & other impoſitions, as is before ſpecified, of al ſuch goods & Marchaundiſes, as ſhal belong vnto any ſuch perſon or perſons inhabited & ſworn, in maner & forme aboue written, al wel inward as out ward. Prouided alwaies, ỹ if hereafter it ſhal happẽ any ſuch perſon or perſons to returne into the realme, & here to tarry and inhabit, ỹ then he or they ſhalbe reſtored to al ſuch liberties & frædomes, in payinge of cuſtomes or ſubſidies & other charges, as al other Engliſhmen do ble to pay, & to haue a writ out of ỹ Chaũcery for ỹ ſame, this act or any thing made to ỹ contrary notwithſtanding An. 14. H. 8. ca. 4.

Engl. Sworne to forein Princes

Cuſtomes
Subſidies
Tolles
Impoſition

Holland
Zeland
Brabant
Flaunders
Certificat

Imballadors

Certifie
Seale
Chauncery

Writs
Cuſtomers
Comptrollers
Port

Cuſtomes
Subſidies
Goods
Marchandiſes

Inwarde
Outwarde

Reſtore
Liberties

Writ
Chauncery

¶ Engliſhrye.

NO Juſtice errant, ſhal put in any article, oppoſition, preſentment of Engliſhrie, againſt the commons of ỹ Counties, nor againſt any of them, but ỹ Engliſhrie, and preſentment of the ſame, be wholly

Juſt. errant

Voyd

sut & voyde for euer. So that no person by this cause be from henceforth impeached. An. 14. E. 3. cap. 4. Stat. 1.

¶Entrie & writs of Entrie.

Alienations

IF those alienations (where vpon a writ of Entrie was wont to be graunted) hap to be made in so many degrees,

Degrees

that by reason therof, the same writ cannot be made in the forme before tymes vsed, the plaintifes shal haue a writ to recouer their seisin, wout any making mẽcion of the degrées, into whose handes so euer the same thing shall happen to come by such alienations, & that by an originyal writ to be prouided therfore by ỹ counsell of our soueraigne Lord the king, Marlb. cap. 29. An. 52. H. 3.

Writ Forme Plaintife Recouer seisin

Original Writ

Woman

Dower Heire

Reuuer

2 ¶If a woman sell or géeue in fée, or for terme of life, the land that she holdeth in Dower, it is ordeined, ỹ the heire, or he to whom the land ought to reuert after ỹ death of such woman, shall immediatly recouer by a writ of entrie in the Chauncery, Glouceſt. cap. 7. An. 6. E. 1.

3 ¶See Cui in vita 1. that the heire, or he in the reuersion shall haue a writ of entrie against the particuler tenant that letteth by default, or by reddition.

¶Entrie lavvfull.

Discents

AN. 7. H. 7. cap. 2. It was enacted, that discents should be no greater hurt to them that should go with the king in hys warres (in ỹ voiage ỹ then was toward) then if they were vnder age of xxj. yeres.

Warres Within age

2 ¶Where diuers persons of their insaciable minds, haue heretofore by strẽgth & without title, entred into manors, lãds, tenements, & other hereditaments, and wrongfully disseised the rightfull owners and possessors thereof, and so being seised by disseisin, haue therof died seised, by reason of which dying seised, the disseisie, or such other persons, as before such discent might haue lawfully entred into the sayd manors, lands, & tenements, were and be thereby clerely excluded of their entre into the said manors, lands, & tenements, & put to their action for their remedy & recouery therin, to their great costes & charges. For reformation wherof, be it &c. ỹ the dying seised hereafter of any such dis-

Disseisin

Disseisie

Dying seised

seisor, of or in any manors, landes, tenements, or other hereditamẽts, hauing no right or title therein, shal not be taken nor dæmed from henceforth any such discent in the law, for to toll or take away ỹ entre of any such person or persons, or their heires, which at the time of the same discent, had good & lawful title of entre into ỹ said manors, lands, tenements, or hereditaments: Except that such disseisor hath had ỹ peaceable possession of such manors lands, tenemẽts, or hereditaments, wher of he shall so die seised, by the space of fiue yeres next after ỹ disseisin therein by him committed, without entre or contynuall claime, by or of such person or persons as haue lawful title thercunto. An. 32. H. 8. cap. 33.

Discent

Except

Possession

v. yeres

¶Errour.

IN case where any will complayne of Error made in the time of the king, before the Steward & Marshal, the plamtif shal haue a writ to remoue the record and the proces, before the king in his place, & there the error shalbe redressed. And likewise shall it be done in euery other case, where any man will complaine hym of error, done before the same Steward and Marshal of ỹ kings house. An. 5. E. 3. ca. 2.

Plaintife Writ

Steward Marshal

2 ¶In al cases touching the king or other persons, where a man complaineth of error made in the Eschequer, ỹ Chaũcelor & Treasorer, shal do to come before them in any chamber of counsel, nigh the Eschequer, the Record & proces out of the Eschequer, & take to them the Justices & other sage persons, such as to them shall seeme fit to be taken. And shall also do to be called before them, the Barons of the Eschequer, to heare their informations, & the causes of their iudgements, and there vpon shal duely examine the busines, and if any error be found, they shall correct & amende the rolles, & after send them into the Eschequer for to make thereof execution as perteyneth. An. 31. E. 3. cap. 12. Stat. 1.

King

Eschequer Chauncelor Treasorer

Record

Justices

Barons of the Eschequer

Examin

Amend rolles

3 ¶For the appeasing of suites, the auoyding of false practises, deceipts, deuises, & misdemeanors, and for helping of negligences, and misprisions of Clerkes and Officers, daungerous to assurances of mens landes and hereditaments.

Be it enacted by the Quæenes moſt excellent Maieſtie our ſouereigne Lady, the Lords ſpirituall & temporal, & the cõmons in this preſent parliament aſſembled, & by the auctority of ẏ ſame, that euery writ of Couenant, & other writs, whereuppon any fine here tofore hath bẽ leuied, or here after ſhalbe leuied, the returne therof, the writ of Dedimus poteſtatem, made for ẏ knowledging of any of ẏ ſame fines, the returne thereof, the concorde, note & forme of euery ſuch fine, ẏ proclamations made thereuppon, & the kinges ſiluer, and alſo euery original writ of Entre in the poſt, or other writ, whereuppon any common recouery hath bene ſuffered, or hereafter ſhalbe ſuffered or paſſed, the writs of Sum ad vvarrantizand. the returnes of the ſaid Originals & writs of Sum ad vvarrantizand. & euery warrant of Atturney, had or to be had, aſwell of euery demaundant & tenant, as vouchee, extant & remaining, or that ſhalbe extant & in being: may vpon the requeſt or election of any perſon, be inrolled in rolles of parchment, by ſuch perſons, & for ſuch conſiderations, as hereafter in this act ſhalbe mencioned: & that the Inrolments of the ſame, or of any part therof, ſhalbe of as good force & validitie in law, to al intents, reſpects, & purpoſes, for ſo much of any of them ſo inrolled, as the ſame being extant & remaining, were or ought by law to be. And be it further enacted by the auctoritie aforeſaid, ẏ no fine, proclamations vpon fines, or cõmon recouery heretofore had, leuied, ſuffered or paſſed, or hereafter to be had, leuied, ſuffered or paſſed, ſhalbe reuerſed or reuerſable by any writ of error for falſe or incongrus Latin, raſure, enterlyning, miſcentring of any warrant of atturney, or of any proclamatiõ, miſreturning, or not returning of the Shirife, or other want of forme in words, & not in matter of ſubſtance.

Prouided alwaies, that this act, nor any thing therin cõteined, ſhal barre or exclud any perſon or perſons, from any writ of error, which ſhalbe had, taken, or purſued, vẏn v. yeres next after ẏ end of the ſeſſion of this preſent parliament, vpon any fine or recouery heretofore had or ſuffered, nor from any writ of error, which ſhalbe had, take, or purſued, vpon any fine or recouery, heretofore leuied, knowledged, or had, which fine or fins, recouery or recoueries or any part or parcell of them, or any of thẽ now is, or at any time before ẏ 1. day of June, which ſhalbe in the yere of our lord God 1582. ſhalbe exemplified vnder ẏ great ſeale of England, at & by the ſuit of any perſon, ẏ is, or may bee intituled to haue or ſue any writ of error, vpon any ẏ fines or recoueries heretofore paſſed: ſo or to barre any feme couert, or any perſõ vẏ in the age of xxj. yeres, or any perſon ẏ is non compos mentis, in priſon, or beyond the ſeas, of or from any writ of error to be had or proſecuted, for the reuerſing of any fine or recouery heretofore paſſed, leuied, or ſuffered, ſo that ſuch feme couert, or her heires vẏn vij. yeres next after ẏ ſhe become ſole, & ſuch perſon vẏn the age of xxj. yeres, or his heirs vẏn vij. yeres next after he ſhal come & be of ful age of xxj. yers And ſuch perſon that is non cõpos mentis vẏn vij. yeres, next after he ſhal become of Sane memorie, & in default therof, the heires of ſuch perſon that is non compos mentis, vẏn vij. yeres, next after the death of ſuch perſon being non compos mentis, & ſuch perſon in priſon, or his heires within vij. yeres, next after ẏ ſame perſon ſhal be at libertie, & ſuch perſon beyõd the ſeas, or his heires, within vij. yeres next after the returne of ſuch perſon into this realm of Englãd, or the death of the ſaid perſon, If he ſhall before his returne, dye in any foreme countrey, ſhal ſue, take, & proſecut their writs of error, as their caſes ſeuerally ſhall require, for reuerſing of any the ſaid fines or recoueries heretofore paſſed, leuied or ſuffered. Prouided alwaies, and be it further enacted by the auctority aforeſaid, ẏ if any perſon or perſons, ſhal vẏn the time & yeres afore mencioned, cõmence or ſue, his or their writs of errour for the reuerſing of any of the ſaid fines or recoueries heretofore paſſed, which ſuyt ſhall fortune to abate by the death of any the parties to ẏ ſame: That then it ſhall & may be lawful for his & their heirs, at any time vẏn one yere next after the ſaid vij. yeres expired, to haue, ſue, and take their writ of error, for ẏ reuerſing of euery ſuch fine & recouery. And if ſuch heire be an infant vẏn the age of xxj. yeres, then vẏn one yere next after ẏ ful age of ſuch infant, any thing in this preſent act cõtained, to ẏ cõtrary therof in any wiſe not vẏſtanding.

And be it further enacted by the auctho-

ritie

Writ of Couenant

Dedimus poteſtatem

Concord

Proclamations

Writ of entre

Sum ad warr.

Warrant of Atturney

Inrolled

Force

Fine

Recouery

Errour

Proviſo

v. yeres

Exemplified

Feme couert
Infant
Non compos mentis
Imprisoned
Beyond sea

vij. yeares

Abate
Death

One yere

ritie of this p̄sent parliament, that euery person that shall at any time hereafter take the knowledge of any fine or warrant of Attourney of any tenant, or vouchee, for suffering any common recouery, or shal certifie them or any of them, shall with the certificat of the concorde or warrant of Atturney, certifie also the day & yere wherein the same was knowledged. And that no person that taketh any such knowledge of any fine or warrant, for any recouery, shalbee bounden, or by any means inforced, to certify any such knowledge or warrant, except it be wythin one yere nert after the said knowledge taken. And that no Clerke or Officer, shall receiue any writ of couenant, or writ of entre, whereuppon any fine, or cõmon recouerie is hereafter to passe, vnles ẏ day of the knowledge of the same fine & warrãt shal appeare, in or by such certificat, vpon paine that euery Clarke ẏ shal receiue any such writ, shal forfait for euery time ẏ he shal so offend, the summe of v.li. And ẏ no Atturnemẽt, in or vpon any fine bee entred vpon record, except the party mẽcioned to attourne therein, first haue appeared in the Court in person, or by atturney, warranted by the hand of one of the Justices of the one bench or the other, or of one Justice of Assise, vppon a writ of Quid iuris clamat, quem redditum reddit or Per quæ seruicia, as the case requireth. And that euery entre of atturnemẽt hereafter to be made, where there shalbee no apparance, as afore is said, shalbe vtterly void & of none effect, without any writ of erro or other meanes to be vsed for auoiding therof. And be it further enacted by thauctoritie aforesaid, that there shalbe for euer, one Office of Inrolment aforesaid, which shalbe & continue an office for euer, called the office of Inrolments of writs for fines & recouries. And that the Justices of the common plees for ẏ tyme being (other then the cheefe Justice) shall haue & take the care & charge, of & for the Inrolments aforesaid, & shal haue & enioy the said Office & the disposition therof, & carefully see & looke to ẏ execution therof. And in consideration of theyr charges, paine & trauel therin, shal haue & take the summes of money hereafter following & no more: That is to say, for the Inrolmẽt & examination of euery fine, & the partes therof before mencioned, the summe of vi.s.viij.d. & for the Inrolment of the said parts of euery recouery & ẏ examination therof vi.s.viij.d. And for euery exemplification of the Inrolment of any fine v.s. and for the exemplification & returnes of euery writ of entre, summons, & warrãtizands & warrants v.s. And for ẏ search of the Rols of one yere iiij.d. & for the copie of one sheete of paper conteyning xiiij. lynes iiij. And that ẏ said Justices or one of them, shal examin the Inrolments of euery such fine & partes of recoueries, and forthwithafter examination therof, & immediatly after the Inrolment of euerie such fine & parts of Recoueries, writ hys name that so examineth, with hys owne hand in the Rol thereof, vpon paine that the said Justices shall forfeit to our soueraigne Lady the Quẽnes Maiestie, the summe of v.li. for euery time that they or some one of thẽ shal make default of such examination, or writing of his or theyr name, as afore is said. And that it shall & may be lawful, to & for the Justices of the said Court of common plees, from time to time, to take order in al things ẏ shalbe conuenient & nedeful for the Inrolmẽts aforesaid. And vpon examination in ẏ said Court, to assesse such fine or amerciamẽt vpon any Clerke, Sherife, Deputy, Atturney, & other person for his & their misprision, contempt, & negligence, for not doing or misdoyng in any thing, of, in or concerning the said fines & recoueries, or any part of them, or either of them, as by the said Justices of the said Court of common ples for ẏ time being, shalbe thought mete & conuenient. The said fine & amerciament to bee estreited amongest other fines & amerciaments of ẏ Court, where such offece or misprision shalbe cõmitted.

And be it further enacted by the authoritie of this p̄sent Parliament, that the Chirographer of fines of the cõmon plees for the time being, for euer, shal writ and make, or cause to be written and made for euery County, where her Maiesties writ runneth, one Table, wherein shalbe conteyned such contents of euery fine ẏ shall passe in any one Terme ẏ as hereafter is mencioned, that is to say, the name of the county wherin the tenements mencioned in any fine be, the name of euery plaintife & defendant ẏ & of euery manor named in

Knowledge of fine Warrant of Atturney

Certifie

Day & yere

One yere

Clerke Receiue

Paine

Atturnement

Appeare

Void

Office of Inrolment

Justi. of the Cõmon place

Fees Fine

Recouery

Exemplification

Search

Copie

Examine

Writ Name

Forf.

Amerce Clerke

Negligence

Chirographer

One Table

Name

the fine if any such be, & of the townes and places where the tenements in such fine compryzed do lye. And the first day of the next Terme after the ingrossing of every such fine, shall fire euery of the said Tables, vpon some open place of the Court of common Plees, & so euery day of the saide Tearme, during the time of sitting of the said Court. And that the said Chirographer shal deliuer to euery Sherife of euery county, his vnder Sherife or deputie, kayre written in parchement, a perfect content of the Table, so to be made for ẏ shire, in the terme ẏ shalbe next before the Assises be holden in the said county, or els meane betwene that terme & the said assises. And that euery such Sherife to whō such parchment wᵭ the contents aforesaid shalbe deliuered, the first day of the next assises after the deliuery therof vnto him, & euery day during the said assises, shall fire & set vp the same writing vndefaced, in some open place in the court, where the Justices of the assise of ẏ county shal sit, & shal sᵭ the same to continue there, during such time as ẏ said Justices shal sit ther in court, vpon paine ẏ euery Chirographer & Sherife offending against any thing in this act contened, shal forfeit to our soueraigne Lady the Quēnes maiesty, the summe of v. li. The one moitie whereof shalbe to the Quēnes maiesty, her heirs & successors, & the other moitie to hym or them ẏ will sue for the same, in any court of Record, wherin no essoine, protection, or wager of law shalbee allowed. And ẏ the Chirographer for the time being, shal haue & take for euery such cōtent of euery fine so set downe in ẏ table aforesaid iiij. d.

Fine
Next terme
Open place

Deliuer
Sherife

Next assises

Fine

Forfeit.

Moitie

Fee

And forasmuch, as vpon great examination it appeareth, that diuers fines & recouertes haue ben heretofore leuied & suffered of diuers manors, messuages, lands, tenements, & hereditaments, which some time were ẏ inheritance of George, some time Earle of Kent, great graundfather to Henry now Earle of Kent, in vse, possession, reuersion, or remainder, whereunto the said now Earle of Kent pretendeth title, in vse, possession, reuersion or remainder, which if they bee erronious, as it is pretended, do much dary from the general cause and mischiefe, for which this statut meaneth to prounde: Be it therefore enacted by the aucthoritie aforesaid, ẏ neither this statut, nor any thing therein contened, shal extend to take away any writ of error, whereunto any person or persons is now, or hereafter shalbe lawfully intituled, for the reuersing of the said fines & recoueries, or any of them heretofore leuied or suffered of any of the said manors, messuages, lands, tenements, or hereditamēts which late were any part or parcel of the inheritance of the said George, sometime earle of Kent, in vse, possession, reuersion, or remainder, any thing in this statut cōteyned to the contrarie therof in any wise notwithstanding. Prouided alwayes, & be it enacted by the auctheritie aforesaid, ẏ it shalbe lawful for the Justices clerks, auctherized by their warrant in the sayd seuerall Offices & places, where the same records, or any of them do or shal remain to writ out, or inrol the same records, & euery part thereof, wᵭout any thing to bee paied therefore. And ẏ the said Records, nor any of thē for the writing out, or making the rols therof by the Clerkes of the said Justices, otherwise then for ẏ examination thereof by the Justices, shalbe brought or caried forth of the said Offices or places. And be it further enacted by the auctheritie aforesaid, that none of ẏ fines or recouries heretofore leuied, passed, or suffered, which shall be exemplified vnder the great seale, according to the forme of this act, shal after such exēplification had, be in any wise amended. An. 23. Eli. ca. 3.

Exception

Earle of Kent

Justices Clerkes

Not amended

¶Escape.

IT is prounded also, that nothing be demaunded nor taken from henceforth, nor leuied by the shirif, nor by none other, for the escape of a theefe, or a felon, vntyll it be iudged for an escape by the Justicers in Eire. And be ẏ other wise doth, shal restore to him, or them that haue paied it, as much as he or they haue taken or receiued, & as much also vnto the king. West. 1. ca. 3. Anno 3. E. 1.

Shirife

Just. in Eire

Restore

2 ¶The escape of thēnes & felons, and the cattels of felons & of fugitiues, & also escapes of clerks conuict out of their ordinaries prison, from henceforth to be iudged before any of the kings Justices, shal be leuied from time to time, as they shall fal, as wel of the time past, as of the time to come. An. 31. E. 3. cap. 14. Stat. 1.

Clerkes Conuict

3 ¶Justices

Iuſtices of peace. Enquire of eſcapes

3 ¶Iuſtices of peace ſhal haue authoritie to enquire in their Seſſions, of all maner eſcapes of euery perſon arreſted & impriſoned for felony. An.1.R.3.cap.3.

¶Eſchange.

Tables

THe Tables of eſchange ſhalbe at Douer, & in other places where & when it ſhal pleaſe vs & our counſaile to make exchanges. And that the Wardens of ſuch tables ſhal make ſuch exchanges by ỳ teſtimony of comptrollers which wee ſhall put to them. An.9.E.3.cap.7.

Teſtimony Cõptrollers

2 ¶ Exchanges ſhalbee ordeyned in good townes, according as beſt ſhal ſeeme to our ſouereigne lord the king, for ỳ profit of him & his people. And that it be ordeyned in a certeinty, what thing ſhalbee geeuen in exchange in euery peece of gold. An.18.E.3.cap.6.Stat.2.

Certainty

Gold

3 ¶It ſhalbe lawful for euery man to exchange gold for ſiluer, or ſiluer for gold, or for golde & ſiluer, ſo ỳ no man hold the ſame as exchanged, nor take no profit for making ſuch exchange, vpon paine of forfeiture of the money ſo exchanged, except the kings exchangeors, which take profit of ſuch exchange, according to the ordinãce before made. 25.E.3.cap.12. Stat.3.

Gold & ſiluer

No profit

Forf.

4 ¶ For euery exchange that ſhalbee made by marchãts to the court of Rome or elſe where, that the ſaid merchants bee firmely & ſurely bounden in the Chãcery, to buy wõ iij. moneths after the ſaid eſchange made, merchandiſe of the Staple, as wools, leather, woolfells, lead, or tinne, butter or cheeſe, clothes or other commodities of the land, to the value of ỳ ſumme ſo eſchanged, vpon paine of forfeiture of the ſame. An.14.R.2.cap.2.Stat.1.

Merchants Rome Chauncery

Wools Leather Tinne Butter Cheeſe Clothes Forf.

5 ¶The ſaid Statut (that is to ſay, An. 14.R.2.cap.2.before 4) ſhalbe firmely holdẽ & kept, & put in due execution, Added thereto, that the Chancelor of England for the time being, ſhal from xv. dayes to xv. daies, ſend the eſtreates of the writs of exchanges into the Eſchequer of our ſayd ſouereigne lord the king, & ỳ the Treaſorer & Barons of the ſaid Eſchequer, haue power by authority of parliament, to examine ỳ cuſtomer in this caſe, & to puniſh them that ſhalbe found giltie, againſt the forme of ỳ ſaid ſtatut, according to the cõtinue of the ſame. An.11.H.4.cap.8.

Chancelor

Eſtreats

Eſchequer

Treaſorer Barons

Examin Cuſtomer Punish

6 ¶An.9.H.5.Stat.2.cap.8. An acte was made to endure to the nert Parliament, ỳ Marchants that made eſchaunge ſhould be bound to buy marchandizes of the ſtaple, to ỳ value, wõin nine moneths.

Merchandizes of the Staple

7 ¶Anno 1.H.6.cap.4. An act was made, that till the nert Parliament the Maſter of the Pint of London, myght hold eſchanges.

Maſter of the Mynt

8 ¶All ſuch ſtatuts be put in due execution from henceforth. And ỳ no man make any eſchange wout the kinges lycence, ne make any exchange or rechange of money to be paied within this land, but onely ſuch as the king ſhal depute therunto, to kẽpe & make aunſwere for ſuch exchanges & rechanges, vpon the paines in the ſame ſtatute of king Richard conteyned. An.3.H.7.cap.6.

Licence Rechange

9 ¶If any perſon or perſons after the firſt day of April nert comming, exchãge any coyned gold, coyned ſiluer, or money, geeuing, receiuing, or paying any more in value, benefit, profit, or auantage for it, then the ſame is or ſhalbe declared by the kings maieſties proclamation to be currant for, within this his highnes realme, & other his dominions, that then al ỳ ſaid coyned gold & ſiluer, & money ſo exchanged, & euery part and parcel therof, ſhalbe forfait, and the partie ſo offending ſhall ſuffer impriſonment by the ſpace of one whole yere, & make fine at the kings pleaſure. The one moitie &c. to the king &c. & thother moitie to be to the party ỳ ſeiſeth the ſame, or will ſue for it &c. in which ſuit no eſſoine &c. An.5.E.6.cap.19.

Coyned gold Siluer Money

Forf.

Impriſ. Fine

Moitie

¶Eſchequer.

THe king commaundeth that al maner of Bailifes, Shirifes, & other Officers, as well the Iuſtices of Cheſter, and other bailifes of theſe counties, as other that be receyuors of wardes of eſchets, & other bailiwikes, ſhalbee aunſwerable in the Eſchequer, & there ſhal make accompt to the Treaſorer & Barons of the ſame place. And that al ſheriffes, fermors, bayliffes of traunchiſes, and other which are accomptable and ought to proffer, ſhall come to the Eſchequer the munday after the feaſt of S. Michael, & ỳ munday after the vtas of Eaſter, for to pay their fermes rents, & iſſues, belonging to the king. And

Bailifes Shirifes Iuſt. of Cheſter

Receiuors

Accompt Treaſorer Barons Shirifes

ſhal bring at the forſaid termes, the forſaid fermes, rents, & iſſues due, wholly into the Eſchequer, as before is mencioned.

Default And if they make default, their bodies ſhal remaine without departing from thence, vntil they haue paied or made agreement.

Amerce And he that wil not come at the termes aforeſaid, ſhalbe amerced after the cuſtome of the Eſchequer, & the ſherifes & bailifes at the ſame termes, ſhal bring & pay ſuch

Sommons money as they haue receyued of ỳ ſũmõs of the Eſchequer, & other the kings debts.

Accompt And ſhalbee prepared and ready to make full accompt of the things aforeſaid. And that al bailifes of franchiſes which ought to leuy the kings debts, & be anſwerable to the ſhirifes therof, ſhal come & accompt

Extreats ſufficiently, according to the extreats of ỳ ſummons of the Eſchequer. And ſuch as do not, their bodyes ſhall remaine in ward of the ſherifs, and for default of thẽ, the ſherife ſhal cauſe the debts to be leuied

Leuy debts by their owne bailifes, where they haue power, as they haue vſed to do in time paſt. And if the bailifes do not come in at the day that the ſherife ſhall gẽue them knowledge, the ſhirife ſhal enter into the ſame franchiſes, & leuy the debts with his owne hande. Concerning Juſtices of Cheſter & bailifes therof, the king willeth that they or one of them ſhal come at the

Proffer proffer of Saint Michael euery yere, whẽ they ought to gẽue accompt vnto ỳ king, and at the proffer of the vtas of Eaſter they ſhal come likewiſe, and bring in that that they owe to the king for that terme. And the Juſtices of Cheſter ſhall haue day to accompt from yeare to yeare, in quindena Paſche, and the bailifes therof the Munday of Eaſter vtas. And that all Sherifes of England, except the Sherifes of Weſtmerland, Lancaſter, Worceſter, Rutland, & Cornewall, ſhall from

Wardes Eſcheates hence forth kepe al ſuch wards & eſcheats as belong to the king, which be wõn their ſhires, and not hold of other fées, of the iſſues whereof they ſhall be anſwerable

Turnes in the Eſchequer at the termes aforeſaid. And at theyr turnes that they make in their ſhires, they ſhall finde office of ſuch

Office things as the kings Eſcheators haue not vſed to finde, of that that belongeth vnto

Eſchetors the king once or twice in the yeare, to as little greeuance of the people as they can. And the Shirifes ſhall ſeiſe the eſcheates that fall, to remaine vnto the king in fée, and ſhal certifie the king of them without Certifie delay. And the kinge ſhall aſſigne three able perſons, that ſhal go throught out the Surney realme, to ſurney and find the wards and Wards eſcheates aforeſaid from yeare to yeare, when they ſhall thinke requiſite. And the ſhirifes by their counſel ſhal approue and let to ferme, or otherwiſe, ſuch wards & eſcheats, as they ſhall thinke moſt for the kings aduantage. Touching the .v. ſhires Shirifes aſ-
before named, the king will, that the ſhe- ſigned to be
rife of Cumberland ſhal execute the office Eſcheators
of the Eſchetour, in the ſhires of Weſt-
merland & Lancaſter. And the Sheryfe of Nothingham in Rutland, and the ſherife of Glouceſter in Worceſter, and the ſherife of Deuonſhire in Cornewal, and ſhall ſafely kepe the king, his wards and eſcheats in the ſame ſhires, & ſhalbe aun-
ſwerable in the Eſchequer, for the iſſues Iſſues
of them, as wel as for their owne ſhires.
And the three perſons aforeſaid, ſhall ſur-
uey & extend ſuch wardes and eſcheates, aſwel there, as in other places, and ſhal-
be approued by their counſell. And when the Sherifes do accompt, they ſhall ac-
compt for ſuch wardes and eſcheats. And
in like maner ſhall the Juſtices of Cheſ- Juſt. of
ter do, and their Bailifes alſo, euery one Cheſter
for his Bailywike. And the ſaid three
perſons ſhall kepe the kinges demeanes,
and ſhall approue them as they ſhal think Approue
beſt for the kinges aduantage, and ſhalbe
anſwerable for the iſſues, and they ſhal
haue power to let forth ſmall manours,
or demeanes, to folke of the ſame places,
or to other according to their diſcretion, &
ſhal let them to ferme from yere to yere, Let manors
as they ſhal thinke moſt to the kings pro-
fite. And the fermeurs ſhalbe chargeable Fermors
for their fermes vnto the principall ap-
prouers, & they vnto the Eſchequer, the
Munday next after the Aſcencion, from
yere to yere. And the principal collectors
of the cuſtome of wools, at the .iij. termes Cuſtome of
before mencioned, ſhal pay al ſuch money Wolles
as they haue receiued of the ſaid cuſtome,
and ſhal make accompt from yere to yere
clerely of all parcells receyued in any of
the ports or other places of the realme, ſo
ỳ they ſhal aũſwere for euery ſhip where
it was charged, and how much it carried,
and whoſe the wolls were, and for eue-
ry other charge in the ſhippe, whereof

cuſtome

Cuſtome warden of the wardrobe

cuſtome is due, & for the whole receipt. And the warden of the kings wardrobe, ſhal make accompt yerely in the Eſchequer, in the feaſt of ſaint Margaret, & the Treaſorer & Barons ſhalbe charged by

Othe

othe, that they ſhal not attend to heare ẏ pleas or matters of other men, whiles they haue to do wᵭ the kinges owne debt. And when a Shirife or Bailife hath begonne his accompt, none other ſhalbe receiued to accompt, vntill he that was firſt appointed hath clerely accompted, & hys

Conſtable Marſhall Chamberlaine

money receiued. And that the Conſtable, Marſhal, Chamberlaine, & other that are of fee in the Eſchequer, from henceforth ſhall preſent vnto the kinge, ſuch as they

Deputies

haue put in their places to do their offices, which muſt be of good fame, & ſufficient, for whoſe acts them ſelues will aunſwere. And the king commaundeth the Treaſorer, & Barons of the eſchequer vpon their allegeance, & by the othe that they haue made to him, that they ſhal not aſſigne any in their roomes, but ſuch as this acte meaneth of, & that the Eſchequer bee not charged with mo perſons then is neceſſarie. And ẏ none of them that be ſworne to ẏ king, ſhal put in his roume any other clerke or lay perſon (except he be ſworne) wᵭout ſpecial licence of the Treaſorer, & if any be, he ſhalbe forth with remoued from his office, & none other ſhalbe receiued in

Licence

his ſtede wᵭout the kings licence. And if any that is receiued without the Treaſorers licence, do treſpas afterward, puniſh

Puniſh treſpas

ment ſhalbe done as wel to the aſſignour as to him that is aſſigned, according to ẏ treſpas. And if both be inſufficient, their

Superiour

ſuperiour ſhalbe puniſhed, whether he bee officer of fee or other. And the Treaſorer ſhal put no other in his roume, vntill hee hath commaundement from the kynge. And if he that keepeth the roume of another by licence of the Treaſorer, doth any thing ẏ he ought not to do, he ſhalbe puniſhed according to the treſpas, if he haue whereof, & if he haue not, he that put hym in office, ſhalbe charged for his treſpas, & if he that put him in office be not ſufficiẽt, his ſuperiour ſhalbe charged whether he be of fee or otherwiſe. And they of the woolſtaple

Woolſtaple

ſhal make othe, that if any of them may perceiue, that another doth commyt

Offence

any offence, or other thing diſhoneſt in the office of the woolſtaple, or that hee hath done before, that they ſhal certifie it to the

Certifie

Treaſorer or Barons, or to ſome of thẽ, or to the king himſelfe, if neede requyre. And ẏ about the feaſt of ſaint Margaret, before that the Eſchequer be cloſed, they

Serch Shirife Bailife

ſhall cauſe a ſerch to be made, whether any Sheriffe or bailife, that ought to haue accompted the ſame yere haue not, & thereupon a remẽbrance as a rolle ſhalbe made by it ſelfe. And if it be a Sheriffe, his accõpt ſhalbe firſt heard after Michaelmas, before ẏ any other bee receiued to accompt. And if he be a bailife, he ſhalbe ſũmoned

Sommon

or diſtreined to come at a certain day for to accompt, ſo ẏ no accompt ſhalbe ſuffered to ſleepe. And for aſmuch as Sheriffes, conſtables, & other, obtaine many tymes outrageous allowances, by pretence of ẏ kings worke, & other things done & prouided by his commaundement. It is prouided, ẏ all ſurueiors of the kings worke

Surueiors

ſhalbe choſen by the othe of xij. men, & of

Othe

ſuch as will & may attend beſt to ẏ office. And that they be ſufficient to aunſwere ẏ king, if neede be, & ſhall ſweare, that they bare true & lawful witnes. And if ẏ Treſorer or Barons of the Eſchequer, haue any ſuſpection of ſale, allowances of charges, or other thinges, the trueth muſt bee inquired, & he that is attainted ſhall aun-

Attaint

ſwere to the king for aſmuch as ẏ allowance amounteth vnto, & ſhalbe impriſoned

Impriſ. Punnih

one yere & xl. dayes, & ſhalbe puniſhed at the kings pleaſure. And the ſurueiors ſhal be puniſhed for their conſẽt, and likewiſe he, that vppon the accompt did conceale &

Conceale

keepe ſecret ſuch things, wherof he ought to haue charged him ſelf, ſhalbe puniſhed in like wiſe, as he that admitted ſuch falſe allowances. And that the Juſticers, Cõmiſſioners, & other, ſhal from henceforth deliuer into the Eſchequer, at the feaſt of S. Michael from yere to yere, the extrets of fines & amerciamẽts, made & tared before them, & of al things wherfore the extreats ar wont to be deliuered there. And

Extreats

they of the Eſchequer ſhal make extreats of the ſũmons through al ſhires: ſauing ẏ the extreats in eire of all pleas ſhalbe deliuered immediatly after the Eire made.

Statut of the Eſchequer. An. 51. H. 3.

2 ¶ Edward by the grace of God &c. to our Treaſorer & Barons of the Eſchequer greeting. To thintent that prouiſion may be had for the indempnitie of vs and

our people in certaine caſes, touching vs and our people afozeſaid, in our ſaid court of Eſchequer: wee wil & pzouide, ỳ from henceforth the bodies of ſhires ſhal not be writtẽ in ſeueral rols, but ſhalbe writtẽ in a certain roll annual, & ſhalbe read euery yere vpon the ſeueral accompts of ſhirifes, ỳ is to wit, in the ſeueral countyes, that it may be knowen, if ought may eſcheat vnto vs by any maner meane. The remanents of the ſame ſhires ſhalbe writen by later dates in the annual rolls, & the ſherifes ſhalbe charged there with, in which remanents the liueries and almes ozdinarie are allowed, & other allowãces (if ſherifes haue had any) of the iſſues of their bailiwykes by our writts of diuers allowances vnto our greuous dammage: We wil & pzouide, that of ſuch maner allowances ſo to be made, from henceforth view ſhalbe made in our Eſchequer, and the ſame vyew being faithfully made, the ſame Treaſozer & barons ſhal certifie the Chauncelloz of the ſaid allowances ſo to be made, & that writs of allowances ſhal be made, accozding to the ſame certificat. Mozeouer there ſhalbe writtẽ in ỳ ſame annual rolls, the fermes of the ſherifes, the pzofits of counties, the fermes of ſertaunts and aſſertes, the fermes of Cities, Bozoughes, and townes, and other fermes, whereof there is aunſwere made yerely in the Eſchequer. And in them alſo ſhalbe writtẽ all debts determined, & al groſſe debts, whereof is hope that ſome what ſhalbe paied againe. Item al debts that ſeeme to be clere, when it is commen vnto accompt, oz to the title of new obligations. Nothing ſhalbe writtẽ in the annual rolle, but thoſe debts whereof there is hope of payment, & whereof the ſherife is aunſwerable, & debts that ſeeme clere in the originals. Of dead fermes, & debts deſperate, one roll ſhalbe made, & ſhalbee inrolled & read euery yere vpon ỳ accõpts of ſherifes, and the debts whereof the ſherife is aunſwerable, ſhalbe writtẽ in the annual roll, and there ſhalbee acquyted. Mozeouer we wil & pzouide, that it ſhalbe pzoclaymed in euery county, that all they that haue Tailes of the Eſchequer foz the debts of them ſelues, & their auncеſters hytherto paied vſually there, and not yet allowed, whereof ſhall come in the ſummons of the Eſchequer, that ſuch tayles ſhalbe deliuered to their Sherifes, to bee allowed at the Eſchequer at theyr accompts. And the Sherifes ſhal make to thẽ (of whom they ſhal ſo receiue tailes) their writtinges, witneſſing the receipt of thoſe tailes. Two faythfull knights deputed thereunto, betwene whom and the ſaid Sherifes indentures ſhalbe made of ſuch receipts, with the ſeales of them both interchangeably, the foreſaid knights deputed thereunto, ſhal ſend ỳ parts of their indentures, at the terme appointed vnto the Eſchequer in fourme afozeſaid, to the end that by the view and witnes of them the ſaid tailes ſo receiued by the Sherifes may be ſhewed, & be allowed vpon their accompts. Mozeouer it ſhalbe pzoclaimed that except thoſe that haue ſuch tailes doe ſhew them to the ſherifes and knights to be executed as afoze is ſaid, that they ſhall be diſtrained foz the whole debt, and the tayles to be reputed foz vnpaied. Mozeouer the debts, which yet are to come in the ſummons of the Eſchequer, whereof the debtours do pzofer tayles againſt diuers ſherifes, ſhalbe defaulted & acquited. Mozeouer we pzouide, that certaine perſons aſſigned thereunto on our behalfe, ſhalbee ſent into euery ſhire, which ſhall haue full power to enquire of ſuch maner debts, and alſo to call afoze them ſolemply, as well the ſherifes as their heires and aſſignes, and the tenants of their landes, in caſe they be dead that haue receiued the debts, & alſo if neede be to pzocẽde to the taking of ſuch maner inqueſts, whether ỳ parties (againſt whom the foreſaid tailes were ſhewed) do come oz not, ſo that the ſherife do returne a reaſonable ſummons made to them therfoze, & ſo the trouth being inquired & diſcuſſed in pzeſence of the parties (if they will be there) ỳ inquiſitoz ſhal make rolls of them that ſhalbe conuict afoze them, ſo that the foreſaid debts being confeſſed & inrolled, the tayles of ỳ ſame ſhalbe foꝛth wt broken. And the ſherifs ſhal haue in their cuſtody ỳ trãſcripts of the ſame rols, vnder ỳ ſeals of ỳ inquiſtoz, & ſhal ſurceaſe in making diſtreſſes foz the debts conteined in ỳ ſame, vntil they ſhal haue other wiſe in cõmãdment from vs therfoze. And the foreſaid inquiſitoz ſhal ſend vnto the Eſchequer the foreſaid rols vnder their ſeals, ỳ it may be examined there by a ſcrech to be made therefoze, what

Shire rols

Accompt Shirifes

Knights Indentures

Liueries Almes

Diſtraine

Certifie Chauncelloz

Debts acquited

Annual rols

Cõmiſſioners

Fermes

Debts determined

Good debts

Deſperate debts

Inquiſitors

Debts conteſted

Tranſcripts

Tailes

what debts be paied in the whole, & what are payd in part, & what debtes there be, whereof ẏ debtors be not acquited, according as ſhalbe cõuenient to be done. Moze ouer we wil & prouide, ẏ the Chãberlains from hencefozth ſhal not make to the Sherifes oz any of their bailifes, tailes of deuidendis, vnles they firſt receyue of them wzitings cõteining the particuler ſũmes of the actions of debts, & ẏ names of thẽ that paid them, into the which particulers he may part the names of ſuch maner deuidendis, which beinge ſo receiued vnder their ſeales, it ſhal not be lawfull to nũber them into other particulers. Mozeouer we prouide that al debts, whereunto the Sherifes make returne, that the debtours haue nothing in their bailiwikes, ne had not at ſuch time as they were charged with the ſame debts, oz ẏ the debtours be not foũden: that the ſame debts ſhalbe entreated in rolles, and the ſame rolles to be deliuered vnto faithful & circũſpect men, which ſhal make inquirie therof after ſuch fozme as ſhal be prouided by the treaſourer and barons. But fozſamuch as certeine pleas heretofoze held in the eſchequer, which did not concerne vs noz our miniſters of the Eſchequer, whereby as wel our pleas, as the cauſes of our people are vnduely proroged & letted, we wil & ordeine, ẏ no plea ſhalbee holden oz pleaded in the eſchequer afozeſaid, vnleſſe it do ſpecially concerne vs & our miniſters afozſaid. And therfoze we cõmaund, ẏ ye cauſe the premiſſes to be diſtinctly & openly read afoze you, & to inroll it, cauſing the ſame to be ſtreightly obſerued in our court of Eſchequer afozeſaid. In witnes of which &c. geuẽ at Rutland, the xiiii. day of the moneth of May, in ẏ x yere of our raigne. Sta. of Rutland. An. 10. E. 1.

Chamberlaines

Deuidendis

Debts Sherifes

Pleas

Officers

3 ¶Becauſe that many people acquited by iudgement in the eſchequer in one place, be greatly greeued & endamaged, in other offices & places of the ſaid eſchequer, foz the ſame things wherof they be ſo acquited, to ẏ great miſchiefe of the people: It is ordeined that one clerk of the remẽbrance be titled to ſit againſt the clerke of the pipe, to ſee the diſcharges made in the pype, & to imbreuiate the ſame in the remembrance, to ceaſe al manner of proces therupon made. And alſo ẏ the ſummons of ẏ pipe be withdrawen according as the parties by proces bee diſcharged. And in whõ ſoeuer any default be willingly foũd, ẏ treaſourer by ẏ kinges cõmaundement ſhal duly puniſh ẏ ſãe. An. 37. E. 3. ca. 4.

Remẽbrance Clerke of the pipe

4 ¶All ſtatuts & ordinances made befoze this time, of officers of ẏ Eſchequer, be hold & firmely kept in all pointes. And mozeouer it is ordeined & eſtabliſhed, that at what time any debts be payed, and the tailes therof made, ioined, and allowed in the ſaid Eſchequer, ẏ this act ſhall neuer run in demaund, & if it ſo happen ẏ after the allowance made there, any clerke of ẏ eſchequer make any wzit oz proces, foz to proue the ſame debt of ne we, & that duely proued, the ſame clerke ſhal loſe his office, & to haue impziſonment, til he hath made gree to the party by ſo much as hee is endamage, if any wil ſue by the diſcretion of the treaſozer & the barons of the eſchequer An. 1. R. 2. ca. 5.

Officers

Debts Tayles

Loſſe of office

Impriſ.

5 ¶The barons of the ſaid eſchequer ſhall from hencefozth haue full power to heare euery aunſwere of euery demaunde made in the ſame eſchequer, ſo that euery perſon ẏ is impeached oz impeacheable, of any cauſe by him ſelfe oz by any perſon, ſhalbe rõ hencefozth receiued in the ſame eſchequer to plede, ſue, & haue his reaſonable diſcharge in this behalfe, wout tarrying oz ſuing any wzit oz other cõmaundement. An. 5. R. 2. ca. 9. Sta. 1.

Barons

6 ¶The accõpts in the eſchequer ſhal be moze ſhozтly heard, made & engroſſed, then they were wont heretofoze, ſaning alwaies ẏ the parcels of ẏ ſame accõptes bee made as fully as they were wont in times paſt, & ẏ by ordinaunce to be made by ẏ barons of the ſaid eſchequer, there to endure of recozd foz euer. An. 5. R. 2. cap. 11. Sta. 1.

Accompts

7 ¶Two clerkes be aſſigned to make perceis of the accõptes in ẏ ſãe eſchequer, to them ẏ wil that demaund, & they ſhalbe ſwozne, ẏ they ſhall do no falſitie in their office, & ſhal take foz their labour of them, to whõ they ſerue, reaſonably, according to ẏ ordinãce of the barons of the ſaid Eſchequer. An. 5. R. 2. ca. 12. Sta. 1.

Clerks

Oth

8 ¶The accompts of Nihil in the eſchequer, ſhalbee wholly out, oz if any ſuch accõpts ought there to abide, ẏ accõptãtes immediatly after their oth made in ẏ ſaid eſchequer, ſhalbe examined by the barons there, if they ſhould oz ought to aunſwere

Nihil

the

the king of any thing in this behalfe. And if it be foũd by their ſaid othe ẏ they ought not, then by ẏ ſame their othe they ſhalbe diſcharged to pæld other accõpt before any auditour. The kings right alwaies ſaued. An. 5. R. 2. ca. 13. Sta. 1.

Othe Diſcharge

Auditour

9 ¶The clerke of the pipe, & the remẽbrancers of the eſchequer, ſhalbee ſworne, ẏ frõ terme to terme they ſhal ſee (whiles ẏ ſaid eſchequer ſhalbe open) al ẏ writs of great ſeale or of priue ſeale, which ſhalbe ſẽt to the ſaid eſchequer ẏ ſame terme, for the fynal diſcharge of any perſon of ẏ realme of any demaund due in the ſaid Eſchequer, & that euery of them, to whom it perteineth, ſhal do due execution of ẏ ſaid commaundement. And alſo it is ordeined & aſſented, that the ſaid two remẽbraunc-ers, ſhalbe ſworne of their part, ẏ euery terme frõ henceforth they ſhal make a ſcedule of al the perſons ẏ ſhalbe diſcharged in their offices by iudgements, or in other maner in ẏ ſame terme, of any demaũds in the ſame Eſchequer, conteining ẏ maner of the ſame diſcharges, & to deliuer the ſame ſcedule to the ſaid clerke of the pype the ſame terme, to the intent that ẏ ſame clerke of the pipe, do thereof diſcharge the ſaid parties in the great role. Alſo the ſaid clerke of the pype ſhalbe ſworne, that hee from terme to terme, ſhal require ẏ ſame ſcedules and the ſame ſcedules by him ſo receiued, he ſhal diſcharge the ſaid parties in the manner aforeſaid. And in the ſame maner the ſaid clerke of the pype for hys part, ſhal do to be certified in writinge to the ſaid remẽbraunc-ers, of al ſuch diſcharges which ſhalbee made in his office, to ẏ intent that a man diſcharged in one place be diſcharged in all other places of the ſaid Eſchequer. An. 5. R. 2. ca. 14. Sta. 1.

Clerke of the pipe Remembrancers Oth

Writs

Execution

Scedule Diſcharge

Diſcharge

Rolle

Certifie

10 ¶Though ẏ many times heretofore diuers perſõs haue had liuery of their lands & tenemẽts out of the kings hands by iudgement geuẽ for them in the kings bench or els where, & of the ſame iudgemẽts after haue procured to ſend ẏ tenor of the records & proceſſes therof made by writ of Mittimus into ẏ ſaid eſchequer, to ẏ intẽt for to diſcharge them of ẏ accõpts demaunded of them vpon the ſame tenements, neuertheles the officers of the ſãe Eſchequer would not in times paſt diſcharge the ſayd perſons therof, before that the ſame records & proceſſes were worde by worde, newely entred in the Eſchequer, and there vpon new proceſſe made, and new iudgement there an other time geuen, to the great damage and delay of the partie, without profit to the kinge: It is therefore ordeyned and aſſented, that from henceforth after that ſuch record, or the tenour of the ſame, ſhall come into the ſaid Eſchequer by the kinges commaũdement (as it is ſayd) that the remembraũcer, in whoſe office ſuch accõpts ſhalbe demaunded, ſhal forth with cauſe the ſuit to ceaſe in this behalfe, by wordes to bee entred vpon the indorcement of the writ touching the tenour of the record of ẏ ſaid iudgement, without making new iudgement or proces further in this partie. An. 5. R. 2. ca. 15.

Iuery

Record

Remẽbrance Accompt

11 ¶From henceforth nothing ſhalbe geuen for making of a commiſſion in the ſayd Eſchequer, for the fee of the Clerke which ſhal make the ſame, aboue 15. s. only, nor for the record of a Niſi prius with the writ, but 15. s. only, as before this time was wont to be done & vſed. An. 5. R. 2. ca. 16. Sta. 1.

Commiſſion Fees

Niſi prius

12 ¶No ſuch recogniſance nor other bond of the double be made nor taken in ẏ Eſchequer from this time forth. And ẏ al ſuch recogniſances & other bondes which be made at this preſent time, be vtterly cancelled & annulled. Prouided alwaies ẏ the king haue ſufficient ſuertie for his dutie in ẏ manner accuſtomed. An. 13. R. 2. ca. 14. Stat. 1.

Recogniſãce Bonds

Suertie

13 ¶An. 33. H. 6. c. 4. An act was made to endure, as it ſeemeth, for fiue yeres, cõcerning fees to be taken in ẏ Eſchequer, & that proces ſhal not be made againſt cõmiſſioners, to certify their cõmiſſions after they haue ſufficiently excuſed thẽ ſelues See the ſtatut.

Fees

Commiſſion

¶Eſchete.

ALſo the king ſhall haue eſchetes of the lands of Normans, to whoſe fee ſoeuer they belong, ſauing the ſeruice appertaining to the chiefe lords of the ſame fee. And this alſo is to be vnderſtãden where any inheritaunce diſcendeth to any that is borne in ẏ parties beyonde the ſea, whoſe auncеſtors were from the time of kinge John, vnder the allegeance of the kings of Fraunce, & not of the kings of England,

Normans

Seruice

Inheritaunce

Auncеſtors

Aliens

as

Monmouth

as late it happened by the barony of Monmouth after ꝧ death of John Monmouth, whose heirs were of Britain ꝧ other places, king Henry by ẏ forsaid occasion recouered many eschetes of Normans lãds out of the fées of other men, ꝧ gaue thẽ to be holden of chiefe lords of ẏ fée by seruitices ꝧ customes due ꝧ accustomed thereunto, statute of the kings prerogatiue An. 17.E.2.ca.12.

Eſchetours.

There shalbe as many eschetours assigned, as were in ẏ time when ẏ king ẏ now is, did take the gouernãce of this realme vpon him. And ẏ the same eschetors be chosen by the chauncellour, treasourer, ꝧ chiefe baron of ẏ eschequer, taking to thẽ the chief Justices of ẏ one bẽch ꝧ ẏ other, if they be prelẽt, in maner as is aforesaid of ẏ sheriffes. And ẏ no Eschetor tary in his office aboue a yere. An.14.E.3.cap.8.

Chauncelour Treasorers Lord chiefe Baron Just. of b.

2 ¶ Euery eschetor shal take his ẽquests of his office of good people ꝧ lawful, which be sufficently enherite ꝧ of good fame, ꝧ of the same county where ẏ enquire shalbe, ꝧ that the enquests so taken, be endented betwirt the eschetours ꝧ iurrours. And if it be otherwise done, ẏ such ẽquests be holdẽ for void. And the king wil ẏ such enquests be taken in good towns openly ꝧ not pryuely. An.34.E.3.ca.13.statut 1. See here following.

Enquestes

Indentures Juroꝛs

Void Open places

3 ¶ Where lands or tenements be seised into the kings hand by office of the eschetour, for that ẏ the kings tenant made thereof alienation wout the kings licence or ẏ the kings tenant by knightes seruice died seised of ẏ lands ꝧ tenementes aforesayd in his demeane, as of fée, ꝧ his heire within age, ꝧ after ẏ cause certified into ẏ chaũcery, ꝧ he whose lands be seised come into the Chauncery and will trauers the office, which was first taken by ẏ kinges cõmaundement, ꝧ that the said landes bée not seisable: he shalbe thereto receiued: ꝧ if it be found by the second office for ẏ party, both ẏ two offices shalbe sẽt into ẏ kings bench, ꝧ there tried according to the lawe. An.34.E.3.ca.14.sta.1.

Landes seised

Alienation knightes seruice

Heire with in age

Trauers

ii. Office kings Bench Triall

4 ¶ For the greuous cõplaint that the king hath now heard of his people vpõ his eschetours ꝧ of their euil behauiour, he wil ꝧ hath ordeyned of the assent aforesayde, that lands seised into his hands because of ward, shalbe safely kept wout wast or distruction. And that the Eschetour haue no fée of wood, fish, nor of venyson, nor other thing, but shal answere to the kinge of ẏ issues ꝧ profits yerely comming of ẏ said lands, without doing wast or distruction, ꝧ if he do otherwise ꝧ therof be attainted, he shalbe raunsomed at the kinges will, ꝧ yelde to the heire the treble dammages at his owne suit, aswel within age, as of full age, and his friendes as longe as he is within age, shal haue the suit for him, answering to the said heire of, that that shalbe so recouered. Also of other landes seised into the kinges hands by inquest of office taken before the eschetours this ordinaunce shal hold place against ẏ Eschetours. And if there be any man that wil put challẽge, or claims, to the lands so seised: that the eschetour send thenquest into ẏ Chauncery within the moneth after ẏ lands so seised. And ẏ a writ be deliuered to him, to certifie the cause of his seisin into the chauncery, and there he shalbee heard without delay to trauerse the office, or otherwyse shewe his right, and from thence sent before the kinge to make a final discussyon, without attendinge other commaundement. And that in case that any come before the chauncellour and shew his right, by which he winge by good euidences of his auncient right and good title, the chaũcelour by his good discretion and aduise of counsel (if it seeme expediẽt to him to haue councelle) shal let ꝧ deliuer the lands so in debate, to ẏ tenant, yelding thereof to the king the valour, if it pertaine to the king, in maner as he ꝧ the other chauncelors before him haue done in times past of their good discretion, so that he find suerty, that he shal do no wast nor distruction, til it be iudged. And that the said Eschetours take such enquests in the good towns ꝧ of good people, and that openly and by indẽtures to be made betwirt the sayd Eschetours and them of the enquest, as an other time was ordeyned by a statute, that is to say. An.24.E.3.ca.13.before 2. And if any Eschetour do to the contrary of this sayd ordinance, he shal haue two yeres imprisonment, ꝧ moreouer to be raunsomed at the kinges will. Anno 36.E.3.cap.13. statut 1.

Ward Wast Fee

Profits

Attaint' 3. dameges

Next frends

Office

Claims Enquest Certifie Chauncery

Trauers

Chauncelor

Leaue

Suertie Wast

Enquestes Indentures

Imprisonment Fine

5 ¶ No eschetour shalbe made, vnlesse he

rr.li.lande

be haue rr.li. of land at ẏ leaſt, or more in fee. And that they do their offices in proper perſon. And if any other be choſen hee ſhalbe put out. An. 42. E. 3. ca. 5. See here followyng 10. 11.

Enquest

6 ¶That no eſchetour nor cõmiſſioner take in any wiſe any enqueſt to enquire, but of people returned & impanelled by ẏ Sheriffes in the county, within which he is eſchetour or cõmiſſioner. And if any eſchetour or commiſſioner take enqueſts of people which be not empanelled nor returned by the Sherif as is aforeſaid, and therof by examinatiõ or other wiſe (at the ſuit of ẏ party, which for him ſelfe or for ẏ king or any other perſon which will ſue,) be duely conuict, for euery enqueſt ſo takẽ ẏ he incurre the paine & forf. of rr.li. to bee paied, ẏ is to ſay, ẏ one halfe to ẏ kinge, & the other halfe to the partye greeued, at whoſe ſuit he ſhalbe cõuict, & that no lãds nor tenements ſeiſed into ẏ kings hands, vpon ſuch enqueſtes taken before theſchetours or cõmiſſioners, be not in any wiſe let nor graunted to ferme, by ẏ Chancellour or Treaſourer of England, or any other the kings officers, till the ſame enqueſtes & verdicts be fully returned in ẏ Chauncery, or in the eſchequer, but al ſuch lands & tenements, ſhal entierly & continually remaine in the handes of our Soueraigne Lord the king, vntil the ſaid enqueſts & verdicts be returned, & by a moneth after ẏ ſame returne if it be ſo ẏ he or they which feele them greued by the ſame enqueſts, or putting out of their lands and tenementes, come into the Chauncery, & then proffer to trauerſe the ſaid inqueſts, & thẽ offer to take the ſame lands or tenements to ferme. And if they ſo do, ẏ then the ſame lands or tenements be committed to them if they ſhewe good euidence, proouing their trauerſe to be true, after the forme of the ſtatut made the rrbj. yere of king Ed. the iii. after the conqueſt, to hold vntill the iſſue taken vppon the ſame trauerſe be found & diſcuſſed for the kinge or for ẏ party finding ſufficient ſuerty to ſue the ſayd trauerſe with effect, and to render & pay to our ſoueraigne lord the kinge the yearely value of the landes, whereof the trauerſe ſhalbe ſo taken if it be diſcuſſed for the kinge. And if any letters patents of any of the landes or tenementes be made to the contrary to any other perſon, or let to ferme within the ſayde moneth, after the ſayde moneth of returne, they ſhalbee voyde and holden for none. And that the Eſchetours and commiſſioners vpon paine of ẏ forf. of rr.li. to bee paied, ẏ is to ſay the one halfe to ẏ king, & the other halfe to the partie, at whoſe ſuit he ſhalbe conuict, retourne ẏ enqueſts before them takẽ into the Chauncery of our ſoueraigne lord the king, or into the eſchequer, within a moneth next after the taking of the ſame, & euery man which will ſue, for the kinge ſhall haue the ſuit in this behalfe An. 8. H. 6. ca. 16.

Conuict Forf.

Moitie

Leaſe

Verdicts

Chauncery Trauers

Iſſue

Suertie

L. patentes

Voyde

Forf. Moitie

7 ¶The which good ſtatut & ordinãce (S. of An. 8. H. 6. cap. 16. Before 6. diuers perſons ymagining to ſubuert, & by their ſubtiltie to ſerue as nought, haue ſued to haue ſuch gifts & graunts & fermes by the kings letters patents, before any inquiſition or title found for the kinge of ẏ ſame, pretending ſuch gifts & graunts not compriſed nor remedied by the ſaid ſtatut, notwithſtanding ẏ he is in like miſchiefe of ẏ ſaid ſtatut, our ſaid ſoueraigne Lorde the king conſidering the premiſſes, & willinge to prouide a remedye in this behalfe, hath ordeined by the auctority aforeſaid, ẏ no letters patents, ſhalbe made to any perſon or perſons, of any lands or tenemẽts, before inquiſition of the kings title in the ſame be found in the Chauncery, or in his eſchequer returned, if the kings title in the ſame be not foũd of record, nor võm ẏ moneth after ẏ ſãe returne, if it be not to him or thẽ which proffer their trauerſes as afore is ſayde. And if any letters patentes bee made to the contrarye they ſhalbee void and holden for none. Anno 18. H. 6. cap. 6.

L. patentes Inquiſition

Chauncery Eſchequer

Voyd

Office Returne Chauncery Eſchequer

Forf.

Chauncelour

Leaſe

8 ¶In caſe that any eſchetour take any office before him, and retourne not the ſame office in the Chaũcery or in ẏ kings eſchequer, in ẏ moneth after the taking of the ſame, he ſhal incurre the paine of rl.li. which he hath forfait by the ſtatute made ẏ 8. yere of our ſaid ſoueraigne lord ẏ king ẏ is to ſay. An. 8. H. 6. c. 16. before 6) And alſo he ſhalbe holdẽ to pay ẏ ſãe our ſoueraigne lord ẏ kinge aſmuch as he is indamaged becauſe of not returninge of ſuch office. And that the Chauncellour of Englande ſhall call to him the Treaſourer of Englande, in lettinge ſuch fermes to make due execution of the ſayd ſtatute made

made the ſaid 8. yere An. 18. H. 6. ca. 7.

Enquestes Dum clauſit extremum

9 ¶ Euery eſchetour ſhal take his enquests of office, by vertue of ẏ writs of Dum clauſit extremū, & al other writs, wtin the moneth after the deliueraunce of ſuch writs. And alſo ẏ al ſuch inquiſitiō ſhalbe taken in good townes & open places. And that none of thē ſhall take pṽtely nor appertly by him nor by other, by any means of any perſon, for ẏ execution of any ſuch writs in one coũty, aboue ẏ ſumme of vi. s. viii. d. or xiii. s. iiii. d. or aboue, where his labour & his coſtes ſhal bee borne, ſo ẏ the ſume which he ſo ſhall take, do not exceede in al the ſumme of xl. s. for the execution of any ſuch writ in one county. And if any Eſchetour do contrary to any of the premiſſes, that thē he ſhal forfait ẏ ſume of xl. li. Alſo if a man trauerſe any office taken before any Eſchetour or cōmiſſioner, and thereof hath any Scire facias againſt any patent, ẏ in this caſe no protection ſhalbee allowed nor allowable. And as to any graunt or leaſe to be made to any perſon, which ſhall trauerſe any ſuch office, ẏ the ſtatut in this caſe before thys time made, ſhalbe duely obſerued. And ẏ the king haue the halfe of the ſaid forf. of xl. li. & ẏ party which in this behalf wil ſue for ẏ king & him ſelfe, ſhall haue the other halfe of ẏ ſame. An. 23. H. 6. ca. 17.

Inquiſition Townes

Fines

Forf. Tuners

Scire facias No protection

Moitie

☞

10 ¶ Where as many inſufficient and of light conſcience be made eſchetors, and do ſet their offices to ferme vnto oppreſſours of the people, taking mony & lucrty to be ſaued harmleſſe, ſo that the fermors do therby binde them ſelues to be extorcioners, where of olde time the eſchetours & their deputies ought to be ſufficient & wel diſpoſed perſons. Be it &c. That noman to be made Eſchetour after ẏ feaſt of the natiuitie of our lord 1473. ſhal take vpō him thoffice of Eſchetour, nor occupy ẏ ſame office by him ſelfe, nor by none other perſō, vnleſſe ẏ ſaid eſchtour, or other perſō or perſons to his vſe, haue at the time ẏ he ſhalbe choſen eſchetour, lāds tenements, or rēts, in fee ſimple, fee taile, or for terme of life, of the yerely value of xx. li. lyinge & being within ẏ ſame countye or counties, whereof he ſhalbe made eſchetour. And ẏ any ſuch eſchetour to bee choſen after the ſaid feaſt, ſhal in any wiſe ſell nor ſet to ferme the ſayd office of eſchetourſhip, nor make any deputy or deputies, but ſuch for whō he wil anſwer at his peril: ẏ name or names of the ſaid deputie or deputies to be certified by ẏ ſame eſchetour, by his letters patents, to ẏ treaſourer & barons of the kings eſchequer for the time being, wtin xx. dates after ſuch deputation made. And that no ſuch deputy or deputies, take vpō him or them to occuppye in thoffice of eſchetourſhip, except ſuch eſchetour haue lands, tenements or rents to the aforeſaid yerely value, in manner & fourme as is aforeſaid. And if any perſon or perſons after the ſaid feaſt, do contrary to the premiſſes, or any of thē, he ſhal forf. for euery default xl. li. the one halfe therof to our ſouereigne lord ẏ kinge, to be imployed to ẏ vſe of his honorable houſe: ẏ other halfe to euery of the kinges leige people, which wil therefore ſue, by action of debt, wherin like proceſſe, rule, iudgement, coſtes and damages, ſhalbe had & awarded, as is vſed in other actions of debt vſually purſued by writ at the common law. And ẏ no waging of law, protection, nor eſſoigne be in any wiſe allowed in the ſame. And that the Juſtices of peace in euery place, ſhall haue power to enquire, heare and determine euery ſuch forfaiture vpon preſentment therof had before them in their ſeſſions, in which preſentment, like proceſſe ſhalbe had, as is vſed vpon endictmentes of treſpas done with force and armes againſt the kings peace. Prouided alwaies that this act do not extende to any perſon or perſons, made or to bee made eſchetour of any citie, borough or towne of this realme of England, hauing authoritye to make, or to bee Eſchetours within themſelues by the letters patentes of our ſouereigne Lord the king, or of any of his noble progenitours or predeceſſours. An. 12. E. 4. ca. 9. See here followving 11. that eſchetours muſt haue xl. merks land.

xx. li. land

Set to ferme

Deputy

Certifie

Lands

Forf. Moitie

Juſt. of p. Enquire Oier & term.

Citie Borough

*

11 ¶ If any Eſchetour or commyſſioner hereafter retourn, or put into any of the kinges courtes any inquiſition or offices, concerninge landes, tenementes or other hereditamentes, not founden nor preſented by the othes of twelue menne, and indented, and by them ſealed: that then the ſame eſchetour or commiſſioner to forfait for euery ſuch office or inquiſition, ſo retourned and put into any of the ſaid courtes, an hundred poundes, to the partye or partyes greeued by any ſuche inqui-

Returne Inquiſition

Forf.

Cõmiſſi: oners Sitt

inquiſition, or office: and that from hẽce-forth no eſchetour ne no mã ſit by vertue of any commiſſion to enquire of landes, tenemẽts or other hereditamẽts, except he or other to his vſe, haue lãds, tenemẽts or hereditamẽts of the yerely value of xl

xl. markes land Fork.

markes aboue al charges & repriſes, vpon paine of xx.li. (See before 5. & 10.) And that it ſhalbe lawful for al perſons, ỹ bee

Not ſufficiẽt

not ſufficient of frée holde in poſſeſſion or vſe, at the time of any ſuch commiſſion to them deliuered, to refuſe to ſit & enquire by vertue of the ſame commiſſion. And ỹ they vppon proceſſe made againſt thẽ out

Refuſe

Proces Eſchequer Diſcharge

of ỹ kings eſchequer, by vertue of ỹ ſame commiſſion to bee diſcharged vppon their othes, for their ſaid non ſufficiency, wỏut fine or feé. And ỹ euery eſchetour & commiſſioner ſhal ſit in cõuenient & open places, accordinge to the ſtatutes heretofore made. And ỹ the ſaid eſchetours & Commiſſioners, ſhal ſuffer euery perſõ to giue

Open places

Open euidẽce

euidence openly in their preſence, to ſuch enqueſtes as ſhalbee taken before any of thẽ, vppon paine of xl.li. And ỹ no Sherife,

Fork. Sherife Returne Writs

nor other perſon, which ſhall or ought to returne writs or precepts, retourne before Eſchetours or ſuch cõmiſſioner, any perſon or perſons, to enquire of any lands or

Jury

tenementes, except euery of ỹ ſame Jury ſo retourned, or other to their vſe, haue

Lands xl.s.

lands or tenements of the yerely value of xl.s. wỏin the ſame ſhire where the ſame enquiry ſhalbee made, without fraude or colluſion, aboue al charges & repriſes, vpon

Fork.

paine of fork. for euery perſon ſo returned one C.s. And that the Jury that ſhalbee ſworne before any eſchetour, or ſuch commiſſioner, to enquire of lands tenements or other hereditamentes, ſhal receiue the coũterpaine of ỹ office or inquiſition, that

Indenture

by them ſhalbe preſented, endented & ſealed by the eſchetour or by ſuch commiſſioner, & the ſame deliuer & ſuffer to reſt in ỹ poſſeſſion of the firſt perſon that ſhalbee ſworne in the ſaid Jury, with him to remaine, to the intent ỹ the ſaid commiſſioner or eſchetour, may not chaũge nor em-

Embeſel Offices

beſel the ſaid offices or inquiſitions. And this to be done vpon paine of euery of the

xx.s. payne

ſaid perſons, that ſhalbe ſworne xx.s. And ỹ euery Eſchetour & cõmiſſioner, after a

Verdict

Jury or enqueſt before any of thẽ ſworne be ready to geue their verdict or preſentment, & offer to preſent the ſame: that the ſame eſchetour or commiſſioners or part of them ſhal receyue the ſame verdict wỏ-out farder delay, vpon paine of C.li. And

Fork. C.li. Counter paine

deliuer the counterpaine of the indenture to the Jury, in forme aboue reherſed, vpõ like paine: And that if ỹ clerke of the pety

Clerke of the pety bagge

bagge of the kings Chauncery, for ỹ time being, or his deputy or deputies, or any other officer there, hauing auctority to receiue any ſuch office or inquiſitiõ, to whoſe hands any ſuch office or inquiſition ſhall

Officer

come, which ought to be retourned into ỹ ſaid Chauncery, wil not receiue the ſame

Refuſe to receiue File

office or inquiſition, & put it on the Filas, to remain of record, wỏin three daies after it be returned, or offred to him to be receiued: hee to forfaite for euery ſuch default

Fork. xl.li.

xl.li. And the commiſſioners or eſchetors, afore whom the ſame office or inquiſition is founden, & as is beforeſaid offered to be

Diſcharge

deliuered into the Chauncery, to bee diſcharged of the penaltie of xl. li. limytted by ſtatut for none retourning of the ſame office or inquiſition within the moneth (s. 1 n. 18. H. 6. ca. 17. before 8.) And the like

Officers Eſchequer

law & penaltie bs to charge the officer or officers of ỹ kings eſchequer, for the time being, which ought to receiue inquiſitiõs or offices retournable into the ſame Eſchequer, for refuſing ſo to receiue thẽ. And ỹ the commiſſioners or Eſchetour, before whome the ſaid inquiſition or offices bee

Diſcharge

founden, be diſcharged of the penaltie of ỹ ſtatut for none returning of the ſame inquiſitions or offices, ſo ỹ then the ſaid Eſchetours or cõmiſſioners at any time after the moneth of any ſuch offices, before them or any of them taken, wỏin another

Returne

moneth then next enſuinge retourne the ſaid office into the Chaũcery or eſchequer as the caſe ſhal require. And that the ſayd

Clerke of the pety bagge Tranſcript

clerke of the pety bagge (for the time bee-ing) certifie or cauſe to be certified, ỹ trãſcript of euery ſuch office or inquiſition (taken before any cõmiſſioners or eſchetors) to the kings eſchequer, the next terme following the receipt therof, vpon payne of

Fork.

forfaiture for euery ſuch default C.s. And that no man be compelled after the feaſt of al Saintes next comminge, to occuppe or exercyſe the office of an Eſchetour by any one pattent ouer one whole yeare.

Patent Eſchetor but once in iii. yere

And that hee that is once Eſchetour ſhall not be made Eſchetour againe wỏin three yere after the aforeſaid whole yere ended.

And

And if any eſchetour, after the feaſt of all Saints, be made eſchetour to exerciſe hys office, by reaſon of one patent ouer the tyme of one whole yeare ended, or bee made Eſchetour within thꝛee yeres after (as is afoꝛeſaid) that then after ỹ ſayd whole yers (in foꝛme afoꝛeſaid) ended, his patent ſo made, to be void & of none effect And that the partie or parties ſo greeued ſhall haue his or their recouery of euery of the ſaid foꝛfaitures of one C. li. by action of debt, in which action the defendãt ſhall not wage his lawe, nor be by pꝛotectyon nor elloigne ꝛc. And the reſidue of ỹ other foꝛfaitures expꝛeſſed in this pꝛeſent act, the kinge ſhall haue the one moity thereof, and the party that wil ſue therefoꝛe by action of debt, the other moitye. And the defendaunt ſhall haue no other delay, but as is afoꝛeſaid. Pꝛouided alway, that this act concerninge eſchetours foꝛ exerciſinge of their offices ouer an whole yere together, & letters patentes or grauntes made or to be made to any eſchetour foꝛ terme of lyfe, or foꝛ yeres or otherwiſe, extend not, ne be pꝛeiudicial to any eſchetour that now is, & that hereafter ſhalbe made and ordeined, in any citye or towne corporat, or in the Duches of Lancaſter, Cornewall and the counties Palantines of Lancaſter, Cheſter, Durham, or Elie, or to any other county palantine within the realme of Englande, Wales, or marches of the ſame. Or to any eſchetour, made or hereafter to be made by any perſon or perſons ſpiritual or temporal, hauinge aucthoꝛitye by reaſon of any fraunches, liberties, pꝛiuiledges, preſcriptions, or graunt, to depute or make any ſuch Eſchetour in the ſame. Pꝛouided alſo that this act, as to any penalty in the ſame concerning the ſufficiency of Eſchetour, and inrrours afoꝛeſaid, extende not nor be pꝛeiudiciall to any eſchetour in citye or Towns corporate, ne to any other eſchetour made or hereafter to be made by any perſon or perſons, hauing pꝛiuiledge to make eſchetours foꝛ inquiſition of lands, tenements, or hereditamentes, ne to any cheriſe or bailike foꝛ retourninge in any panell any perſon or perſons befoꝛe any of the ſayd Eſchetoꝛs of leſſe value then is conteined in the ſayd act. The Eſchetours of the counties Palantine of Lancaſter and Cheſter in this pꝛouiſo only foꝛpꝛiſed and excepted. Pꝛouided alſo that this act extende nor be pꝛeiudicial, to any Juſtices of the peace, foꝛ any thing doinge concerning commiſſion of the peace ꝛc. This act to endure to the next parl. An. 1. H. 8. c. 8. This act is made perpetual. An 3. H. 8. ca. 2.

Patent voyd

Recouery

Moitie

L. patentes

Citie

County palantine

Wales

Franchiſes

Sufficiencie Townes corporate

Pꝛiuiledge

Cheriſe Bailife

Juſt of p.

12 ¶ After ſuch office found afoꝛe any Eſchetour or commiſſioner, put into the Chauncery or the Eſchequer, if any perſõ or perſonnes which will tender a trauers to the ſaid office, and deſireth to haue the lands cõtained in the ſame office to ferme and finde the ſuertie, & ſheweth euidence to the Chauncelour of Englande, foꝛ the time being, accoꝛding to the ſtatut afoꝛereherſed (s. An. 8. H. 6. ca. 16. before 6.) come into the chaũcery within thꝛee moneths next after the ſame office ſo put into ỹ chauncery or eſchequer, that he be thẽ by the ſaid Chauncelour thereto admitted, and that then all other patentes and graunts hereafter to be made thereof, wꝫin the ſayd thꝛee moneths ended, be void, and of none effect, the ſayd ſtatute made the eyght yere of the raigne of king Henry the vi. or any other ſtatut made to the contrary notwꝫſtanding. An. 1. H. 8. c. 10.

Office Chauncery Eſchequer Trauers

Ferme Suertie

3. moneths

Chauncelour Patentes

Voyde

13 ¶ An. 1. H. 8. ca. 12. It is enacted ỹ trauerſes may be taken to offices pꝛocured by Empſon & Dudley notwꝫſtanding liuery ſued of thoſe lands.

Trauers Empſon Dudley

14 ¶ All and euery ſuch perſon & perſons, which ſhalbe named & certified into the kings Chauncery by the Loꝛd Treaſoꝛer of Englãd, to be eſchetour, ſhal wꝫin one moneth next after his letters patẽts ſhalbe offered vnto him, take vppon him the execution of the ſame office, or elſe appeare in the ſayd Eſchequer, and ſhew a reaſonable cauſe why hee ought not ſo to doo. And if any ſuch perſonne ſo named & certified to be Eſchetour, do not appeare as is afoꝛeſayd, within one moneth next after notice to him geeuen as is afoꝛeſaid, nor ſhew any reaſonable cauſe why hee ought not to do the ſame: that then he ſhal loſe and foꝛfait foꝛ euery ſuch default xx. pound to the king our ſoueraigne loꝛd, to be leuyed to his maieſties vſe, in any his highnes courts of recoꝛd. And bee it ꝛc. that no eſchetour after ꝛc. ſhal ſit only by vertue of his office foꝛ inquiry of ỹ tenure, title, or value of any landes tenemẽts or hereditamẽts, where ỹ ſãe lãds, tenementes or hereditamentes, beene of the

Treaſoꝛer

L. patentes

Appeare in the Eſchequer

Appeare within one moneth

Foꝛf.

Title of land

v li. by the peace Kinges Writ Fork.

the value of fiue poundes by the yere or aboue, & holden of the king, wout the kings writ to be directed to him for the same, vpon paine to lose & forfait for euery tyme that he shal sit and make inquirie contrarey to the fourme of this estatute v. li. Nor that any Eschetour shal take for the finding of any office, of any manors, lands, tenements, or hereditamentes, ẏ shal not exceede the clere yerely value of v. pound, aboue the summe of xv. s. That is to say, for the Eschetours fee. vj. s. viij. d. & for the writing of the office iij. s. iiij. d. and for the charges of the Jury iij. s. And for the officers & ministers ẏ shal receiue the said office in any court of record ii. s. vpon paine ẏ euery Eschetour offending this act shal lose & forfait for euery time so offendinge v. li. And ẏ the officers & ministers of euery court of Record, where such inquisitions shalbe returned beinge offered vnto them within one moneth next after the finding thereof, shal receiue & take ẏ same vpon paine to lose and forfait euery tyme offending this act v. li. The one moity of al which forfaitures aforesaid shalbe to the king our soueraigne lord, & the other moitie therof to the party ẏ wil sue for ẏ same in any of the kinges courtes of record. In which &c. An. 33. H. 8. ca. 22.

Finding of office

Fee

Fork.

Offer him one moneth

Fork. Moitie

15 ¶ Where many & diuers persons, be holding, or that haue holden landes, tenementes, or hereditamentes, some for terme of yeres, & some by coppye of court rol, haue ben expulsed, and put out of their termes & holds, by reason of inquisitions, or offices founden before Eschetours, cõmissioners, and other, conteining tenures of the king, in Capite, entituling the king to the wardship and custody of such lãds, or tenements, and some time entitulinge the king to the same vpon attaindours of treason, felony, or otherwise, by reason ẏ such leases, for terme of yeres or interest by copy of court rolle, of such persons, haue not bene founde in such inquisitions or Offices, after which expulsion or putting out the said persons haue bene without remedy, for the obteininge of the sayd fermes and holdes, duringe the kinges possession therein, & can haue no trauerse, Monstrance de droit, ne other remedy for the same, because their said interest is but a chattel in the law, or customary holde, & no state of freehold. And also where any person or persons, hath any rent, common office, fee, or other profite apprender, of any state of freehold, or for yeares or otherwise out of such lands or tenements, specified in such offices or inquisitions, the said rent, common, office, fee, or profit apprender, not found in the same office or offices, such persons are in like maner without remedy to obteine or haue the said rent common, office, fee, or profit apprender, by any trauerse or other speedy mean, without great excesse charges, during ẏ kings interest therein, by force of such inquisition or office. For remedy wherof be it &c. ẏ where any such office or inquisitions, is or shalbee founden, omitting such title, interests, or matters, as is aforesaid, that in all such cases, euery lease, tenant for terme of yeres, or copy holder, & euery such person or persons that haue or shall haue any interest to any rent, common, or profit apprender for terme of yeres, life, or otherwise, out of any of the landes, tenements, or hereditaments conteined in such office or inquisition where the kinge his heires, or successours, is or shalbe intituled, as is aforesayd, to any such lands, tenements, or hereditaments, shal haue hold, enioy, & perceiue al and euery their leases, & interestes, for terme of yeres, or by coppye of court roll, rents commons, offices, fees, & profit apprender, in such maner, fourme, state & condition, as they and euery of thẽ shoulde, or might haue done in case there had ben none such office or inquisition foũden, & as they shoulde, or lawfully might or ought to haue done, in case such lease, interest by copy of court roll, rent common office, fee, or profit apprender, had beene founden in such office or inquisition, any law, custome, or vsage to ẏ contrary heretofore vsed, in such cases in any wise notwithstanding. And also where it is or shal be founden, for the king his heires, or successours, that the heire or heires of his tenant or tenants, is or shalbee within age, wher in dede such heire or heirs is or shal be at the same time of ful age, or of a more or greater age thẽ is, or shalbe conteined with in such office. Be it &c. that in euery such case such heire & heires, shal and may at his or their very ful age or after, prosecute a writ of Etate probanda, & sue his or their liuery or Ouster le maine, as hys or their cases shal lye, & haue the profits of his

Office Fee

Office Inquisition Title

Lease Copiholder

Commen

Lands

Leases Offices Fees

Rent

Heires

Writ Liuery Ouster le maine

Chattel

his or their lands, tenements or hereditaments, from the tyme of his or their very ful age, any such verdict, office, or inquisition, or any law, or custome, to the contrarie in any wyse not withstanding.

Verdict
Office
Inquisition
Custome

Also where one person or more is, or shal be founden heirs to the kings tenant by office or inquisition, where any other person is or shalbee heire, or if one person or mo, he or shalbe founden heire, by office or inquisition in one county, & an other person or person is, or shalbe founden heyre to the same person in an other countie, or if any person be or shalbe untruely foũden lunatike, Idoot, or dead: Be it enacted by the aucthoritie aforesaid, ỹ euery person or persons greeued or to be greeued by any such office or inquisition, shal & may haue his or their trauers to the same immedyatly, or after, at his or their pleasur, & proceede to trial therein, & haue like remedye & auantages, as in other cases of trauerse, upon untrue inquisitions, or offices founden, any law, vlage, or custome, to ỹ contrarie in any wise not withstanding.

Heire
Tenant

Lunatike
Idoot

Trauers

Triall

Also where it is, or shalbe hereafter untruely founden, by office or inquisition, ỹ any person or persons attainted, or ỹ shal be attainted of treason, felony, or Præmunire, is or shalbe seised of any lands, tenements, or hereditaments, at any time of such treason, felony, or offence, cõmitted or done, or any time after, wherunto any other person or persons hath or shal haue, any iust title or interest, of any estate of freehold, ỹ then in euery such case euerie person or persons greeued thereby, shall haue his or their trauerse or Monstrance de droit, to ỹ same, wout being driuen to any peticion of right, & like remedy & restitution vppon his or their title found or iudged for him or them therein, as hath bene accustomed & vsed in other cases of trauerse, although the kings maiesty, his heirs or successors be, or shalbe in such case entituled to any such lands, tenements, or hereditaments, by double matter of record, any law, custome, or vlage, to the contrarie in any wise not withstandinge. And further be it enacted &c. ỹ where any inquisition or office, is or shalbe found by these words or like, Quod de quo, vel de quibus tenementa prædicta tenentur iuratores predict' ignorant, or els founden holden of ỹ king per quę seruicia ignorãt, or such like, that in such case such Tenure so incertainly founden, de quo vel de quibus tenementa prædict tenentur ignorant, shal not be taken for any immediate tenure of ỹ king, nor such tenure so founden of the king, per que seruicia ignorant, shall not be taken any tenure in Capite, but in such cases a Melius inquirendum to be awarded as hath ben accustomed in old time, any vlage of later time to the contrarie not withstanding. And be it further enacted &c. ỹ where it is or shalbe foũden by any office or inquisition, ỹ any landes, tenements, or herditaments, are or shal be discended, remayned, or come to any heire wỹn age, & in ỹ kings ward, or that ought to be in the kings ward, & that such lands, tenements, or hereditaments, are holden of the king immediatly, where in dæde the same are, or shalbe holdẽ of some other cõmon person, & not of ỹ king immediatly: ỹ in such case such heire or heirs shal & may haue their trauerse to ỹ same, wỹn age, & like remedy & restitution vpon his or their title foũden, or iudged for him or them therein, as hath ben accustomed & vsed in other cases of trauerses, any law vlage, or custome, to the contrary in any wise not withstanding. Also where the kings Maiestie by his Prerogatiue, ought to haue aswel such lands & tenements as be holden of other persons, as holden of him selfe immediatly, whereof his tenãt holding of him in chefe dieth seised, hys heire being wỹn age, vntil such time as liuerie be sued by such heire, & that ỹ mean Lordes of whom the said other lands and tenements, of such heire be holden, vse to spare the rents due to them for the same lands or tenements holden of them, during the kings possession. And when such heire hath sued his or their liuery, they vse by distres or otherwise, to compel the said heire to pay to them the arrerages of such rents, for such time as the said landes or tenements were in the kings possession by such minority, where they should haue vsed by petition to the kings Maiesty, to haue obtained the same out of the kynges hands, if they would haue the same which is to the great detriment, losse, & hinderãce of such heire & heires. For redresse where of be it &c. ỹ from henceforth such meane Lordes during such minoritie, shall haue, receiue, & take the said rents, by the hands of

Inquisition
Office

Verdict
Office
Inquisition
Custome

Heire
Tenant

Melius inquirendum

Lunatike
Idoot

Lands
Tenements

Trauers

Triall

Attaint
Treason
Felony
Præmunire

Prerogatiue

Freehold

Seised
Liuerie

Trauers
Monstrance de droit

Arrerages

Minority

Rents

Kings officers Issues Reuenues

Nonage

Liuery

Officers

Acquitances

Discharge

Accompt

Office

Enabled

Trauers Writs Scire facias

Patents Trauers Petitions

Scire fac.

Writs

of such the kinges officers, as shalbee appointed to haue, receiue, & take the issues, reuenues and profits of the same lands & tenements, so holden of such mean Lords during the minority & nonage of such heir & heires, & vntil such heire & heires sue his or their liuerie. & that such heire & heyres vntil such time as he or they shal haue sued their liuerie, or might conueniently haue sued their liuery, shalbe thereof clerely discharged. And that such officer & officers, shal vpō request made, pay ẏ same to such meane Lords (they geeuing to such officer and officers, a sufficient acquitance or acquitances for the receipt of the same,) & that such paiment thereof made, with acquitance or acquitāces therof shewed, shal be to such officers a sufficient discharge against the kings maiestie, & his heires, vpon his or their accompt in that behalfe, any law, vlage, or custome heretofore had or vsed to the contrarie hereof, in anye wise notwithstanding. Prouided alwaies & it is &c. that this act &c. shal not in any wise extende to any inquisition or office, taken or founden at any time before the xx. day of March next comming &c. Prouided also & it is &c. that in al such cases as any person or persons shalbee enabled by this act to haue any trauers, & shall pursue his or their trauers, that then hee or they that shal pursue such trauerse, shal sue one writ or seueral writs of Scire facias (as the case shal require) against all and singuler such person or persones, as shall haue interest by ẏ king or by his patentée or patentees, in like maner & fourme, as is requisite vppon trauerses or petitions heretofore pursued. And that in every such Scire facias, the patentées or defendaunts, shal haue lyke plees, and aduauntage, as they had in anye Scire facias, before this time awarded agaynst any patēt in any case of petition. And also that vppon euery trauerse, that shalbe pursued by vertue or meane of this acte, in such case as the partie or parties that shall pursue any trauerse, should by the order of the common lawes of this Realme, haue bene put to sue by petition to the kinge, there shalbe two writs of serch graunted in maner and fourme, as lyke writs haue ben graunted vpon petitions made to the king.

Prouided also, and it is &c. that if any iudgement shalbee geeuen vpon any trauers that shalbe tendred or sued, by vertue or meane of this act, it shal appeare by any matter of recorde, that the kinge hath any other former title, right, or interest, to the manours, lands, tenements, or other hereditamentes, mencioned in the same trauers: ẏ then the same title, right, & interest, shalbe saued to ẏ king, the said trauers & iudgemēt therupon geuen in any wise notwithstanding. An. 2. E. 6. ca. 8.

Judgement

Title Manors

16 ¶ See in a printed booke commonly called Magna charta, bearinge date 1556. fol. 160. In a Chapiter intituled, Capitulo Eschaetrie, what things bee inquirable by the Eschetor, & diuers matters concerning Eschetors.

¶ Escuage.

ESCuage shalbe taken from henceforth like as it was wont to be, in the tyme of king Henry our graundfather. Magna charta cap. 37.

¶ Essoine.

AND it is to be knowen, that after that a man hath put him self vpon any inquest, the which hath or must passe in such maner of writs, he shal haue but one essome, or one default, so that if he come not at the day geeuen to him by the essoine, or make default the second day, then the inquest shalbe taken by his default, & according to ẏ same inquest they shal proceede to iudgemēt. And if such inquest be taken in the countie before the Sheritfe or Coroners, it shalbe returned vnto the kings Iusticers at a certaine day, & if the party defendant come not at that day, then vpon his default an other day shalbe assigned to him after the discretion of the Iusticers. And it shalbe commaunded to the Sheritfe, that he cause him to come to heare the iudgement if he will, according to the inquest, at which day if hee come not, vpon his default they shall proceede to iudgemēt. In like maner it shalbe done if he come not at the day geuen vnto him by his essoine. Marlbridge cap. 13. An. 51. H. 3.

Enquest

Default

Judgement

Shirife Coroner

Returne

Shirife

2 ¶ It is prouided, that in coūties, hundreds, Court barons, or in other Courts, none shal neede to sweare to warrāt hys essoine,

Countie Hundreds Court barons Sweare

essoine, Marlb. cap. 19. An. 52. H. 3.

Writ of all. Iuris vtrum Iurors

3 ¶ For asmuch as in writs of Assise, attaints, & Iuris vtrum, the Iurors bene often troubled, by reason of the essoins of tenants: It is prouided, that after that ỳ tenant hath once appeared in the court, he shalbe no more essoined, but shal make his attorney to sue for him if he will, & if not, the assise or iurie shalbe take through his default. W. 1. cap. 41. An. 3. E. 1.

Attorney

Default

Demaundants

Parceners

4 ¶ For asmuch as demaundants bee oftentimes delated in their right, by reason that many parceners be tenants, of which none may be compelled to aūswere wout the other, or ỳ there be many iointly enfeffed (where none knoweth his seuerall) & such tenants oftentimes fourch by essoine, so ỳ euery of them hath a seuerall essoine: It is prouided ỳ from hence forth such tenants shall not haue essoyne but at one day, no more then one sole tenant should haue, so ỳ from henceforth, they shal no more fourch, but onely shall haue one essoine. W. 1. cap. 42. An. 3. E. 1.

One essoine

Falle essoine

5 ¶ For asmuch as diuers persōs cause them selues falsely to be essoined (for being ouer the sea) where in dede they were within the realme the day of the sūmons: It is prouided from henceforth, that thys essoine be not alwaies allowed, if the demaundant will challenge it, & wil be ready to averre, that he was in England the day of sūmons, & three weekes after, but shalbe aiurned in this fourme, ỳ if the demaundant bee ready at a certaine day by aduertisement of the countrey, or otherwise, as the court shal awarde, to proue ỳ the tenant was within the iiij. Seas the day that he was sūmoned, & three weekes after, so that he might be reasonably warned by the summons, the essoine shalbee tourned into a default. And that is to bee vnderstanden onely before Iusticers. W. 1. cap. 43. An. 3. E. 1.

Averre

Adiourne

Default

6 ¶ See Tresp as 1. of essoine for the plaintife, and of essoine for the kings seruice for the demaundant.

K. seruice

7 ¶ Where as it is conteined in the statute of the king that now is, that two parceners, or two that hold in common, may not fourch by essoine, after that they haue once appeared in the court: It is prouided, ỳ the same be obserued & kept, in case where a man & his wife be impleaded in ỳ kings court. Glouc. ca. 10. An. 6. E. 1.

Parceners

8 ¶ In appeale of the death of a man, there shall no essoine lie for the appellour for any cause in whatsoeuer court the appeale shal happen to be determined. W. 2. cap. 12. An. 13. E. 1.

Appeale

9 ¶ In the circuit of the Iusticers, an essoine De malo lecti, shall not bee from henceforth allowed for lands in the same shire, vnles he that caused himselfe to bee essoined be sicke in deede, for if the demādant alledge, that the tenant is not sicke, nor in such plite, but that he may come before the Iusticers, by exception shalbe admitted. And if it can be so proued by enquest, the essoine shalbee turned to a default. And from hence forth such essoyne shall not lie in a writ of right betweene two, claymīng by one discent. West. 2. cap. 17. An. 13. E. 1.

Circuit Malo lecti

Default

Writ of right

10 ¶ After such time as any hath put him selfe to any enquest, an essoine shalbe allowed him at the nert day, but the other dayes following the taking of the enquest shal not be delayed by the essoin, whether hee were essoined before or no. Neither shal any essoine be allowed after the day geeuen by Prece partium, in case where ỳ parties consent to come without essoyne. West. 2. cap. 25. An. 13. E. 1.

Enquest

Prece partium

11 ¶ Where as by the statut of Westminster 1. It was prouided that after the tenants haue once appeared in the court, no essoin should be allowed them in writs of assises. In like maner it shalbee from henceforth obserued against the demaundants. West. 2. cap. 28. An. 13. E. 1.

Writ of all.

12 ¶ Here is declared how manye waies essoines may be challenged, and in what cases essoines do not lie. An essoine lyeth not where the land is taken into the kings hands. Essoine lyeth not where ỳ partie is distrayned by his lands. Essoine lyeth not where any iudgement is geeuen thereupon, if the iurors do come. Essoine lyeth not where the partie was seene in the court. Essoine of Vltra mare lieth not where an other time the partie hath bene essoined of Malo veniendi. It lieth not where the partie hath essoined hym selfe an other day. It lyeth not where the sherife was commaunded to make the partie to appeare. Essoine of Seruicio Regis lyeth not where the partie is a woman. It lyeth not in a writ of Dower, where it seemeth to be but a delay of right. It lyeth

Challenge where essoines do not lie

Sheriffe

Women

not for that the plaintife hath not found pledges of suit. It lyeth not where ỳ attourney was essoined. It lyeth not where the party hath an attorney in his matter. It lieth not where the essoiner confesseth that he is not in the kings seruice. It lieth not where the summons is not returned, or the party not attached, for that the sherife hath returned Non est inuentus. It lyeth not where the partie another tyme was essoined de Seruicio Regis, that is to wit such a day, & now he hath not put in his warrant. It lyeth not where he was summoned in assise of Mortdaunceſter, or Darrein presentment. It lyeth not because such one is not named in ỳ writ. It lyeth not where the sherife hath a precept to distraine the partie for to come by hys lands & goods. It lieth not where the Bishop was commaunded to cause the partie to appeare. It lieth not for ỳ the terme is passed. And it is to be noted, ỳ essoines de seruicio domini regis, are allowed after the Graund cape, petit cape, and after distresses taken vpon the lands & goodes Statute of Essoines. An. 12. E. 2.

Attorney

In seruice

13 ¶Essoine of the seruice of the king doth not lye in a writ of Nouel disseisin. In a writ of Dower, vnde nihil habet. In a writ of Darreine presentment, nor in appeal for ỳ death of a man. Stat' de visu terre, & essoñ de seruicio domini regis.

Dower

Darrein pres.

Appeale

¶Estrepement.

London

IT is prouided also, that after such time as a plee is moued in the City of London by writ, the tenãt shal haue no power to make any wast of estrepement of the land being in demaunde (hauing plee) and if he do, the Maior, & Bailifes shall cause to be kept at the suit of the demaundant. And the same ordinance and statut shall be obserued in other Cities, Boroughes, & euery where thorough out the Realme. Glouc. ca. 13. An. 6. E. 1.

Maior

¶Estreates.

Delayes Attachment

COncerning delayes in all maner of writts and attachmentes, it is thus prouided, that if the tenant or defendaunt after the first attachment returned, make default, that incontinently the great dystresse shalbe awarded. And if the sherife

Defaute Sherife

to not make sufficient returne by a certaine day, he shalbe grieuously amerced, and if he returne that hee hath done execution in due maner, and the issues deliuered to the parties, then the sherife shal be commaunded, that he returne issues at another day before the Justices. And if the partie being attached come in at his day to saue his defaults, he shall haue the issues, and if he came not, the king shall haue them. And the kings Justicers shal cause them to bee deliuered in the wardrobe. And the Justicers of the Benche at Westminster, shal deliuer them in the Eschequer and the Justicers in eire, vnto the sherife of the shire (where they plead) aswell of that shire as of forreine shires, and shalbee charged there with in summons by the rolls of the Justicers. West. 1. cap. 44. An. 3. E. 1.

Returne

Issues

Wardrobe

Eschequer

Iust. of Eire

2 ¶Because of the trouble which hath beene had heretofore vpon the accomptes of Sherifes in the Eschequer, because that in the estreat of the rolls of the Chãcerie, which haue bene yearely deliuered into the Eschequer, the accompts thereof haue bene mingled. The king will therefore that from henceforth the estreats bee made in maner following. First shalbee entred the fines which most commonlye happen, as to haue writtes, and all other fines wherein the summe of money is expressed. And all these maner of fines of one countie for the whole yere, shalbee written by them selues in one place, and by order of priorities, according as ỳ fines shalbe entred in the rolls. And also of all other counties generally whatsoeuer shal happen to follow in any one countie. And for the more ready recourse to the rolles, if that any thing in time to come shalbee doubted of, either of the number or other letter in the estreat. The date of the day when the fine was made, be entred into the estreat, deliuered into the Eschequer. And after those fines, then shalbee entred Charters, letters Patents, and Commissions, in which any terme or yearely rent is due to the king, or wherein any accompts are to be made, & these shalbe written by counties seuerally after the redyest maner. After these shalbee written homages, and fealties, whereof reliefes are to be demaunded, & writs of Diem clausit extremum, & other things, wherein

Accompts Sherifes

Eschequer

Fines

Rolls

Date

Charters Letters patets Commissions

Homages Fealties Reliefe Diem clausit extremum

whereof the summe is not expressed, nor any yerely demaund to be made. Also in the same estreat, shalbe entred the other charters of gift, by which the king ought to haue seruice, so that the court may haue knowledge of the times, when ẏ reliefes & seruices are to be demaũded. And there shalbe entred in the same estret, ẏ names of all those which that yere shalbe assygned to heare and enquire of, or to do, any thing where by fine or amerciament, or other profit appertaining to ẏ king might percase, or ought to aryse, so that thereby, commaundement may be sent to send by the estreats of the same. And in the ende of the estreat, the redisseisins & surcharging of pastures, as before hath ben. Because that Justices, Inquirors, and others which are assigned to diuers businesse to heare & determine, ought yerely to deliuer into the Eschequer their estreats of fines and amerciaments, made & tared before them, and of all other things happenyng by meanes of those businesse, whych to ẏ king doth appertain, so that he may of the same be duely answered. And oft times it happeneth that diuers of those estreats be kept backe so long before they be deliuered into the Eschequer, that the kinge hath by meanes thereof great losse and dammage. And in time of his father it was ordeined amongst other things, that Justices and Inquirors, whatsoeuer they were, and all others which ought to deliuer estreates into the Eschequer, should cause them to be deliuered from yeare to yeare, at the feast of Saint Michael. And Justices of Eire should deliuer their estreats of their eyer, so same as they were finished. This ordinance shal from hence forth be kept, and by writ expressely commaunded to the Justices of both benches, and the Warden of the Forest, on thys side of Trent, that euery of them shall from henceforth, do so of those thynges which appertaine to their office. And the Stewarde of the kinges house for the time being, be commaunded and charged by the king, to deliuer yerely to the Treasorer of the Eschequer, which is or shalbe for the time being, his estreats perfectly made, of the fines, amerciaments, issues, forfeitures, and al maner of other profits arysing to the vse of the kinge, by reason of the plees or quarrels holden & had before the said Stewarde and Marshall of the said household, & this shalbe done twice in the yeare, that is to say, at Easter, and at Michaelmas. Item charge & cõmãdement be geuen to the Clerke of the market, & of measures, that he deliuer his estreats for so much as appertaineth to hys office in the fourme above said. And the warden of the Aulnage, shal deliuer yerely to the Treasorer of the Eschequer, the estreats of his office, wherein shalbe contained al the defaultes which he hath found of clothes throughout the Realme, and al so where and when, & to whom the cloths did appertaine, which he found contrarie to the assise, & the price, & to whom he hath deliuered them, where and when, and by what warrant. Also the Butler for the king for the time being be charged, that al the wines which he shall prouide for the kings vse, either by him selfe or by his attorneis, in what place so euer it shal happen to be, that he shal make the same prouision by the view of the honestest men in the towne, where the same purueyance shal happen to be, so that alwaies ẏ same purueyance may bee witnessed by the voice of two of the best of the same place. And if it happe that the same be in a port where are gatherers of ẏ kings custome, then the same shalbee testified by them. And no Customer from hence forth shal be deputie to the butler, so long as he shall be attendant vpon the Custome. And the Butler which for the time shalbe, eyther by him selfe, or by his deputie, shal put in to a rolle, all his bayinges in this maner, (that is to say) how many Tunnes, of whom he bought them, at what time, & by whose view, & he shal enrol the wines of prisage, in like manner how many Tunnes, the testimony of the persons, of whom the price was had, where & when. And al the Customers of England shalbe charged according as they are assigned for the gathering of custome, within certaine bounds, that they twice yerely shal certifie the Treasorer and Barons, (that is to say) at the xv. of Easter, & of Saint Michael, how many shippes haue arryued within their bounds within that tyme, loaden with wynes, and of whence they were, and who ought them, and when they arriued, and discharged, & how much wyne euery shippe did bringe &c. how

Charters

Clerke of the market

Aulnage

Butler

Wine

Customers

Wynes

many shippes aryued, of which the kyng did take prce of wyne, and how many Tunnes, & in what shipps the king dyd take .ij.s. for the tunne, & none other prce, & of how many Tunnes he did take two shillings for the tunne, & also other prce. Statut' de forma mittēda extret' ad scaccarium. 15.E.2.

Greene ware Sheriffes

3 ¶Where as the greene ware is sent to the Sheriffes, to leuie the kinges debts: the sheriffes ministers do leuy the same by rolls and other remembrances, & doe not shew the estreates vnder the seale of the Eschequer, so that which is once lowed, commeth another time in demaund, because that they do not charge them selues fully of that that is leuied, in disceipt of ỳ king, and impouerishing of his people. It is ordeyned & assented, that men shall see the estreats sealed, and that ỳ same which is paied be totted, and the same estreates sent to the sheriffes vpon the receipt. And if any sheriffes or minister do to the contrarie, he shalbe holden to answere to ỳ partie which thereof will him complayne, and yelde him treble dammages, & make fine to the king. And that he haue his suit as well before Justices of the peace, as before other Justices. And that the sheriffes be holden to accompt by the same estrets so totted, & by none other, and the same estreats shal not be doubled by the sheriffes, but the copie of the estreats, in how much they touch the fraunchises of Lords, shal be deliuered to the Bailiffes of the fraunchises vnder the seale of the sheriffe. And that the same bailiffes yeld them accompt in the Eschequer by the same copies so deliuered. An.42.E.3. cap.9. See this confirmed here 4.

Totted

3. Damages Fine

Iust. of p.

Accompt

Bailiffes Sheriffes Seale

*

4 ¶The Justices and Judges before whom issues or amerciaments be or shal be forfait in time to come, shal charge the Clerkes of ỳ estreats in the places where such issues and amerciaments be or shalbe forfait, by their othe to be made, & that they make the rolles of the estreates of such issues and amerciaments distinctly, by expresse word of the cause of the losse, of the terme, of the yeare, and the nature of the writte, and betwixt what parties such issues and amerciaments be or shalbe lost, as wel in the kinges suit, as in the suite of the partie. And that the statute made in the tyme of king Edwarde the third, the 42. yeare of his raigne, (that is to say, cap.9. before 3.) for gathering of greene ware, bee holden and kept in all poinctes. An.7.H.4.cap.3.

Justices

Issues

Rolles

Greene ware

¶Exception.

When any that is impleaded before any Justicers, doth alleadge an exception, praying that the Justicers will allow it, which if they will not allow, if he that alleadged the exception do writ ỳ same exception, & require that ỳ Justicers will put to their seales for a witnes, they shal so do, & if one wil not, another of the companie shall. And if the king vpon cōplaint made against the Justicers, cause the record to come before him, & the same exception be not found in the roll, and the plaintife shew the exception written vnder the seal of a Justicer, the Justicer shal be cōmaūded to be ready at a certain day, either to confesse or deny his seale. And if ỳ Justicer can not deny his seal, they shal procede to iudgement, according to ỳ same exception, & after as it ought to be allowed or disallowed. W.2.cap.30. An.13.E.1.

Iust. seales

Record

Procede Iudgement

¶Excommengement.

The yeare of our Lord 1253. the .iij. day of May, in the great Hall of the king at westminster, in the prsence & by the assent of the Lord Henry by the grace of God, king of England, & the Lord Richarde Earle of Cornewall his brother, Roger Bigot Earle of Norfolke & Suffolke, Marshall of Englande, Humfrey Earle of Herford, Henry Earle of Orford, John earle Warren, & other estates of the Realme of England. Wee Boniface, by the mercy of God Archbishop of Caunterbury, primate of all England, F. of London, H. of Ely, S. of Worcester, C. of Lincolne, W. of Norwich, P. of Herforde, W. of Salisbury, W. of Durham, R. of Exceter, P. of Carlile, W. of Bath, C. of Rochester, T. of saint Dauids Bishops, apparelled in pontificals, with Tapers burning, against the breakers of the churches liberties, & of the liberties or other customes of the realme of England, & namely of those which are conteined in the charter of the cōmon liberties of England, & charter of ỳ forest, haue

Liberties

haue denounced the ſentẽce of excommunication in this fourme. By the auctho-
rity of almightie God, the father, ẏ ſonne
& ẏ holy ghoſt, & of the gloꝛious Mother
of God, and perpetuall virgyn Mary, of
the bleſſed Apoſtels Peter and Paule, &
of all Apoſtels, and of all Martyrs, of
bleſſed Edward king of England, and of
all the Saints of heauen, we excommu-
Curſe nicate, accurſe, & from the benefits of our
holy mother the Church, we ſequeſter all
thoſe that hereafter willingly & malici-
Church hoyſters ouſly depꝛiue oꝛ ſpoile the Church of her
right. And all thoſe that by any craft oꝛ
wilynes, do violate, bꝛeake, diminiſhe, oꝛ
chaunge the churches liberties, and frę
cuſtomes, conteyned in the charters of ẏ
common liberties, & of the foꝛeſt, graun-
ted by our Loꝛd the king, to Archbiſhops,
Biſhops, & other Pꝛelates of England, &
likewiſe to the Earles, Barons, Knights
& other frẽholders of the Realme. And
al that ſecretly, oꝛ openly, by dęde, woꝛd,
oꝛ counſell, do make ſtatutes, oꝛ obſerue
thẽ being made, & that bꝛing in cuſtomes,
oꝛ kẽpe them when they be bꝛought in, a-
gainſt the ſaid liberties oꝛ any of them, ẏ
wꝛiters, lawmakers, counſellors, & the
executoꝛs of them, and all thoſe ẏ ſhal pꝛe-
ſume to iudge againſt them. Al and euery
which perſons befoꝛe mencioned, ẏ wyt-
tingly ſhall commit any thing of the pꝛe-
miſſes, let them wel know, that they in-
curre the foꝛeſaid ſentence Ipſo facto 1.
vpon the dęde done. And thoſe that com-
mit ought ignoꝛantly, & be admoniſhed,
xv. Dayes except they reforme them ſelues wythin
Satiſfaction xv. dayes after the time of the admoniti-
on, & make full ſatiſfaction foꝛ that they
haue done, at the will of the Oꝛdinarie,
ſhalbe from that time foꝛth wꝛapped in
the ſame ſentence. And vpon the ſame ſen-
tence we burden all thoſe that pꝛeſume to
perturbe the peace of our ſoueraigne Loꝛd
the king, & of the realme. To the perpetu-
al memoꝛie of which thing, we the afoꝛe-
ſaid Pꝛelates haue put our ſeales to theſe
pꝛeſents. An. 12. H. 3.

Kings letter Ordinaries 2 ¶ Alſo the kings letter directed vnto
Oꝛdinaries, that haue wꝛapped their cly-
ents in the ſentence of excommunication,
that they ſhould aſſoile them by a certain
day, oꝛ els that they do appeare and ſhew
wherefoꝛe they haue excõmunicated thẽ.
The aunſwere, The king directeth that
hereafter no ſuch letter ſhalbee ſuffred to
go foꝛth, but in caſe where it is foũd that
the kings libertie is pꝛeiudiced by ẏ excõ-
munication, Articuli cleri ca. 7. An. 9. E. 2.

3 ¶ If any of the kings tenure, be cal-
led befoꝛe their Oꝛdinaries, out of ẏ pa-
riſh where they dwell. If they be excom-
municate foꝛ their manifeſt contumacie,
& after xl. dayes, a wꝛit goeth out to take xl. Dayes
them, & they pꝛetend their pꝛiuiledge that Iꝛiuiledge
they ought not to be cited out of the town
and pariſh where their dwelling is. And
ſo the kinges wꝛit ẏ went out foꝛ to take
them is denied. The aunſwere. It was
neuer yet denied, noꝛ ſhalbee hereafter.
Articuli cleri cap. 12. An. 9. E. 2.

4 ¶ In Statuto de Tallagio non con-
cedendo, it is enacted, that the Biſhops
ſhould excommunicate thoſe that did a-
gainſt the Church.

5 ¶ In the Abridgement of the ſtatuts
it is recited, that An. 8. E. 3. in Ordina-
tione per ſe, It was enacted, that wꝛitts Wꝛits
were oꝛdeined to the Biſhops, to accurſe Accuſe
all & euery of the perturbers of the peace Peace
of holy church, & of the king, felons, main- breakers
teinoꝛs of felons, & conſpiratours of felo- Felons
nie, falſe iuroꝛs, takers, & maintenoꝛs of
falſe quarrels, euery Sunday and double
Feaſtes &c. in the Cathedꝛall church, & in
euery Colledge & pariſh church, & to pꝛo-
cęde againſt thẽ accoꝛding to the cannon
Lawes. And it is alleaged in the ſaid
Abridgement, that ẏ ſtatut from whence
this wꝛit was fourmed, was An. 5. E. 3.
Statut' 3. cap. 1. But I cannot finde any
of theſe Statutes.

¶ Excommunicato capiendo.

BE it enacted, that from and after the
firſt day of May nexte comming, euery
wꝛit of Excommunicato capiendo that wꝛit
ſhalbe graunted & awarded out of the high
court of Chaunceꝛie, againſt any perſon Chaunceꝛy
oꝛ perſons within the realme of Engląd,
ſhalbe made in the time of the terme, re- Returns
turnable befoꝛe the Quęenes highnes, her
heires & ſucceſſoꝛs, in ẏ court commonly
called the kings Bench, in the terme nexte K. Bench
after the Teſte of the ſame, & that ẏ ſame
wꝛit ſhalbe made to containe at the leaſt
xx. dates, betwene the Teſte & the returne xx. Dayes
therof. And after ẏ ſame wꝛit ſhalbe foꝛth Teſte
with bꝛought into the ſaid Court of the

Justices Sherife

Negligence

Justices

Amerce Sherife

Elchequer

Sherife

Returne

Justices

Non est inventus

Capias

Teste Proclamation

County court Generall assise

kinges Bench, and there in the presence of the Justices shalbee opened, and deliuered of record to the Sherife or other officer, to whom the seruing & execution thereof shall appertaine, or to his or their deputy or deputies. And if afterwards it shall or may appeare to the Justices of ỳ same court for the time being, ỳ the same writ so delmered of record be not duely returned before them at the day of the returne thereof, or that any other default or negligence hath ben vsed or had in the not seruing & executing of the said writs, that then the Justices of the said court shal and may by auctoritie of this act, assesse such amerciamēt vpon the said sherife or other officer, in whom such default shal appere, as to the discretion of ỳ said Justices shal be thought méete & conuenient, which amerciament so assessed, shalbe extreated into the court of the Elchequer, as other amerciaments haue bene vsed. And be it further enacted by the auctoritie afore-said, that the Sherife or other officer to whom such writ of Excommunicato capiendo, or other proces by vertue of thys act shalbe directed, shall not in any wyse bee compelled to bring ỳ body of such person or persons, as shalbe named in the said writ or proces, into the said court of the kinges Bench, at the day of the returne thereof, but shal onely returne the same writ & proces thither, with declaratyon briefely, how & in what maner he hath serued & executed the same, to the intent ỳ therupon the said Justices may then further therein proceede, according to the tenour & effect of this present act. And if the said sherife or other officer to whom the execution of the said writ shall so appertaine, do or shal returne, that the partie or parties named in the said writ, cannot be found within his bailywike, then the sayd Justices of the kings bench for the tyme being, vpon every such returne shal award one writ of Capias against the said person or persons named in the said writ of Excommunicato capiendo, returnable in the same court in the terme time, if. moneths at the least, next after the Teste thereof, with a Proclamation to be conteined vn in the said writ of Capias, ỳ the sherife or other officer to whom the said writ shalbe directed in the full countie court, or els at the general assise & gaole delinery, to be holden vnin the same county, or at a quarter Sessions, to be holden before the Justices of ỳ peace vnin the same county, shal make open proclamation x. dayes at the least before the returne, that the partie or parties named in the said writ, shall vnin vj. dayes next after suche proclamation, yeld his or their body or bodies, to ỳ gaole & prison of the said sherife or other such officer, there to remaine as a prisoner, according to the tenor & effect of ỳ first writ of Excommunicato capiendo, vpon pain of forfaiture of x.li. And thereupon after such proclamation had, & the said vj. dayes past & expired, then ỳ said sherife or other officer to whom such writ of Capias shalbe directed, shal make returne of the same writ of Capias into ỳ said court of ỳ kings béch, of al ỳ he hath done in the execution therof, & whether the parties named in ỳ said writ haue yelded his body to prison or not. And if vpon the returne of ỳ said sherife, it shal appeare that the party or parties named in the said writ of Capias, or any of them haue not yelded their bodies to the gaole & prison of the said sherife or other officer, according to the effect of the same proclamation, ỳ then every such person ỳ shal so make default, shall for euery such default forfait to ỳ Quéens highnes, her heires & successors x.li. which shal like wise be extreated by ỳ said Justices, into the said court of Elchequer, in such maner & fourme, as fines & amerciaments there tared & assessed are vsed to be. And thereupon the said Justices of ỳ kinges bench, shall also awarde forth one other writ of Capias against the person or persons ỳ so shalbe returned, to haue made default vn such like proclamation, as was contained in the first Capias, & a paine of xx.li. to bee mencioned in the said second writ & proclamation. And the sherif or other officer to whom ỳ said second writ of Capias shal be so directed, shal serue & execute ỳ same second writ, in such like maner & forme, as before is expressed for the seruing & executing of the said first writ of Capias. And if the sherife or other officer, shall returne vpon the said second Capias, that he hath made the proclamation according to the tenour and effect of the same writ, & that the partie hath not yelded hys bodye to prison, according to the tenour of the sayd Proclamation, that then the said partie that

O. Sessions

Proclamation Yeld his body to prison

Forf.

Returne

K. bench

Forf.

Elchequer

Just. of the K. Bench

Capias Paine of xx.li.

Sherife Returne

that so shal make default, shal for such his cõtẽpt & default, forfait to ỹ Quæns highnes, her heires & successours the summe of rr.li. which said summe of rr. li. the sayd Justices of the kinges bench for the time beinge, shall likewise cause to be extreated into the said court of Eschequer, in manner & fourme aforesaid. And then the said Justices shal likewise awarde fourth one other writ of Capias against the said partie, with such like proclamation and paine of forfaiture as was conteined in the said second writte of Capias. And the sherife or other officer to whom the said thirde writ of Capias shal so bee directed, shall serue & execute the said third writ of Capias, in such like maner & forme as before in this act is expressed & declared for the serning & executinge of ỹ said first & seconde writs of Capias. And if the sherife or other officer to whom therecution of ỹ said thirde writ shall appertayne, do make returne of the said third writ of Capias that the partie vpon such proclamatyon hath not yelded his body to prison according to the tenour therof, that then euery such partie for euery such contempt & default, shall likewise forfayt to the Quẽnes maiestie her heires & successours, other rr.li. which summe of rr.li. shal likewise be extreated into the said Court of eschequer, in manner & fourme aforesaid, and thercupon the said Justices of the kinges Benche shall likewise award forth one writ of Capias against the said party, with like proclamation and lyke payne of forfaiture of rr. li. And that also the said Justices shall haue authority by this act infinitely to award such proces of Capias with such like proclamation & paine of forfaiture of rr.li. as is before limitted against the said partie ỹ so shal make default, in yeldinge of hys body to the prison of the Sherife, vntyll such tyme as by retourne of some of the sayd writs before the said Justices, it shal & may appeare ỹ the said party hath yelded him selfe to the custody of the said sherife or other officer, according to the tenour of the sayd proclamation, and that the party vpon euery default & contempt by him made, against the proclamation of any of the said writs so infinitely to be awarded against him, shall incurre lyke payne and forfaiture of rr. li. which shall likewise be extreated in maner & fourme aforesaid. And be it further enacted by the authority aforesaid, that when any persõ or persons shall yelde his or their body or bodies to the hands of the sherife, or other officer, vpon any of the said writs of Capias: that then the same partie or parties that shall so yelde them, shall remayne in prison and custody of the sayd sherife or other officer, without baile, bayon or mainprise, in such like maner and fourme, to al intents and purposes as he or they should or ought to haue done, if he or they had ben apprehended & taken vpon the sayd writ of Excommunicato capiendo.

And be it further enacted by the authority aforesaid, that if any Sherife or other officer, by whom the said writ of Capias or any of them, shalbee retourned as is aforesaid, do make an vntrue retourne vpon any of the said writtes, that the partie named in the said writ hath not yelded his body, vppon the said proclamations or any of them, wherein deede the party dyd yelde him selfe according to the effect of the same: That then euery such Sherife or other officer, for euerye such false and vntrue retourne, shal forfait to the party greeued & damnified by the sayde returne the summe of forty pound. For the which summe of forty pound the said party greeued shall haue his recouery and due remedye by action of debt, bill, plaint, or information in any of the Quẽnes courtes of record, in which actiõ, bil, plaint, or information, no Essoine protection or wager of lawe shalbee admytted or allowed for the partie defendaunt. Sauinge and reseruinge to all Archbishops and Bishops and al other hauing authoritie to certifie any person excommunicated, like authoritie to accept and receyue the submission and satisfaction of the said personne so excommunycated, in manner and fourme heretofore vsed, and him to absolue & release, and the same to signifie, as heretofore it hath ben accustomed, to ỹ Quẽns matestye her heires and successours, into the hygh Court of Chauncerye, and thereuppon to haue such writtes for the delyueraunce, of the sayd person, so absolued and released from the Sherifes custody or prison, as heretofore they or any of them had or ought or myght haue had: Any thing in this present statut specified or conteyned to the contrary

thereof

Foyl. Justices Extreat Sherife Execute Returne Foyl. Extreat Capias Contempte yelde Yn prison Without baile Sherife Vntrue retourne Sherife Foyl. Archbishops Bishops Submission Absoling Chauncery Writs

Wales Counties Palantines & Portes

Significauit Mittimus

Chauncelour Chãberlaine Warden of the v. portes

Chiefe Justices

Officers

Returne 2. moneths

In prison Beyond sea Within age Women Madmen

Addition

Heresie Communion

Not comming to church Errour in religion

Incontinency Usury Simony Periury Idolatry

Voyd

Proclamatiõ

therof in any wise notwithstanding. Prouided alwaies, ỹ in Wales, the counties palantines of Lancaster, Chester, Dunhã & Ely, & in the cinqueports, beinge iurysdictiõs & places exempt where ỹ Quẽns maiesties writ doth not runne, & procesle of Capias from thence not returnable into the said court of the kinges bench, after any Significauit being of record in the said court of Chauncery, ỹ tenour of such Significauit by Mittimus shalbe sent to such of the officers of the said coũty of Wales, counties Palantine, & places exempt, wỹin whose offices charge or iurisdiction the offendour shalbe resiant, that is to say to the chauncelour or Chamberlaine for the said County palantine of Lancaster and Chester, & for the Cinqueports, to the lord warden of the same, & for Wales & Ely, & the county palantine of Durham, to the chiefe Justice or Justices there. And therupon euery of the said Justices and officers to whom such tenour or Significauit with Mittimus shalbe directed & deliuered shal by vertue of this estatut haue power and aucthority, to make like proceslle to the inferiour officer & officers, to whome the execution of proces there, doth appertain, retournable before the Justices there at their nexte Sessions or courts, two monethes at the leaſt, after the Teste of euery such proces. So alwaies, as in euery degrẽ there shall procẽde in their Session and courts against the offendours, as the Justices of the said court of the kings bench are limitted by the Tenour of this act, in terme times to do & execute.

Prouided also, & be it enacted, that any person at the tyme of any Proces of Capias afore mencioned awarded, beinge in prison or out of this Realme in partyes beyonde the sea, or within age, or of Non sane memory, or woman couert, shal not incurre any of the pains or forfaitures, afore mencioned, which shall grow by any retourne or default, happeninge duringe such time of nonage, imprisonment, being beyonde the Sea, or non sane memorye. And that by vertue of this estatute, the partie grẽued may plead euery such cause or matter in barre, of and vpon the distres or other proces that shalbe made for leuinge of any of the sayd paynes or forfaytures. And then if the offendour against whom any such writ of Excommunicato capiendo shalbe awarded, shal not in the same writte of Excõmunicato capiendo, haue a sufficient and lawfull addition according to the forme of the estatute of Primo of Henry the fifth, in cases of certaine writs whereupon proces of Exigent are to be awarded. Or if in ỹ Significauit it be not conteyned, that the excommunication doth procẽde vpõ some cause or cõtempt of some originall matter of heresly, or refusinge to haue his or their child baptized, or to receiue the holy cõmunion as it is now commonly vsed to bee receiued in the said church of England, or to come to diuine seruice nowe commonly vsed in the said church of Englande, or errour in matters of religiõ or doctrine now receiued & allowed in ỹ said church of Englãd, incontinency, vsury, simony, periury, in ỹ ecclesiastical court, of Idolatry: That the al and euery pains and forfaitures limitted against such persons excommunicate by this estatut, by reason of such writte of Excommunicato capiendo, wanting sufficient addition or of such significauit, wãting al ỹ causes afore mẽcioned, shalbe vterly voyd in lawe, and by way of plea to be allowed to the partie grẽued. And if ỹ addition shalbe with a Nuper of ỹ place, then in euery such case at the awarding of the first Capias wỹ proclamation according to the forme afore mencioned, one writ of proclamation (wỹout any paine expresled) shalbee awarded into the countye where the offendour shalbe cõmonly resiant at ỹ time of ỹ awarding of ỹ first Capias, with paine in ỹ same writ of proclamation to be retournable the day of ỹ returne of ỹ said first Capias with paine & proclamation thereupon at some one such time & court, as is prescribed for the proclamation vppon the sayde first Capias with paine. And if such proclamation bee not made in ỹ county where ỹ offendour shalbe most cõmonly resiant, in such cases of additiõs of Nuper, ỹ the such offendour shall sustaine no payne or forfaiture by vertue of this estatut, for not yeldinge his or her body according to the tenour afore mencioned: Any thing before spefied to ỹ contrary hereof in any wise notwithstanding. An. 5. El. ca. 23.

¶ Execution.

See

See voucher 3. of execution vpō recouery in value against the voucher.

Debt

2 ¶Where debt is recouered or knowleged in the kings court, or dammages awarded, it shalbee from henceforth in the election of him ỳ sueth for such debt or dāmages, to haue a writ of Fieri facias vnto the sherife, for to leuy the debt vpō ỳ lāds & goods of the debtour, or ỳ the sherife shal deliuer to him al the landes & goods of the debtour, (Sauing only his oxen & beastes of his plough) & the one halfe of his lande vntill the debt be leuied vpon a reasonable price and extent. And if he be put out of ỳ land, hee shall recouer by a writ of nouell disseisin, & after ỳ by a writ of disseisin if nede be. W. 2. ca. 8. An. 13. E. 1.

Fieri facias

Nouel diss. Disseisin

3 ¶Because that of such things as bee recorded before the Chauncellour & Iusticers of the king, that haue record, & be inrolled in their rolles, proces of plea ought not to be made, by sōmons, attachments, essoine, view of land, & other solemnityes of ỳ court, as hath bene vsed to be done in bargaine & couenāts made out of ỳ court: From henceforth it is to be obserued, that those things, which are found inrolled before them that haue recorde, or conteined in fines, whether they be contracts, couenant, obligations, seruices, or customes, knowledged or inrolled, wherein ỳ kings court (without offence of the law and custome) may execute their authority: from henceforth they shal haue such vigor, that hereafter they shall not nede to plead for them. But when ỳ plaintife cōmeth to ỳ kinges court, if the recognisaunce or fine leuied be fresh, that is to say vin the yere he shal forthwith haue a writ of execution of the same recognisaunce made. And if the recognisaunce were made, or the fine leuyed of a further time passed, the sherife shalbe commaunded, that he geue knowledge to the partye, of whom it is complayned, that hee be afore the Iustices at a certayne day, to shewe if hee haue any thinge to say, why such matters inrolled or conteined in the fine, ought not to haue execution. And if hee do not come, or peraduenture do come, and can nothing say why execution ought not to bee done, the sherife shalbee commaunded to cause the thinge inrolled or conteyned in the fine to bee executed. In lyke maner an Ordinary shalbe commaunded in this case, obseruinge neuertheless as before is sayd of a meane, which by recognisāce or iudgemēt is bound to acquite. West. 2. ca. 44. Anno 13. E. 1.

Sherife

4 ¶See recognisance 1. 2. 5. of execution vpon statut marchant.

5 ¶Item because that diuers people selled of diuers tenements, borowing diuers goods, in money or in marchaundises of diuers people of the Realme, do geue their tenementes and cattailes to their frendes by collusion, therof to haue the profits at their wil, & afterward do flee to the fraunchise of West. of saint Martins le grand of London, or other such priuyleged places, and there do liue a great time with an high countenance, of other mens goods, & profit of the said tenementes and cattels, till ỳ sayd creditours shalbe bound to take a final parcel of their debt, and release the remnaunt: It is ordeyned and assented, that if it may be found that such giftes be so made by collusiō, that the said creditours shal haue execution of the sayd tenements and cattails, as if no such gift had ben made. An. 50. E. 3. cap. 6. See the like stat. debt 5.

Collusion

Bankeruptes Sanctuary

6 ¶See staple 8. 32. of execution vpon a sta. staple.

7 ¶See passages 4. of execution against any of the cōminaltie, vppon a iudgemēt geuen against the comminaltie.

8 ¶See vses 7. of executiō of debts vpon lands in vse.

9 ¶See recoueries 2. howe they that haue landes in execution may falsefy recoueries.

Landes

10 ¶Whereas before this time, diuers & sundry persons haue sued executions, as wel vpon iudgements for them geuen, of their debts or damages, as vpon such statuts marchant, statuts of the stable, or recognisances, as haue bene to them before made, recognised, and acknowledged, and therupon sueh lāds tenements & other hereditamentes, as were liable to the same execution, haue ben by reasonable extēt to thē deliuered in execution, for the satisfaction of their said debts & damages, according to the lawes of this realme: Neuertheles it hath bene oft times seene, ỳ such lands tenements, & hereditamēts, so deliuered & had in execution, haue ben recouered or lawfully deuested, takē away, or expulsed frō ỳ possession of ỳ said recoueries

Expulsed

obliges

obligées or recognisées, their executors or assignes, before such time as they ben fully satisfied & paid of their sayd debts & damages, wout any maner frande, decepte, collusion, or other default in ỹ said recoueries obligées or recognisées, their executors or assignes, by reason whereof ỹ sayd recoueries, obligées, & recognisées haue bē thereby set clerely without remedy by any manner suit of the lawe to recouer or come by any part or parcell of their sayde debts & damages, as was behind, & not by thē leuied or receiued before such time as the said lands, tenements, & other hereditaments, so by thē had in execution, were recouered, lawfully deuested, taken or enicted out of, & from their possessiōs, as is aforesaid, to their great hurt & losse, & much seeming to be against equal Justice & good conscience. For reformation whereof, be it enacted by auctho*r*itye of thys p*re*sent parliament ỹ if hereafter any such lands, tenemēts or hereditaments as be or shall be had & deliuered, to any person or persōs in execution as is aforesaid, vpon any suit & lawfull title, matter, condition, or cause wherwithal the said lands, tenements or hereditaments, were lyable, tyed & bound, at such time as they were deliuered & take into execution, shal happen to be recouered, lawfully deuested, taken, or enicted out of & frō the possession of any such person & persons as now haue & hold, or hereafter shal haue & hold the same in executiō as is aforesaid, wout any fraud decept, coūn, collusion, or other default of ỹ said tenant or tenants by execution, before such time as ỹ said tenants by execution, their executors or assignes shal haue fully and wholly leuied or receyued the sayd whole debt & damages, for ỹ which ỹ said lādes, tenementes & other hereditaments were deliuered & taken in execution as is aforesaid, then euery such recouerer, obligée, & recognisée shal & may haue and pursue a writ of Scire facias, out of the same court frō whence the said former writ of execution did p*ro*cēde, agaynst such person or persons as the said writ of execution was first pursued, their heires executors or assignes, of such lands, tenements, or hereditaments, as were or bene thē lyable or charged with the said execution, returnable into the same court at a certayne day being ful xl. daies after ỹ date of the same writ, at which day if the defendant beinge lawfully warned, make default, or appere & do not shew & plede a sufficiēt matter or cause, other then ỹ acceptance of the sayd lands, tenemēts & hereditamēts by ỹ said former writ of execution, to barre, anoyde or discharge the said suit for the residue of ỹ said debt & damages remainig vnleuyed or vnrecouered by the said former execution, then the Lord Chauncellour, or other such iustice or iustices, before whom such writ of Scire facias shalbe returned, shall make estsones a new writ or writs out of the said former recorde of iudgement, statuts marchant, statute staple, or recognysance, of like nature & effect as ỹ said former writ or execution was, for the leuyinge of the residue of all such debt & damage, as then shal appeare to be vnleuyed, vnsatisfied, or vnpayed of the whole summe or summes in ỹ said former writ of execution conteined, any lawe, custome or other thing to the contrary hereof heretofore vsed in any wise notwithstanding. An. 32. H. 8. ca. 5.

Without remedy

Lands

Recouered

Without decept

Recouerer

Scire facias

40. daies

Def. Default

Chauncellour Iust.

Newe writs

¶ Se courts An. 33. H. 8. ca. 39. of execution for the kinges debtes and that the kinge shall haue execution before other, & what landes be liable to that executions.

¶ Execution of statutes.

The king our soueraign lord remembreth how by lawful maintenances, geuing of liueries, signes & tokens and retainders by endētures, promises, or other writtings, or otherwise embraceries of his subiects, vntrue demeaninges of sheriffes in makinge panels, and other vntrue returnes, by taking of mony by iuries, by great riots, & vnlawful assemblies, the policie & good rule of this Realme is almost subdued, & for the non punishinge of these inconueniences, and by occasyon of the premysses, nothinge or litle may be found by inquiry, whereby the lawes of ỹ land in execution may take litle effect, to the increase of murders, robberies, periuries, & vnnecessities of al men liuing, & losses of their lāds & goods to ỹ great displeasure of almighty god. Therfore it is ordeined for reformatiō of ỹ premisses by auctho*r*ity of the said parliament, ỹ ỹ chauncellor & treasorer of England for the time being and kæper of the kings priuy seale, or

Maintenance Liueries

Embraceries Sheriffes Panells

Riots

Murders Robberies Periuries

Chauncellor Treasorer

L. keeper Bishop Chiefe Justice

Writ priuy seale

Chauncelour Treasorer President keeper of the priuy seale

Bishop

Chiefe Just.

Information

Misdehaviour

Writ of priuy seale

Examine Punish

Just. of p.

Generall sessions

Assemblie

Studye

Vacabondes Retayniors Maintenance Imbracery Bowstaues Archerie Vnlawfull games Vitaillers Inholders

Severing of Just. of peace

One sessions quarterly

xl. weekes before quarter sessions

Proces

Just. of p.

Enquire

Defaultes Offences

Oier & term.

or ii. of thē calling to them a bishop and a temporal lord of ẏ kings most honorable coūsel. And the two chiefe Justices of the kings bench & comon place for the tyme being, or other two iustices in their absēce vppon bill or informatiō put to the sayd chaūceler for ẏ king or any other, againste any person for any misbehauing afore rehearsed, haue auctority to call before thē by writ or by priuy seale, ẏ said misdoers. And they & others by their discretions by whom the truith may be knowen to examine, & such as they find therin defective, to punish them after their demerites, after the forme & effect of statuts thereof to be made, in like maner & fourme as they should & ought to be punished if they were therof cōuict, after ẏ due order of the lawe An. 3. H. 7. ca. 1. See this next act.

2 ¶ The Chauncellor, Treasourer of England, & ẏ president of the kings most honorable coūsel, attending vpō his most honorable persō, for the time being, & keeper of the kings priuy seale or two of thē, calling vnto thē one bishop, & one tēporall lord of the kings most honorable counsell, & the two chief Justices of ẏ kings bench & the cōmon place for the time being, or other two of the kings Justices in their absence, vpon any bil of information hereafter to be put in: the chaūceller of Englād, Treasorer, president of ẏ kings said most honorable counsaile, or keeper of ẏ kinges priuie seale for ẏ time being, for any misbehauing before rehersed. (See in An. 3. H. 7. ca. 1. before 1.) frō hēceforth haue ful power & auctority to cal before thē by writ of priuy seale such misdoers, & thē & other by their discretion by whō the truith may be knowen to examine. And such as they shall find defective, to punish them after their demerites, after the fourme & effect of the said former statut, & of al other statuts hereof tofore made, and not repealed and expired, in like maner and fourme as they should and ought to bee punished, yf they were thereof conuicted after the due order of the kinges lawes An. 21. H. 8. ca. 20. See Iustices of assises. Anno 11. H. 7. cap. 3.

3 ¶ All & singuler the Justices of peace within any shire, Citie, borough or place within this realme of England, Wales, or anyother the kings dominions, shal yerely at the general sessions of the peace to be holden next after the feast of Easter, assēble themselues together, that is to say, euery number of them within the limittes of their commissiōs, wherin they be named Justices of peace, & at and vpon such their assemblye, shall diligently together & amongst them selues perise, examine, study, & know the effectes & true intentes of the lawes, statuts, ordinaunces & prouisions hereafter specified, that is to say, the lawes & statuts heretofore made & prouided, concerning, or in any wise touching vagabondes, retenors, geuing lyueries, signes, tokens or badges maintenaunce, imbracery, bowstaues, & archery, regratours, victaile, vitaillers, & inholders, & euery of them and all statutes & lawes made in this present parlyament touchinge the same or any of them, & after the perusing and deliberate vnderstanding of the sayd lawes, statutes, and ordinaunces, as they shal deuise among them selues, howe the same may be best put in due and iust execution: And for ẏ better proceding therin they shall deuide & seuere themselues lymittinge and assigninge alwaies the nūber of two of them at the least, or more into the hūdreds, wapentakes, rapes, cōmotes, or number of townes and villages by their discretions. And that the said Justices so deuided, or two of them at the least, shal in euery quarter of the yere from and after the sayde feast of Easter next comming, hold and keepe within the limittes of their deuision, one sessions beside the generall quarter Sessions for the peace, the said one sessions to be kept and holden alwaies within the limits of their deuision, at & in one such day, as by them shalbe appointed, so that it be alwaies fyre weekes at the least before the quarter sessions. And that all proceese and proceedings in euery of the said sessions so to be holden, shalbe continued from sessions to sessions. And that the said Justices, or two of them at the least at & in euery such sessions shal haue power & auctority to enquire, as wel by the othes of xii. men, inhabitants within the limits of their deuision, as by any information geuen to thē by any person or persōs, of al defaults, offences, & contēpts done or committed, or hereafter to be don or cōmitted, against ẏ fourme of any of ẏ statutes aforesaid & to heare and determine the same, and shall also

also haue powr & auctho̅rity vpō any p̄sentment o̅r info̅rmation, touchinge the p̄misses o̅r any of them, to make p̄oces by Venire facias, one Capias, & an Exigent vnder the seale of ẏ same Justices o̅r two of thē, against euery such person and persons, against whom any such info̅rmation o̅r p̄sentment shalbe had, for their apparance afore them in their sessyons to be holden as is aforesaid, to answere to such info̅rmatiō o̅r p̄sentmēt as shalbe there had o̅r made. And if ẏ persō o̅r persons accused by info̅rmatiō o̅r p̄sentmēt, shalbe cōuicted vpon any such info̅rmatiō o̅r p̄sentmēt, by cōfession, o̅r verdict of xii. mē, that then the said Justices of peace o̅r ii. of them afore whom such conuiction shalbee had, shal haue ful powr and auctho̅rity to geue iudgement against euery such offendour o̅r offendours so cōuict, of such peines by imp̄isonmēt, o̅r such p̄mes losses and forfaitures of money o̅r both, o̅r any of thē, as are limitted in the said seueral statuts for such offences, wherof they shalbee so conuict, & cause execution therof to be made & had accordingly. And also the said Justices of p. o̅r two of them, at & in their said sessions so to be holden as is aforesaid, shal haue powr & auctho̅rity, to correct & reforme ẏ panels of iuries for any inquiries to be made afore them, touchinge the said statuts o̅r any of them, in like maner & fourme as Justices of gaole deliuery & of peace, may do in their sessiōs, by vertue of a statut therof made in the iii. yere of king Henry the 8. (S. ca. 12. which is in panel. 4) & that the sherife & other ministers hauing powr to returne panels, shal make his & their returnes, according to such reformation & correction of the Justices aforesaid, vpon the paine limitted by ẏ same statut. And it is &c. that if any person o̅r persons be conuicted as is aforesaid, by any info̅rmation afore the said Justices o̅r two of them within the limits of their deuision, ẏ then the moity of the paines, losses, & forfaitures of mony of the offendours so conuict, shalbee to the kinges maiesties vse, & the other moitie therof to the partie that pursueth such info̅rmation according to ẏ tenour & effect of the said seueral statutes. And if any conuiction be had by reason o̅r vpon any p̄sentment, that then ẏ kings maiesty shal haue the whole paines, fines, & forfaytures of the offendours, all which paines, fines, losses, & forfaitures of money, to be due to the king by reason of any conuiction as is aforesaid, together with al issues, fines, & amerciaments, afore the said Justices within the limits of their deuision, shalbee leuied by the sherife o̅r hys ministers by a Scedule indented, to bee made betweene such Justices o̅r two of them, afore whō such paines, losses & forfaitures, fines, issues, o̅r amerciamentes, shalbe lost and forfait, & the said sherife, ẏ one part of the which scedule shalbe certified by the sayd Justices o̅r two of them verely in the terme of S. Michaell into ẏ kings eschequer, to the intent that ẏ sherif shall there answere ẏ same to the kinges vse. Prouided alwaies and be it &c. ẏ euery of the said Justices of peace, shall haue for holdinge of euery of the sayd sessions, as is aforesaid iiii. s. for their costes, and the clerke of the sessions by them to be appointed for the making & writinge of the proces & extracts of the sessions, for euery sessions ii. s. to be paied by the hands of ẏ sherife of the kinges part & portion of the paines losses & forfaitures and of the issues, fines, and amerciaments aforesaid. Prouided alwaies, that Justices of peace, in cities, boroughs, & towns corporat, not being shires o̅r counties of thē selues, shall assemble once in the yere with the Justyces of peace of the shire where such cities, boroughs, o̅r townes corporate be, & shall be limitted, to execute this act, within the Citie, borough, o̅r towne corporat, where they shalbe Justices of peace, and not else where. Prouided also, that no info̅rmation o̅r p̄sentment shalbe had o̅r taken by ẏ said Justices of peace so deuided by auctho̅rity of this act, but for such offences, defaults, o̅r contempts as bene o̅r shalbee done within the limitts of their deuision. And be it &c. ẏ the sayd Justices of peace thus deuided o̅r two of thē, within the limittes of their deuision, shal haue ful powr and auctho̅rity to examine, enquire, heare, and determyne, by info̅rmation and trial as aforesaid, all defaultes & contemptes, which after the feast of the Natiuitie of our lo̅rd next comminge, shalbee done o̅r committed by any seruants, commonly called yomen o̅r gromes, husbandmen, labourers, & artificers, o̅r any of them, against the tenour, fourme, & effect of the statutes and lawes, made for

excessiue

Venire facias Capias Exigende

Conuict

Judgement

Imppil.

Just. of p.

Correct

Sherife

Moitie

Scedule

Certifie

Sherife

Just. of peace

iiii. s. fee Clerke of the peace

ii. s. by the sherife

Just. of p.

Cities

Information

Offences

Just. of peace

Oier & term.

Husbandmen Labourers Artificers

Apparel

exceſſiue apparel, and to correct & puniſhe the offendours therein, being thereof conuict afore them, as is aforeſaid, according to ſuch paines, forfaitures, & punyſhmēts, as are limitted by the ſaid lawes & ſtatuts of apparel, to be leuied, payd & certified as is aforeſaid. And it is &c. that aſwel ỳ Juſtices of aſſiſes, as the Juſtices of Cheſter, & the kings Juſtices of Northe Wales & South Wales, in all & ſingular their circuites, ſhal haue ful auctority & power by ỳ force of this preſēt act, to enquire aſwell by informatiō, as by preſētmēt before thē of the defaults, contempts omiſſion, negligences, fauours, affections, corruptions, and other things whatſoeuer they ſhalbe, of al & ſingular the ſaid Juſtices of peace, which ſhall not diligently, truely & cuely ſeꝛ, put, & cauſe the ſaid good lawes, ſtatuts ordinaunces, & prouiſions to be put in vre, exercyſe, & perfect execution, accordinge to the effectes, as well of the ſaid ſtatutes heretofore made, as of this preſent act, & to heare, examine, and determine the ſāe, as is aforeſaide, and to aſſeſſe ſuch fines vppon the ſaid Juſtices of peace, & vppon euery of them, being conuict of any defaultes, negligences, and offēces, as is aforeſaide, as to their diſcretyon ſhalbee thought expedient for the qualitie & quantitie of their offences. And be it &c. that all Sheriſes, Bailifes, Conſtables, headboroughes, and all and ſingular other offycers and minyſters whatſoeuer, as wel within liberties as without, ſhalbē attendaunt, aidinge and aſſiſtinge to all and ſingular the ſaid Juſtices of peace, in and for, the due execution of this act, vppon paine to make ſuch fines as by the ſayed Juſtices of peace or two of them, ſhalbee aſſeſſed to the kinges vſe by their diſcretions. Prouided alway, that this ſtatut ſhal not binde any Juſtices of peace, or Quorum, to aſſemble or execute any thinge in this act, or in any other ſhire, Citye, Borough or place, then in ſuch ſhire, city, borough or place where he ſhalbe reſident & dwelling, at the time when ſuch aſſemble ſhalbe made by vertue of this act. Prouided alſo that ſuch lordes and other which being Juſtices of peace or Quorum, be or ſhalbe of the kinges priue counſaile, attēdaūt vpon his Royal perſon, or any principal officer of his highnes houſe, attendant vpon his office, and other, which ſhal happē to be occupied in his highnes ſeruice by his maieſties commaundement, ſhall not bee compelled to aſſemble wyth the Juſtices of peace or quorum, in any ſhire, citie, or borough, or otherwiſe bounden to do or exerciſe by auctority of this act, then they be bounden to do afore the making of this act, any thing or things contained in this act to the contrary notwith ſtanding. Prouided alſo, that the Juſtices of either bench, Barons of the kings Eſchequer, the kinges Attourney & Solicytour, and al other Juſtices, officers & miniſters, beinge bounden to attende at the Termes, ſhal not during their attendāce, be compelled to holde or kēpe any Seſſions in the limittes deuyded to them vpon the aſſembles of the Juſtices of peace as is aforeſaid. And to the intēt that the ſaid Juſtices, Barons and all other officers & miniſters aforeſaid, may ỳ better be once in the yere at euery aſſemble aforeſaid. It is &c. that the quarter ſeſſions, holden after Eaſter, ſhalbee yerely kept vppon the tewſday next after low Sonday, in euery ſhire of this realme, Wales and other the kings dominions.

Juſt. of all.

Enquire

The fawltes of Juſt. of p. to be enquired of

Quarter ſeſſions

Oyer & ter. Fines Juſt of p.

Sheriſes Bailifes Conſtables

Officers of the kinges houſe beinge Juſt of peace not bound to aſſemble with the reſt of the Juſt.

Juſt. of both bench Barons of the eſchequer K. attourney Solicitour

Prouided alwaye that this act, or any thing therein contained, ſhall not in anywiſe extende to the county Palantine of Herham, within the County of Northū- berlande, ne to the Countie Palantine of Ely within the Countie of Cambridge, nor to any towne corporate or libertie, within either of the ſaid coūties Palantines, haninge Juſtices of p. for or concerning the extracting, returning, certifying, or leuing of any iſſues, fines, forfaitures, amerciaments, or penalties to bee aſſeſſed or tared vpon any perſon or perſons in any Seſſions to be holden within ỳ ſayd Counties Palantines, or eyther of them or within any towne corporate, ſituate, & beeing within eyther of the ſayd counties Palantines: but that ỳ ſame iſſues, fines, forfaytures, amerciamentes, and penalties, and euery of them may bee aſſeſſed, tared, extracted, returned, certified, and leuied, from tyme to time hereafter, in ſuch maner and fourme, to al intents and purpoſes, as they and euery of them haue bene vſed to be aſſeſſed, tared, extracted, returned, certified & leuyed, at any time before the makinge of this act, or ſhoulde haue aſſeſſed, tared, extracted, returned,

County pa.

Returns of iſſues

Amerciaments

Jnſt. of p. Jnſt. of Q. Aſſemble

Lordes Priue counſaile

certified

certified, and leuyed, if the ſaid act had neuer ben had or made, this act or any thyng therein contained to the cõtrary notwithſtanding. Prouided alway & be it &c. that Juſtices of ỳ peace wỉn any ſhire of thys realme of England & Wales, ſhal not be cõpelled by vertue of this act to aſſemble thẽſelues for the execution of this act for this preſent yere, before the next generall aſſiſes to be holdẽ wỉn euery ſuch county, before the feaſt of ſ. Michael the archangel next cõming, but ỳ they & euery of thẽ ſhal be compelled vpon like payne mencioned in this act, to aſſemble thẽ ſelues at ỳ ſaid general aſſiſes for the execution of ỳ ſame for this preſent yere only, according to the purport, tenour, and true meaning of this act: Any thing in this act to the contrary not withſtanding. Prouided alway, that this act or any thing therin cõtained, ſhall not in any wiſe extend or be preiudicial or hurtful to the county Palantine & Duchy of Lancaſter, or any towne corporate wỉn the ſame county palantine & duchy, hauing Juſtices of peace for or concerninge ỳ extracting, returning, certifiyng or leuying of any iſſues, fines, forfaitures, amerciamentes, or penalties, to be tared or aſſeſſed vpon any perſon or perſons, in any ſeſſions to be holden within the ſaid countie Palantine, & Duchy of Lancaſter, or townes corporat parcell of the ſame Duchy, by vertue of this act, but that the ſãe iſſues, fines, forfaitures, amerciamentes, & penalties, ſhal and may be extracted, returned, certified, or leuied, from tyme to time, in ſuch maner & fourme, to al intẽts & purpoſes, as they haue vſed to be extracted, returned, certified, and leuied at any time before the makinge of this act, thys act or any thyng therein contained to the contrary notwithſtanding. Prouided alway and be it &c. ỳ the Juſtices of peace in euery of the Shires in ſouth Wales and Northwales, & county palantine of Cheſter, accordinge to their limitation, ſhall & may certifie al the ſtreites by them to bee made in maner & fourme as is aforeſayd, to & afore ſuch chamberlaine or chamberlaines, chaunceloure or chauncelours, auditour or auditours, in ſuch place or places as by the kinges mateſty is or hereafter ſhal be appointed or aſſigned, for hearing & determininge of the therifes accomptes in euery of the ſaid ſhires in Wales, or county palantine aforeſaid, any thinge in this act mencioned to ỳ contrarye notwſtanding. Prouided alway ỳ this act or any thing therein contained, ſhal not in any wiſe extend to the county Palantyne & county of Durham, or to any town corporat within the ſame county Palantine or county, hauinge Juſtices of peace, for & concerning the extracting, returning, certifying or leuying of any iſſues, fines, forfaitures, amerciamentes, or penalties, to be aſſeſſed or tared, vpõ any perſon or perſons in any ſeſſions to be holden within ỳ ſaid countie Palantine, or coũtie of Durham, or within any towne Corporat, ſituate & being within either the ſaid countie Palantine or countie, but that ỳ ſame iſſues, fines, forfaitures, amerciamentes, or penalties, & euery of them may be aſſeſſed, tared, extracted, returned, certified, & leuied from time to time hereafter, in ſuch maner & fourme to al intents & purpoſes, as they & euery of them haue bene vſed to be aſſeſſed, tared, extracted, returned, certified, and leuied, at any tyme before the makinge of this act, or ſhoulde bee aſſeſſed, tared, extracted, returned, certifyed, and leuyed, if this ſayd act had neuer bene had ne made, this act or any thinge therein contayned to the contrary not wſtanding. Prouided alwaies, & be it enacted ỳ this act or any thing therein cõteyned ſhal not extend to the barons or inhabitants, of or within the cinqueportes, or their members, or to any of thẽ, to cõpell or cõſtraine them or any of them to aſſẽble them ſelues with any the Juſtices of the peace, out of their ſaid ports or members & the liberties of the ſame, or for, or concerning the eſtreating of fines, iſſues, forfaitures, & amerciaments, to be ſet, loſt or aſſeſſed by vertue of this act, wỉn ỳ liberties aforeſayd. but that they & euery of thẽ ſhal & may aſſẽble thẽſelues togethers at ſuch place & places within their liberties for the executing of this act, as to thẽ ſhall be thought moſt conuenient, & to deuide thẽ ſelues after ſuch faſhion as they ſhall thinke beſt & moſt requiſite for the execuing of this eſtatut in this act mencioned. And may & ſhal take ſuch fines iſſues, forfaitures & amerciaments, & euery of them as ſhalbe ſet, loſt, and aſſeſſed by vertue of this act, in ſuch maner & fourme, & to ſuch vſes, purpoſes & intents, as they or any of them

Juſt. of p.

County Palantine Lancaſter

Iſſues

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Barons of p. ports

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Taking of amerciaments

them lawfully should, might, or ought to haue had, before the makinge of thys act, this act or any thing therin conteined to ỹ cõtrary not wtstanding. Prouided alway, that this act or any thing therin cõtained, be not at any time hereafter in any wise prejudicial or hurtful, to any person or persons, bodies politike or corporate, to their heirs or successors, or to the heires or successors of any of thẽ, for or cõcerning any their lawfull rightes, titles, interests, or claime, of, in, or to, any maner of issues, fines, amerciaments, penalties, or other forfaitures in any wise to be assessed, lost, or forfaited before any Justices of peace, at their sessions hereafter to be holden or kept in any shires, cities, boroughe, or towne corporat, within thys Realme of England, by vertue of auctority of thys act, but that euery such person or persons, bodies politique & corporat, their heires & successors, & the heires & successors of euery of them, & their lawful deputies in such behalfe, shal & may at all times hereafter assesse, tare, extract, returne, leuy, claime, haue, & enioy, all maner such issues, fines, amerciaments, forfaitures, & other penalties, & euery of them, to all such vses & purposes, and in like maner and forme in euery behalf, as they or any of them haue lawfully vsed to do, & haue or might haue done & had, at any time before the making of this present act, by vertue of any graũt to them, or any of them heretofore made or graunted, or otherwise by vertue of any custome or lawfull vsage thereof here to fore vsed, in euery behalfe, this acte or any thing therin conteined to the contrarie notwythstanding. This acte to continue to the latter ende of the next parliament. An. 33. H. 8. cap. 10. But see here following 4. how this statut is repealed.

Lawfull rights

☞ 4 ¶ For asmuch as the kings subiects be much incumbred & charged by cõming to the sire wrekes Sessions, appointed by the Statut 33. H. 8. cap. 10. (before 3.) Be it &c. that the said former act, made in the said 33. yeare of the kings Maiesties raigne, and all ordinances, articles, promissions, & things therein conteined, shalbe from hencefoorth repealed, annulled, & vterly voide and of none effect, to all intents, constructions, and purposes. And that all and euery article therein conteyned, shalbee by vertue hereof inquired of, before all Justices of peace, at their auncient quarter Sessions. And that ỹ same Justices of peace at their said quarter sessions, shall haue like power and auctority by vertue hereof, to punish & reforme, all & euery such offence & offences, in like maner & forme, as they might haue done by vertue of the said former acte made in the said xxxiij. yere of the kinges raigne. An. 37. H. 8. cap. 7.

Repealed

Just. of ỹ Quarter Sessions

*

¶ Executours.

EExecutours from hencefoorth shal haue a writ of accompt, & like action & proces in the same writ, as their testatour had & should haue, if he had lyued. West. 2. cap. 23. An. 13. E. 1.

Writ of Accompt

2 ¶ An. 1. E. 3. cap. 3. actions were gẽuen to the executors of them, that were in the kings quarrell, in the pursuit agaynst his father.

3 ¶ Where as in times past, executors haue not had actions for a trespas done to their testatours, as of the goodes and catells of the same testatours caried away in their life, and so such trespasses haue hitherto remained vnpunished: It is enacted that the executours in such cases shall haue an action against the trespassours, & recouer their dammages, in like maner as they whose executours they be, should haue had if they were in life. Anno 4. E. 3. cap. 7.

Action of Trespas

4 ¶ In a writ of debt brought against diuers executours, the same executors, nor none of them shal haue but one essoine before apparance, that is to say, at the summons or attachment, nor after apparãce they shal haue but one essoin, as the testatour should haue, so that executors do present the person of their testatour as one person. It is also enacted, that though the sherife do answere at the summons, that some of them haue nought where with he may be summoned: yet there shalbee an attachment awarded vppon him. And if the sherife answere, that he hath nought whereby he may be attached, a great distresse shalbe awarded, so that at the great dystresse returned vppon them, hee or they that do first appeare in the court, shal answere to ỹ plaintif. And though some of them haue appeared in the court, and make default at the day, that the great

Essoine

Sherife

Attachment

Distresse

certified, and leuyed, if the ſaid act had neuer ben had or made, this act or any thing therein contained to the cõtrary notwithſtanding. Prouided alway & be it &c. that Juſtices of ỳ peace wỉn any ſhire of thys realme of England & Wales, ſhal not be cõpelled by vertue of this act to aſſemble thẽſelues for the execution of this act for this preſent yere, before the next generall aſſiſes to be holdẽ wỉn euery ſuch county, before the feaſt of ſ. Michael the archangel next cõming, but ỳ they & euery of thẽ ſhal be compelled vpon like payne mencioned in this act, to aſſemble thẽ ſelues at ỳ ſaid general aſſiſes for the execution of ỳ ſame for this preſent yere only, according to the purport, tenour, and true meaning of this act: Any thing in this act to the contrary not withſtanding. Prouided alway, that this act or any thing therin cõtained, ſhall not in any wiſe extend or be preiudicial or hurtful to the county Palantine & Duchy of Lancaſter, or any towne corporate wỉn the ſame county palantine & duchy, hauing Juſtices of peace for or concerninge ỳ extracting, returning, certifiyng or leuying of any iſſues, fines, forfaitures, amerciamentes, or penalties, to be tared or aſſeſſed vpon any perſon or perſons, in any ſeſſions to be holden within the ſaid countie Palantine, & Duchy of Lancaſter, or townes corporat parcell of the ſame Duchy, by vertue of this act, but that the ſãe iſſues, fines, forfaitures, amerciamentes, & penalties, ſhal and may be extracted, returned, certified, or leuied, from tyme to time, in ſuch maner & fourme, to al intẽts & purpoſes, as they haue vſed to be extracted, returned, certified, and leuied at any time before the makinge of this act, thys act or any thing therein contained to the contrary not withſtanding. Prouided alway and be it &c. ỳ the Juſtices of peace in euery of the Shires in ſouth Wales and Northwales, & county palantine of Cheſter, accordinge to their limitation, ſhall & may certifie al the ſtreites by them to bee made in maner & fourme as is aforeſayd, to & afore ſuch chamberlaine or chamberlaines, chauncelour or chauncelours, auditour or auditours, in ſuch place or places as by the kinges maieſty is or hereafter ſhal be appointed or aſſigned, for hearing & determininge of the ſheriffes accomptes in euery of the ſaid ſhires in Wales, or

Juſt. of p.

Chauncelor

Jſſues

County Palantine Lancaſter

Juſt of. p. Wales

county palantine aforeſaid, any thinge in this act mencioned to ỳ contrarye not wỉſtanding. Prouided alway ỳ this act or any thing therein contained, ſhal not in any wiſe extend to the county Palantyne & county of Durham, or to any town corporat within the ſame county Palantine or county, hauinge Juſtices of peace, for & concerning the extracting, returning, certifying or leuying of any iſſues, fines, forfaitures, amerciamentes, or penalties, to be aſſeſſed or tared, vpõ any perſon or perſons in any ſeſſions to be holden within ỳ ſaid countie Palantine, or coũtie of Durham, or within any towne Corporat, ſituate & being within either the ſaid countie Palantine or countie, but that ỳ ſame iſſues, fines, forfaitures, amerciamentes, or penalties, & euery of them may be aſſeſſed, tared, extracted, returned, certified, & leuied from time to time hereafter, in ſuch maner & fourme to al intents & purpoſes, as they & euery of them haue bene vſed to be aſſeſſed, tared, extracted, returned, certified, and leuied, at any tyme before the makinge of this act, or ſhoulde bee aſſeſſed, tared, extracted, returned, certifyed, and leuyed, if this ſayd act had neuer bene had ne made, this act or any thinge therein contayned to the contrary not wỉſtanding. Prouided alwaies, & be it enacted ỳ this act or any thing therein cõteyned ſhal not extend to the barons or inhabitants, of or within the cinquepoꝛtes, or their members, or to any of thẽ, to cõpell or cõſtrayne them or any of them to aſſẽble them ſelues with any the Juſtices of the peace, out of their ſaid poꝛts or members & the liberties of the ſame, or for, or concerning the eſtreating of fines, iſſues, forfaitures, & amerciaments, to be ſet, loſt or aſſeſſed by vertue of this act, wỉn ỳ liberties aforeſayd, but that they & euery of thẽ ſhal & may aſſẽble thẽſelues togethers at ſuch place & places within their liberties for the executing of this act, as to thẽ ſhall be thought moſt conuenient, & to deuide thẽ ſelues after ſuch faſhion as they ſhall thinke beſt & moſt requiſite for the executing of this eſtatut in this act mencioned. And may & ſhal take ſuch fines iſſues, forfaitures & amerciaments, & euery of them as ſhalbe ſet, loſt, and aſſeſſed by vertue of this act, in ſuch maner & fourme, & to ſuch vſes, purpoſes & intents, as they or any of them

County palantine Durham

Returning of iſſues

Barons of d. poꝛts

Eſtreating of fines

Taking of amerciaments

them lawfully ſhould, might, or ought to haue had, before the makinge of thys act, this act or any thing therin conteined to ỹ cõtrary notwithſtanding. Prouided alway, that this act or any thing therin cõtained, be not at any time hereafter in any wiſe prẽdicial or hurtful, to any perſon or perſons, bodies politike or corporate, to their heirs or ſucceſſors, or to the heires or ſucceſſors of any of thẽ, for or cõcerning any their lawfull rightes, titles, intereſts, or claime, of, in, or to, any maner of iſſues, fines, amerciaments, penalties, or other forfaitures in any wiſe to be aſſeſſed, loſt, or forfaited before any Juſtices of peace, at their ſeſſions hereafter to be holden or kept in any ſhires, cities, boroughe, or towne corporat, within thys Realme of England, by vertue of auctority of thys act, but that euery ſuch perſon or perſons, bodies politique & corporat, their heires & ſucceſſors, & the heires & ſucceſſors of euery of them, & their lawful deputies in ſuch behalfe, ſhal & may at all times hereafter aſſeſſe, take, extract, returne, leuy, claime, haue, & enioy, all maner ſuch iſſues, fines, amerciaments, forfaitures, & other penalties, & euery of them, to all ſuch vſes & purpoſes, and in like maner and forme in euery behalf, as they or any of them haue lawfully vſed to do, & haue or might haue done & had, at any time before the making of this preſent act, by vertue of any graũt to them, or any of them heretofore made or graunted, or otherwiſſe by vertue of any cuſtome or lawfull vſage thereof here to fore vſed, in euery behalfe, this acte or any thing therin conteined to the contrarie notwythſtanding. This acte to continue to the latter ende of the next parliament. An. 33. H. 8. cap. 10. But ſee here following 4. hovv this ſtatut is repealed.

Lawfull rightes

4 ¶ For aſmuch as the kings ſubiects be much incumbred & charged by cõming to the ſire wrkes Seſſions, appointed by the Statut 33. H. 8. cap. 10. (before 3.) Be it &c. that the ſaid former act, made in the ſaid 33. yeare of the kings Maieſties raigne, and all ordinances, articles, proniſſions, & things therein conteined, ſhalbe from henceforth repealed, annulled, & vterly voide and of none effect, to all intents, conſtructions, and purpoſes. And that all and euery article therein conteyned, ſhalbee by vertue hereof inquired of, before all Juſtices of peace, at their ancient quarter Seſſions. And that ỹ ſame Juſtices of peace at their ſaid quarter ſeſſions, ſhall haue like power and auctority by vertue hereof, to puniſh & reforme, all & euery ſuch offence & offences, in like maner & forme, as they might haue done by vertue of the ſaid former acte made in the ſaid xxviij. yere of the kinges raigne. An. 37. H. 8. cap. 7.

Repealed

Juſt. of ỹ. Quarter Seſſions

*

¶ Executours.

EXecutours from henceforth ſhal haue a writ of accompt, & like action & proces in the ſame writ, as their teſtatour had & ſhould haue, if he had lyued. Weſt. 2. cap. 23. An. 13. E. 1.

Writ of Accompt

2 ¶ An. 1. E. 3. cap. 3. actions were gẽuen to the executors of them, that were in the kings quarrell, in the purſuit agaynſt his father.

3 ¶ Where as in times paſt, executors haue not had actions for a treſpas done to their teſtatours, as of the goodes and catells of the ſame teſtatours caried away in their life, and ſo ſuch treſpaſſes haue hitherto remained vnpuniſhed: It is enacted that the executours in ſuch caſes ſhall haue an action againſt the treſpaſſours, & recouer their dammages, in like maner as they whoſe executours they be, ſhould haue had if they were in life. Anno 4. E. 3. cap. 7.

Action of Treſpas

4 ¶ In a writ of debt brought againſt diuers executours, the ſame executors, nor none of them ſhal haue but one eſſoine before apparance, that is to ſay, at the ſummons or attachment, nor after apparãce they ſhal haue but one eſſoin, as the teſtatour ſhould haue, ſo that executors do preſent the perſon of their teſtatour as one perſon. It is alſo enacted, that though the ſherife do anſwere at the ſummons, that ſome of them haue nought where with he may be ſummoned: yet there ſhalbee an attachment awarded vppon him. And if the ſherife anſwere, that he hath nought whereby he may be attached, a great diſtreſſe ſhalbe awarded, ſo that at the great diſtreſſe returned vppon them, hee or they that do firſt appeare in the court, ſhal anſwere to ỹ plaintif. And though ſome of them haue appeared in the court, and make default at the day, that the great

Eſſoine

Sherife

Attachment

Diſtreſſe

distresse is returned vppon the other: yet nevertheles, he or they shalbe put to answere, ỹ first appeared at ỹ great distresse returned. And in case the iudgement passe for the plaintif, he shal haue his iudgemẽt & execution against them ỹ haue pleaded, according to the law heretofore vsed, and against al other named in their writ (of ỹ Goods gwdes of the testator) as well as if they had all pleaded. And it is to bee vnderstande, that if any in suche case will sue after the law, that hath bene vsed heretofore, he may frely do it, notwithstanding this statute. Anno 9. E. 3. cap. 3. Stat' 1.

Action of debt Accompt 5 ¶ Executors of executors, shal haue actions of debts, accompts, & of gwdes caried away of the first testatours, & execution of statuts Marchants, & recognysances made in court of record to the first testatour, in the same maner as the fyrst testatour should haue, if he were in life, as wel of actions of the time past, as of the time to come, in all cases where iudgement is not yet gæuen betwixt such executours: But the iudgements gæuen to the contrarie in times past shal stande in their force. And that ỹ same executors of executors, shal answere to other of as much as they haue recouered of the gwds of the first testator, as the first executors should do, if they were in full life. Anno 25. E. 3. cap. 5. Stat' 4.

Iudgement

Chauncelor 6 ¶ That after information made to the Chauncelor of England for the time being, by the executors of any such Lords or person, or two of them, of such riot, taking and spoyling, made or hereafter to be made, by the houshold seruants of their or his said testatour after his death, the same Chauncelor by the aduise of the chief Iustices of the kings bench, & of the common bench, & chiefe Baron of the Eschequer for the time being, or two of them, shall haue power to make so many & such writs to be directed to such sherifes by their discretion, as to them in this behalfe shall seeme necessarie, to make open proclamation in such cities, boroughes, townes, or places, two market dates, vẽ vij. dayes next after the deliuerie of the same writs, as to the same Chauncelor by the aduice aforesaid, shal seeme reasonable: ỹ the said offendors shal appeare before ỹ same our soueraigne Lord the king & his heires, in his bench, at such a day, as by the said writ to him shalbee limited. So that the sayd last Proclamation bee made, by fiftæne dates before the same day of apparaunce. And if any such writ be returned at ỹ day conteined in the said writ, & the writ bee executed, that proclamation is thereupon made, according to ỹ same ordinãce. And then if the said person or persons whych should appeare by the reason of the sayde proclamation, make default at ỹ day specified in the said writ, & do not appeare, then he or they so making default, shalbee attainted of felonie. And if any such person or persons do appeare at the said day, then ỹ Iustices of the said kings bẽch, shal haue power & authoritie by the said ordinance, to commit such person or persons so appearing to prison, there to abide after their discretion, till the said offendors do answere to the said executors in such actions, which ỹ said executors will declare against them, or any of them, by bil or by writ, for the riot, taking & spoyling aforesaid, & that ỹ same actions be determined. So that the same actions be pursued with effect & not slackly, to the intent to kæpe the same person or persons in prison. And if such person or persons bee enlarged out of prison by the said Iustices, that then ỹ same person or persons shal find sufficiẽt persons to be bounden with them to the said executors, by way of recognisance in the said bench, by discretion of the Iustices, to kæpe such dayes as he or they shal haue by the same court. And if ỹ kæpers of the prison, whereunto the said person or persons be committed, do let them go at large out of the prison, of his owne authority, without the consideration & order of the said Iustices, thẽ the said kæper shal forfait and lose xl. pound to the said executours. And that no protection bee allowed in any action to bee taken vppon the sayde ordynaunce. Anno 33. Hen. 6. cap. 1.

Returne

Default
Felony
Appeare
Imprison
Riot
Sueties
Recognisance
Gaylor
Go at large
Forf.

7 ¶ Where part of the executours named in any such Testament of any such person so makinge or declarng any such wil, of any lands, tenements, or other hereditaments, to be solde by his executors, after the death of any such testator, do refuse to take vpon him or thẽ the administration & charge of the same testament & last will, wherein they be so named to be

Spoile
Seruants

Chiefe Iust.

Writs Sherife

Proclamation

Lands

Refuse

execu-

executors, and the residue of the same executors do accept & take vpon them ỹ cure & charge of the same testament & last will, that thẽ all bargains & sales of such lands, tenements, and other hereditaments, so willed to be solde by the executors of any such testatour, as well heretofore made, as hereafter to be made, by him or them only of the said executors that so doth accept, or that heretofore hath accepted & taken vpon him or them, any such cure or administration of any such will and testament: shalbe as good and as effectuall in ỹ law, as if all the residue of the same executours named in the saide testament so refusing the administration of the same Testament, had ioyned with hym or them in the making of the bargaine and sale of such lands, tenements, or other hereditaments, so willed to be solde, by the executors of any such testatour, which heretofore hath made or declared, or that hereafter shall make or declare any such will of any such lands, tenemẽts, or other hereditaments after his decease to be sold by his executors. Prouided alwayes, that this acte shall not extend to gẽue power or authoritie to any executour or executours, at any time hereafter to bargayne or put to sale, any lands, tenemẽts, or hereditaments, by vertue & authority of any will or testament heretofore made, other wise then they might do by the course of the common law, afore the making of this act. An. 21. H. 8. cap. 4.

Bargaines Sales

8 ¶See Rents 2. hovv executours or administratours, shall recouer rents services, due in time of their testatour.

¶Exemption.

SE Yorke 1. of letters Patents to Citizens of Yorke, to be exempt from Offices there, to be void.

2 ¶An. 4. H. 7. cap. 5. It was enacted, that all letters Patents made to Abbots & Rulers of spiritual places, to be quit of, & discharged of payment of Dismes, & of the gathering of them, be void.

Letters patents

Dismes

3 ¶The king remembreth how as well his highnes, as dyuers his progenitours and predecessors kings of England, haue made & graunted, as well vpon feyned suggestions, as other wise, to diuers Abbots, Priors, gardeins, kæpers, masters, & rulers or soueraignes of spiritual places, and to their successors, diuers & many graunts and letters patents, that they & their successors, and their tenãts and seruants resceiants vppon their lands & tenements. And also al lands and tenements, goodes & cattels, of them and their said tenants and seruants whatsoeuer, resceant vpon their said landes and tenements: shalbe quite and discharged of all quinzemes and dismes, other quotis, tares, & tallages, by the communaltie of this his realme in any wyse graunted or to be graunted: by colour of which graunt & letters patents, the grauntees aforesaid now in late daies haue asked and yet aske, deductions & allowances at euery quinzime and disme grãted vnto the king, of much greater & more excessiue summes of money, then hath ben allowed or deducted vnto them, by reason of their said graunts times passed: where through euery quinzime and disme to ỹ king before this time graunted & hereafter to be graunted, is & of likhode shalbe greatly minished & lessed, & ỹ more common people of this realme so much ỹ more grieuously assessed & charged to the same quinzimes & dismes. Remembreth that the bearing & imploying therof must as wel be to the releefe of them, and their said tenants, fermors, and seruants that haue such graunts & letters patents, as to other of his subiects: Hath therefore by ỹ assent and aduice of the Lords spiritual &c. that the said Abbots, Priours, gardeins, kæpers, masters, rulers, or soueraigne of spiritual places, nor none of thẽ, nor none other whatsoeuer, hauing such letters or graunts: haue from hence forth by reason of the said letters patents & graunts, any allowance, deduction, or acquitals of any more or greater summes of money at any such quinzime & disme graũted or here after to be graunted, except only of such & as much summes of money as hath ben deducted and allowed, to and for them, or any of them, by reason or force of the said graunts and letters patents in tyme of king Edward the iiij. at such quinzime & disme to him graunted and paied, the said graunts & letters patents, or any act, statute, or ordinance before this time in any wise made or ordeined not withstanding.

Religious

Allowance

Religious

Allowance

Prouided alway, ỹ this act or ordinance extend not, nor in any wise be preiudiciall or hurtful, to any our graunt or graunts,

or letters patentes, bearing date the xij. day of December, in the first yere of our raigne, made vnto the bailifes, burgesses, men, cominaltie, & inhabitants of ỹ towne of Salop, called otherwise the towne of Shrewesbury, but that our said graunt & graunts, & letters patents, & every thing therein contained, be & stand good & effectuall after the tenour & purport of ỹ same. The said act and ordinance, or any thing therein contained, notwithstanding. An. 7.H.7.cap.5.

Salop
Shrewesbury

4 ¶See Monasteries 11. & Roome 4. how Abbey lands, parish Churches, and Chappels before exempt out of the iurisdiction of the Ordinarie of the dioces, be by those acts put vvithin the iurisdiction of the ordinaries & within their visitation

Abbey lands

¶Exigent and Vtlary.

IN case where the plaintife shall recouer dammages, & he against whom the dammages be recouered, be outlawed at the kings suit: That no charter of pardon shalbe graunted of this outlawrie, except the Chauncelor be certified, that ỹ plaintife is satisfied of his dammages. And in case that a man be outlawed by proces before his apparance, no such charter shalbe graunted, except the Chauncelor be certified that such persō outlawed, hath yelded him selfe to the prison before the Justices of the place, from whence the writ of Exigend issued, ỹ is to say, if from the kings bench, then he shall yeld him in the same place. And if from the cōmon bench, then he shal yelde him selfe there. And if from the Justices of Oier & terminer, whyles the same Justices do sit, he shall yeld him before them. And if they be risen, then hee shal yeld him in ỹ kings bench before the Justices. And the record with the proces to be remoued before them by writ, & the said Justices before whom they shall so yeld them, shall cause the partie plaintife to be warned to appeare before them at a certaine day, at which day if the warning be duely witnessed, & the plaintife appeare vpon his warning, then they shal plead vpon the first originall writ, as though no outlagary had ben pronounced. And if the plaintif come not, he ỹ is outlawed shalbe deliuered by vertue of his charter. And it is to be vnderstand, that all such charters be of the grace of the king, as before they haue ben. An. 5.E.3.cap.12.

Recouer Damages
Pardon
Chauncelor
Satisfied
K. Bench
Common place
Record removed
Plaintife
Original
Pardon

2 ¶Where as diuers being duely outlawed, haue auoyded the outlagaries pronounced against them, by reason of impri- sonments, untruely witnessed by sheriffs and other, which haue no record: It is enacted, that if any from henceforth wyll defeat any outlagarie pronounced vpon him by such witnessing, ỹ he shal yeld him selfe to prison, & then the Justices of the kings bench, shal cause the party at whose suit the outlagarie was pronounced, to bee warned to be before thē at a certeine day, at which day if the party wil deriste, that the witnessing is untrue, his auerrement shalbee receiued. And in like maner the kings Serieant or his Atturney, or other that will sue for the king, shalbe receyued to haue the same auerrement against such witnessing, in case where such outlagarie is pronounced at the kinges suit. An. 5. E.3.cap.13.Stat' 1.

Imprison
Sheriffs
Defeat
Plaintife
Auerre
K. Serieant
K. Atturney
Kings suit

3 ¶It is accorded and established, that from henceforth of them which be or haue ben receiuours of the kings money, or of his woolles which they take of the people, and the same carrie away, or deteine, so ỹ our soueraigne lord the king, may not bee thereof serued. And of them that bringe woolls to the parties beyond the sea, without being coketted, or paying custome or subsidie, whereto they be assessed, and of Customers & Searchers, which suffer the same to the kings damage: of lay minysters, which receiue the kings money, and the same reteine. Also of conspiratours, confederatours, and maintenors of false quarrels. Also of them that bring Routes into the presence of the Justices, or other the kings ministers, or els where, in the counties, in affray of the people, so that ỹ lawe may not be done, as wel of them which bring the same, as of them whych come in their companye: or as of them which bring false money in deceipt of the people: against all those, in case they may not be found, nor brought in to answere by attachment or distresse, for the profite of our soueraigne Lord the king, the Exigend shalbee geuen & sued, & not against other. An. 18.E.3.Stat' 1.

Receiuors Money Woolles Detaine
Cocket Custome
Customers
Conspiratours Quarelers
False money

4 ¶No Exigent shal from henceforth go out, in case where a man is endicted of trespas, & it be not against the peace, or of

Ind'ts Trespas

things

things which be conteined in the declaration made in ỹ case, in the last parliamẽt holden at west. An. 18. E. 3. cap. 5. Stat. 2.

5 ¶ If and where any writ of Exigent at any time from ỹ rb. day of Easter next comming or after, shalbe awarded at the suit of the king, or any other person or persons plaintife or plaintifes, in any action personal, against any person or persons, called of any shire or citie, being a Shire corporat of it selfe, or els late of any such shire or citie, other then into such shire or citie whereunto such Exigent shalbee awarded: to be called according to the law. And also in euery writ of Exigent in any action personal wherof ỹ proces or exigẽt at the said rb. day of Easter or after, shalbe directed vnto London or Midd, the defendãt being called late of London, or late of Midd, & at ỹ time of the exigent awarded not dwelling in Lond nor in Midd, or els ỹ the said defendant or defendants in the same exigent, dwelling in any other shire or place thẽ where ỹ kings writ runneth: then the Justices before whom any such exigẽt is to be awarded, in al actions where ỹ exigent shal not be directed into Londõ nor Midd, to award a writ of proclamation to be directed to ỹ sherife of ỹ same coũty, where it doth appeare by the bling of such action, ỹ the party defendant is, or lately was dwelling, if ỹ kings writ there be currant: & els to the next shire adioyning to the county or coũties, or other places, wherof the partie is called, or lately supposed by the said exigent to haue his being of, where the kings writ so rũneth not, & in euery action, as is before sayd, whereof the exigent shalbe directed into London or Midd, & the defendant or defẽdants in the same called late of Lõdon or Midd, & at the time of ỹ exigent awarded not hauing his or their dwelling in London or Midd, then the writ of proclamation to be awarded, made & directed vnto ỹ sherife of the shire, where the defendãt at the time of the exigent so against hym or them awarded, shal haue his dwelling, or in case where ỹ kings writs rũneth not, vnto the next shire thereunto adioyning, the which said writ of proclamation, shal conteine the effect of ỹ same action, & that the sherife of ỹ countie, to whom any such writ of proclamation shalbee directed to make iij. proclamations wtin his countie at three seuerall daies, that is to say, two of the same proclamations in the full & plain shire court of the same countie, & the third of the said proclamations to be made at ỹ general Sessions in those parties where the defendant is supposed to be dwelling, or in the parties of the countrey next adioyning to the countie or counties where the kinges writ runneth not: ỹ the party defendant yeldeth him selfe to the sheryfe of the forein countie, to whom any such exigẽt in any action personal is awarded, so ỹ the sherife of such forein countie may vpon his yelding, haue the body of the said defendãt before ỹ Justices, before whom any such exigent is not awarded, at ỹ day in the same exigent compised, there to aunswere to the plaintife in the same, according to the law. And that euery such writ of proclamation shall haue the same day of returne, as the writ of exigent vpon such forein actions so awarded shall haue: & that euery such writ of proclamation be deliuered of record, to the sherif or deputie of the county, into the which any such writ of proclamation is to be awarded. And that the sherife of the same coũtie duely do exercise the same, and thereof make true returne at the day of the same writ appointed: vpon paine to forfait such amerciament vnto the king & his heires, by the discretion of the Justices before whom such exigent shalbe returnable, to be set. And that the officer, in whose office the said Exigent is taken, make out ỹ said writ & writs of proclamation, as hereafter shalbe awarded in any the said courts. And ỹ the same officer shal take no more for the making of any such writ of proclamation & the entring of ỹ same of record, but onely vj. d. And if any outlary hereafter bee had or promulged, against any person or persons in any action personal, in any forein countie, & no writ of proclamation, as is aforesaid, awarded and returned, that thẽ euery such outlawry to be vtterly void, & of none effect ne force in the law. And ỹ al outlawries had contrary to this act, be auoided by auerrement, wtout suing of any writ of error. An. 6. H. 8. ca. 4. Note a like statut to this, was made An. 4. H. 8. cap. 4. to endure to the next parliament. See here following 7. this altered for the coũty palantin of Lãcaster.

6 ¶ Where in the high court of Parlia-

R. Suit

Action personal Citie

London Naper

Shire

Proclamation Sherife

Widdelsex

Sherife

3. Proclamations

Shire Court

Generall sessions

Day Returne Forein actions

Record Sherifs

Returne Fork.

Fee

Action personal Forein countie

Void

Auerrement

ment holden at weſtminſter the 27. yere of king H.8. (s.cap.26. which is in Wales 28.) by the aſſent of the lords ſpirituall & temporal &c. ẏ his highnes dominion and principality of Wales, & al manors, lãds, tenemẽts, & other dominions wõin the ſaid dominion & principalitie of wales, ſhould be deuided into xiij. ſhires or counties, ẏ is to ſay, the ſhires or counties of Glamorgan, Radnour, Brecknock, Karmarthen, Pembroke, Cardigan, Perioneth, Mongomery, Flint, Carnaruan, Angleſie, & Denbigh, in euerie of which ſaid counties & ſhires amongeſt the officers yerely appointed: it was then ordeined, that there ſhould be diſtinct & ſeuerall cheriffs yerely, & alſo where ẏ counties palantin of Chelter, & of the citie of Cheſter, be auncięt ſeuerall counties palantine of them ſelues, in al which ſaid coũties ẏ kings writ hath not, nor yet doth not runne: So ẏ the proclamation awarded vpon any exigent againſt any perſon or perſõs in any action wherein proces of outlawrie doth lie, according to ẏ ſtatut made in ẏ 6. yere of ẏ raigne of ẏ ſaid late king, cap. 4. (before 5.) cannot be directed vnto ẏ cherif or ſhirifes of any of the ſaid ſhires or counties, but vnto the cherife of the countie next adioyning: ſo ẏ the party dwelling in any of the ſaid ſhires or counties againſt whom any ſuch Exigent & proclamation ſhalbe ſo awarded, ſhall not, nor can haue any knowledge of the ſame writ or proces, by reaſon wherof, many of the perſons inhabiting in ẏ ſaid ſhire & countie, wythout knowlege or cauſe of ſuit, haue ben wrõg fully & vniuſtly outlawed, to their vtter vndoing. Be it therfore & for diuers other good conſiderations &c. ẏ if & when ſoeuer any writ of Exigent at any time after ẏ firſt day of April next comming, ſhalbe awarded at the ſuit of the king, or of any other perſon or perſons, plaintife or plaintifes, at any action or ſuite, in any of the courts of the king, his heirs or ſucceſſors, commonly called ẏ kings bench, & ẏ common place, againſt any perſon or perſons dwelling in any of the aforeſaid counties in Wales, or in the ſaid counties Palantine of Cheſter, or the citie of Cheſter, or in any of them: that then immediatly vpon the awarding of euery ſuch Exigent, the Juſtice or Juſtices before whom any ſuch writ of Exigent vppon ſuch ſuyte or action ſhalbe ſued, ſhal haue full power & authoritie to award one writ of proclamation, according to the tenor & effect of proclamations awarded vppon exigents, directed out of any of ẏ ſaid courts in Lõdon, againſt any perſon dwelling in any other ſhire, where ẏ kings writ is currãt, according to the order & forme of the ſaid ſtatut made in the 6. yere of the ſaid late king, to be directed to ſuch of the aforeſaid cheriffes, of any of the aforeſaid coũties in Wales, and of the counties palantine of Cheſter, & of the citie of Cheſter for the time being, where it ſhal happen the ſayd defendant (againſt whom any ſuch action ſhalbe ſued, as is aforeſaid) to be dwelling. And that euery ſuch writ of proclamation ſhal haue the ſame Teſte & day of return, as the exigents whereuppon euery ſuch writ of proclamation ſhalbee awarded, ſhal haue. And that euery ſuch cherife to whom any ſuch writ of proclamatiõ ſhall be directed, ſhal make proclamation of ẏ ſaid writ of proclamation, according to ẏ tenour of the ſame, & ſhall make true returne of the ſame, in ſuch court & before ſuch Juſtices, as the tenour of the ſame writ ſhal require & demaund. And that all outlawries hereafter to be promulged or pronoũced, againſt any perſon or perſons vpon any ſuch exigent or exigents, awarded againſt any perſon or perſons, dwelling in any of the ſaid counties of wales, & the comties palantine of Cheſter, & of the citie of Cheſter, & no writ of proclamation awarded in fourme aboue ſaid, to the cherife or cheriffes of the coũtie, where the partie defendant ſhalbee, as is aboueſaid dwelling, or not returned: to be clerely voide, & of none effect nor force in the law. And be it &c. that all & euery cherife and cheriffes of euery of the ſaid countyes of Wales, and of the counties Palantine of Cheſter, and of the citie of Cheſter aforeſaid, ſhall haue in euery of the ſaid courts of the kings bench and of the common place, one ſufficient Deputie at the leaſt, to receiue all writs directed to ſuch cherife or cheriffs, for whom the ſame deputie or deputies ſhalbe appointed, in like maner & forme, & vpon like paines, as by the former ſtatuts & lawes of thys Realme, other cheriffes of other ſhires or coũties within thys realme of England, bee bound to haue in either of ẏ ſame courts, and

Wales

xiij. Shires in Wales

Cheriffes Countie palantine

Proclamation

K. Beuch Common place

Juſtices

Proclamation

Londõ

Cheriffes

Teſte Day of return

Outlawrie

Cheſter

Voyd

Deputy

and that all writs of proclamation afore-
said, shalbe delmered vnto euery such de-
putie of record in the same Courts, & also
Fee Enrolling like fee shalbe paied for making euery such
writ of proclamation, & for inrolling the
same record, as is limitted in ỳ said statut
made in the said sixth yere of king H.8.
And be it &c. that if any person dwellyng
in any of the said counties of Wales, after
the foresaid first day of Aprll, shalbe out-
Capias vtlag. Nonmolest. tandum lawed in any suit or action aforesaid, that
then writs of spectall Capias vtlagatum,
single Capias vtlagatum, Non molestan-
dum, & al other proces, for, or against any
person outlawed, shal & may from thence
forth be directed to the sherife of any of ỳ
said counties in Wales, as immediat of-
Officers ficers to the said courts of the kings bēch,
Writs of record or common place in ỳ behalfe, & that euc-
rie such writs may be delmered of record,
to the deputie of such of the said Sherifs,
to whom any such writ of proces shalbe
Execution Returne directed, & ỳ euery such sherife shall make
execution, & returne of euery such writ of
proces to him directed, vpon like payne &
penaltie, as is aboue limitted. And bee it
&c. that if any such writ or writs of pro-
clamation heretofore directed to any of ỳ
sherifes of any of the said shires in wales
or counties palantine of Chester, or in the
citie of Chester, be delmered vnto any of
the said sherifes for the time being, or to
his or their deputie, in maner & forme a-
foresaid, & the same sherife or sherifes do
not make true returne of euery such writ
or writs of proclamation, into such court
and courts, out of which the said writ or
writs of proclamation shalbe awarded: ỳ
Non returne for euery such default of non returne, euc-
Fyne. rie such sherife for the time being, shal lose
Moitie & forfait x.li. The one halfe thereof shal-
be to our soueraigne lord ỳ king, his heirs
& successors, thother halfe to any such per-
son or persons as will sue for the same in
an action of debt &c. Prouided alwayes,
ỳ this act or any thing therein contelned,
shall not in any wise extend or be preiudi-
Countie Palantine cial to the same counties of Wales, or to
the said counties palantine of Chester, for
or concerning such liberties, fraunchyses,
or priuiledges, as belong to them or any of
them, or any ministers, or officers of thē
or any of them, otherwise, or in any other
maner, then by the true meaning of thys
act is before prouided & declared: any thing
in this act mencioned to the contrarie not
withstanding. Prouided alwayes, & be it
&c. that this act, ne any thing therin con-
telned, shall not in any wise be preiudicial
or hurtful to any lord Marcher in Wales L. Marcher
but that they & euery of them & their heirs
& the heires of euery of them, shal & may
haue full libertie, interest, & prehemince
as they & euery of thē had, might, or ought
to haue had, before the making of this act,
& as though this act had neuer ben had ne
made, any thing in this act mencioned to
the contrarie not withstanding. Anno 1.
E.6.cap.10.

7 ¶ If and when soeuer a writ of Eri-
gend, at any tyme after the first day of
Aprll next comming, shalbe awarded at ỳ
suit of the king, his heires or successours, Kings suit
kings of this realme, or at the suit or suits
of any other person or persons, plaintife or
plaintifes, in any action or suit, in any of
the courts of the king, his heires & succes-
sors kings of this realme, commonly cal-
led the kings bench, & the common place, K. Bench Common place
against any person or persons, dwellinge
wlthin the county Palantine (s. of Lancas- Countie Palantine
ter) that then immediatly vpon ỳ awar-
ding of euery such Erigend, the Justice or
Justices before whom any such writ of Justices
Erigend vpon suit or action shalbee sued,
shal haue full power & authoritie by ver-
tue of this act, to award one writ of pro-
clamation, according to the tenor & effect
of writs of proclamation, awarded vpon Proclamation
erigends, & commonly directed out of the
said courts into Lōdon, or into any other London
shires of this realme, against any person
or persons, dwellinge in other shire or
shires of this Realme, where the kynges
writ doth runne, according to the order &
forme of the said statut, made in the sixth
yere of king H.8.cap. 4. to be directed to
the sherife of the said countie palantine of
Lancaster, where it shal happen the sayd
defendant against which any such action
shalbe sued, as is aforesaid, to be dwelling
& not to the sherife of any other shire next Sherife
adioyning to the said countie palantine, a-
ny law, custome, or vsage heretofore vsed
to the cōtrarie not withstanding. And that
euery such writ of proclamation so to bee
hereafter awarded to the sherife of ỳ said
countie palantin, shal haue ỳ same Teste Teste
& day of returne, as ỳ Erigends wherup-
on euery such writ of proclamation shalbe

awarded, shall haue. And that euery such
Sherife of the said county palantin of Lã-
caster, to whom any such writ & writs of
proclamation shalbe directed, shall make
proclamations of the said writ & writs of
proclamation, according to the tenour of
True returne the same, & shal make true returnes of the
same, in such court & courts, & before such
Iustices, as the tenour of the same writ
& writs of proclamations shall require &
Outlawries demaund. And that all outlawries here-
after to bee promulged or pronounced, a-
gainst any person or persons vpon paine,
any such exigend or exigends awarded a-
gainst any person or persons, dwelling in
the said countie palantine of Lancaster,
and no writ of proclamation awarded in
forme aboue said to the sherife of the sayd
countie palantine of Lancaster, where ẏ
partie defendant shalbee or is afore sayde
dwelling or not returned, to bee clerely
Void & of none effect nor force in the law.
Sherife And be it &c. that euery sherife of the sayd
countie Palantine for the time being, shal
haue in euery of the said courts of ẏ kings
bench, & of the common place, one suffy-
Deputie cient deputie at the least, to receiue al such
writes of proclamations, which shalbe
hereafter directed to euery such sherife of
the said countie palantine, for whom the
same deputy or deputies shalbe appointed
in like maner & forme, & vpon like payne,
as by the former statutes & lawes of this
Realme other Sheriffs of other shires or
counties within the Realme of Englãd,
bee bound to haue, in either of the same
courts. And that all such writs of procla-
mation aforesaid, shalbe deliuered vnto e-
Record uery such deputie or deputies, of record in
the same courts & either of them, and also
Fees like fees shalbee paied, for making euerie
Enrolling such writs of proclamations, & for enrol-
ling the same record, as is limitted in the
same Statut, made in the said 6. yere of
king Henry 8. Be it &c. that if any such
Proclama- writ or writs of proclamation, hereafter
tions to be directed to any sherife of ẏ said coũ-
tie palantine of Lancaster, bee deliuered
vnto any of the sherifes of the said county
palantine for the time being, or to hys or
their deputie or deputies, in maner and
forme aforesaid, & the same sherife or she-
False returne rifes do not make true returne, of euery
such writ & writs of proclamations into
such court & courtes, out of the which the
said writ or writs of proclamations shall
be awarded, that for euery such default of Default
non returne, euery such sherife for ẏ time
being, shal lose and forfait v.li. The one Fork.
halfe wherof shalbe to ẏ king, his heires & Mottie
successors, & ẏ other half therof to any such
person or persons as will sue for the same
in any action of debt &c. Prouided al-
waies, ẏ this act or any thing therin con-
teined, shall not in any wise extend or be
prejudicial to the same Countie Palan-
tine of Lancaster, for or concerning such
liberties, fraũchises, or priuiledges, as be- Liberties
long to the same, or to any ministers, or
officers of ẏ same coũtie Palantin, other-
wise, or in any other maner, then by the
true meaning of thys act is before proui-
ded & declared: any thing in this act men-
cioned to the contrarie notwithstanding.
Prouided also, & be it &c. that if any person
or persons, dwelling wiṫin the said county
palantin, after ẏ aforesaid 1. day of April,
shalbe outlawed in any such suit or action, Outlawed
as is aforesaid, that thẽ al writs of special
Capias vtlagatum, single Capias vtlaga- Capias vtlag.
tum, Non molestandum, & all other proces, for, or against any person or persons
so outlawed, shal & may from thencefor th
be directed from time to time, to ẏ Chã-
celor of the Duchie of Lãcaster, who shal Chancelor
make like writs & proces thereuppon, & of of the Duchy
like effect: Sealed with the seale of ẏ said Seale of the
countie palantine of Lancaster, to be di- countie Pa-
rected to the sherife of the said countie pa- lantine
lantine for the time being, as heretofore
hath bene vsed and accustomed in such ca-
ses. An. 5. E. 6. cap. 26.

¶ See Proces 10. of outlavvry geeuen in certaine actions.

¶ Exposition of woordes.

SOk, is suit of men in your Court, ac-
cording to the Custome of the realme.
Sak, is plee and correction of trespasses
of men in your Court, because Sak in
English is encheson in French, as to say,
for sick sack, pur quel encheson, for what
hurt, and Sak is put for forfait. Toll, is
that you, and all your men of all your ho-
mage bee discharged or quyte in all mar-
kets, of Toll of things bought and sold.
Them, is that you haue al the generation
of your villaynes with their suites and
cattaile where soeuer they shalbe found in
England,

England, except ỳ if any bond man ſhall remaine quite one yere & a day, in any priuiledged town, ſo ỳ he ſhalbe receiued into their comunalty or guild as one of them, by ỳ meanes he is free & deliuered from villenage. Infangthef. that is, that theeues taken within your demeane or fee, conuicted of theefts, ſhalbe iudged in your court. Hankwite, is to be quite of a felone or theefe, hanged without iudgement, or eſcaped out of your cuſtody. Outfangthefe, is, that theeues or felons of your lande or fee, out of your land or fee taken with fefelony, or a ſtealing, ſhalbe brought back to your court & there iudged. Homoloken, is to be quite of amercements for entring into houſes violently & without licence, & contrarie to the peace of our ſoueraygne Lord the king. And ỳ you hold plee of ſuch treſpaſſes done in your court, and in your land. Grechbrech, is, the peace of our ſoueraigne Lord the kinge broken, becauſe peace in Engliſhe is Grieche in latin. Blodewit, is to be quite of amercements for blod ſheding, & what plees are holden in your court, you ſhould haue ỳ amercements therof comming, becauſe wite in Engliſh is Miſericordia in latin. Fletwit is to be quite from contention & conuicts & that you may haue plea thereof in your court & thamerciaments, for flit, in Engliſh is Tenſon in french. Fledwit, is to be quite from amerciamentes when an outlawed fugitiue cometh to the peace of our lord the kinge, of his owne wil or being licenced. Flemeſwit, is, that you may haue the cattel or amerciamentes of your man a fugitiue. Lotherwit, is that you may take amendes of him which doth defile your bondwoman without licence. Childwit, is that you may take a fine of your bõdwoman defiled & begotten with child without your lycence. Forſtal, is to be quite of amerciamẽts & cattels arreſted within your land and thamerciamẽts thereof comming. Scote, is, to be quite of a certaine cuſtome, as of common tallage made to the vſe of the ſherife or his bayliffes. Gelde, is, to be quite of ſeruyle cuſtomes, which were wont to be geuen & as yet are geuen, as Hornegeld and ſuch lyke. Hidage, is, to be quite if our lord the king ſhal tare al the lande by hides. Carnage, is to be quite yf our lorde the kinge ſhal tare al the land by carues. Dangeld, is to be quite of a certaine cuſtõe whych hath rũne ſomtimes, which ỳ Danes did leuie in Englãd. Horngeld is to be quite of a certain cuſtõe, eracted by tailage thorough al the land, as of what ſoeuer horne beaſt. Laſtage, is to be quite of a certaine cuſtõe eracted, in fairs & markets for carrying of things wher a mã will. Stallage is to be quit of a certain cuſtõe eracted for ỳ ſtreat taken or aſſigned in faires & markets. Shewing is to be quite with attachment in any court, & before whomſoeuer, in plaints ſhewed & not anowed. Abiſherſing, is to be quite of amercements before whomeſoeuer of tranſumptyon proued. Burghbreth, is to be quit of treipas don in city or borough againg ỳ peace. Warwite is to be quite in geuing of money for keeping of watches. Hundredũ, is to be quite of money or cuſtomes to be done to ỳ gouernors & hundredors. Brodehalpeny, is to be quite of a certaine cuſtome eracted for ſettinge vp of tables. Brugbote, is to quite of geuing ayde to the repairinge of bridges. Burgebot, is to be quite of geuig of ayd to make a borough, caſtel, citie, or walles thrown downe. Auerpeny, is to be quite of diuers ſummes of money for the kings auerages. The tretice of the expoſition of vvords. It is no ſtatut.

Extorcion.

NO ſherife, nor other the kings miniſters, take any reward to do his office but ſhalbe paid of ỳ which they take of ỳ king, & he that ſo doth, ſhal yelde twice ſo much, & ſhalbe puniſhed at the kings pleaſure. W. 1. ca. 26. But ſince this time diues ſtatuts haue appointed, ſundry fees to diuers officers, which they may lavvfully take. Sherife Reward Punith

2 ¶ No clerke of Juſticer of eſchetour, or of enquirour, ſhal take any thing for deliuering chapiters, but only clerks of Juſticers Errants, in their eyers, which ſhal take ii. s. & no more. Of euery twapentake hundred or towne ỳ anſwereth by xii. or by vi. according as it hath ben vſed of olde time. And he that doth contrary, ſhal pay thrice ſo much as hee hath taken, & ſhall leeſe the ſernice of his maſter for one yere W. 1. ca. 27. Clerke Fee Fees. Loſſe of ſeruice

3 ¶ For as much as many cõplain thẽ ſelues of officers, criours of fee, and the Coroners

Marſhals

Marſhals

Officer of fee Loſſe of office Puniſh

3. damages

Waterbailifs Serchers

Marchants

Impoſt

Cannas Iron

Diſtres

Marſhals of Juſtices in eire, taking money wrongfully of ſuch as recouer ſeiſin of land, or of them that obtaine their ſuits, & of fines leuied, & of Iurrours, Townes, priſoners, & of other attached vpon pleas of the crowne, otherwiſe thē they ought to do in diuers maners. And for as much as there is a greater number of thē then ther ought to be, wherby ỳ people are ſore greeued, the king commaundeth, that ſuch things be no more done from henceforth, & if any officer of ſee do it, his office ſhalbe taken into the kinges handes, and if any of the Juſticers Marſhals do it, they ſhall be greeuouſly puniſhed at the kinges pleaſure, and as wel the one as the other ſhal pay vnto al complainats the treble value of ỳ they haue receiued in ſuch maner. W. I. ca. 29. An. 3. E. 1.

4 ¶Item whereas diuers water bailifes, ſercheours, comptrollours of ſearch, & other their deputies & ſeruants, within ỳ ports of this realme & ſpecially within the ports of Fowey, Plimmoth. Dertmouth & Poole, by colour of their offices, daily do wrongfully take by conſtreint of diſtreſſes & arreſtes vpon the ſhips, barges, balengers, & other veſſels, goods, & marchandiſes, of the kings leige marchaunts of ỳ ſaid realme, & amonge al other vpon the kings leige marchāts of Gaſcoyne, Guien, Irelād, Gerneſey, & Garneſey, in their cōming & goinge in the ſayd ports, great charges & impoſitions, that is to ſay, for euery peece of creſcloth fower pence, for euery hundred of cannas vi. d. for ỳ weight of euery tunne of Iron xij. d. & ſometime more, & likewiſe of al other goods & marchandiſes of the ſayde leige people & other marchants of the kinges amity, & by ſuch wrongfull diſtreſſes, arreſtes, charges, & impoſitiōs, they do diſturbe the ſaid merchaunts frēely to come into this ſaid Realme, & to paſſe, againſt al law & conſcience before all cuſtomes & ſubſidies due to our ſaid ſoueraigne lord the king, to the great preiudice of our ſaid ſoueraigne Lord the king, in loſſe of his cuſtomes & ſubſidies, & to the great damage of the ſaid Marchāts & their ſucceſſors, vnles due remedy therof be had in the ſame. By aduice, aſſent & auctority aforeſaid it is ordeyned & eſtabliſhed, ỳ the ſaid marchants, their ſucceſſors & euery of them, of all ſuch iniuries, diſtreſſes, arreſts, charges, & impoſitions aforе recited to bē made to thē, or any of them, aſwell by ſuch water bailifes, ſerchers & comptrollers of the ſearch, as by collectors of the ſaid cuſtomes & ſubſidies, comptrollers of the ſame, ſurueiors of the cuſtomes, ſubſidies, of ſerch packers, or any other officers, or their deputies or ſeruants by their cōmaundement, or any of thē: hereafter may haue therupon a generall writ of treſpas againſt ſuch offendors & euery of them, after the fourme of the law, & to recouer againſt them & euery of them, thereof ſo conuicted rl. li. And ỳ the ſaid marchants their ſucceſſors & euery of them, ſo greeued (as before is ſayd) may purſue the ſaid writ of Treſpas againſt ỳ ſaid offendors & euery of them for ſuch iniuries, diſtreſſes, arreſts, charges, & impoſitions ſo to be made, as afore is ſaid, within ii. moneths next after ſuch iniuries, diſtreſſes, arreſtes, charges & impoſitions to bee made by them or any of them as afore is ſaid. And in caſe ỳ the ſaid marchāts, their ſucceſſours or any of them do not purſue ỳ ſaid writ of Treſpas of ſuch iniuries, diſtreſſes, arreſts, charges, & impoſitions afore ſaid, againſt the ſaid offendours, nor none of thē within the ſaid two moneths, ỳ then it ſhalbe lawful to euery other perſon of the kings leige people, to purſue the ſaid writ of treſpas of ſuch iniures diſtreſſes arreſtes, charges & impoſitions to be made as is afore ſaid, againſt al ſuch offēdours & euery of them after the fourme of ỳ lawe, & to recouer againſt thē & euery of thē thereof ſo conuict rl. li. ỳ king to haue ỳ one halfe, & he or they which will purſue, the other halfe. An. 28. H. 6. ca. 5. ſta. 2.

Writ of treſpas

40. li.

Merchaunts

ii. moneths

Recouer 40. li Moitie

¶Falſe iudgement.

Recouer

Auerrment

NOne frō henceforth (except our ſoueraigne lord ỳ king) ſhal hold in his court any plea of falſe iudgement genē in ỳ court of his tenants. For ſuch plea ſpecially belongeth to the crowne & dignitye of our ſoueraigne lord the kinge. Marl. ca. 20. An. 52. H. 3.

2 ¶When any recorde cōmeth into ỳ kings court by writ of falſe iudgement, in caſe where ỳ party alledged ỳ the recorde is otherwiſe, then the court doth recorde ỳ ſame: the auerrement ſhalbe receiued of ỳ good countrey, & of them which were preſent in the court when the recorde was made

Sherifes returne Enquest

made, if they do come: and by other of the countrey by the Sheryfes retourne. And if they come not, the enquest shall bee taken by the good countrey. An. 1. E. 3. cap. 4.

¶Fee ferme.

Corporat Towne Corporation

AN. 2. E. 6. ca. 5. An act was made for ẏ remitting for 3. yeres, of fee fermes made by any corporate towne, or corporation, with diuers clauses concerning the matter. And after in An. 3. E. 6. cap. 18. the said remission of fee fermes, was restrayned to one yeare.

¶Fees.

COncerning the kings marshals of fee chamberlaines, porters in the circuit, of Justices and sergeants, bearing vierge before Justices at Westminster, which haue the same office in fee, and that alike more by reason of their fee, then they haue vsed to aske, whereuppon many do complaine on them, that haue knowen & seene the order of the court of longe time. Our soueraigne Lord the kinge hath caused to be enquired by an enquest, what the sayde officers of fee haue vsed to haue in tymes paste, and hath ordeined and cõmaunded, that a marshal of fee, which of new asketh a palfraie of Earles, Barons, & other holding by a part of barony, when they haue done homage, and neuertheleſſe an other palfraie whẽ they are made knights, & of some that ought not to geeue any, aske a palfrie: It is in like maner ordeyned, ẏ the sayd marshal of euery Earle and baron, holding by an entire baronie, shalbee cõtented with one palfraie, or with the price of it, such as hee hath vsed to haue of old: so that yf he take a palferay, or the price of one, at the doing of his homag in forme aforesaid, he shal take nothing whẽ he is made knight: & if he take nothing at ẏ doing of his homage, when he is made knight he shal take. Of abbottes priours holding an whole barony, when they do homage or fealtie, for their baronyes, he shal take one palfraie, or ẏ price, as afore is sayd, and this shal also bee obserued amongest archbishops and bishops, of such as hold but a part of a baronie, whether they be religious or seculer, hee shall take according to the porcion of the part of the baronie ẏ they holde. Of religious men ẏ hold in free almes, & not by a barony, nor part of a barony, ẏ Marshal frõ henceforth shal demaũd nothing. And our soueraigne lord ẏ king hath grãted ẏ by this statut a Marshal of fee, shal not be barred hereafter to demaũd more, if he can shew ẏ he hath right vnto more. The kings chãberlains from henceforth shal haue of archbishops, Bishops, Abbotes, Priours, & other persons spiritual, of Earles and Barons holding an entier barony, a reasonable fine, whẽ they do their homage or fealtie. And if they holde by a part of a baronye, they shal take a reasonable fine according to ẏ porcion to them belonging. Other abbots Priours, persons spirituall and temporal ẏ hold no entier barony, nor part of a barony, shal not be distrained to make fine, as it is sayd by them ẏ hold by a barony, or part of barony, but the chamberlayne shalbe contented with his vpper garment or with the price thereof, which is done in fauour of personnes religions, more then of lay personnes, for it is more conuenyent, that religyous men should fine for their vpper garment, then to be strayned West. 2. cap. 42. An. 13. E. 1.

Chamberlains

Vpper garment

2 ¶Concerning porters, bearyng vpperge before Justicers of the benche in the circuit: It is prouided, that of euery assise & iurie, that they keepe, they shal take 1. d. onely, and for the bils nothing. Of such as recouer their demaunds against many by default, confession, or other wise by iudgement, without assise or iury, they shal take nothing. Of such as go without day by default of the demaundant or plaintife, nothing. And if any recouer his demaund against many by one writ, & by recognysance of assise or iurie, they shalbe content with iiii. d. And like wise if many named in one writ do recouer their demaund by recognisaunce of assise or iurie, they shall take iiii. d. Of such as do homage in the bench, they shalbee content wᵗ their vpper garment. Of great assises, attaints, iuries & battail waged, they shal take vii. d. only. Of such as be called before Justices to sue or to defend their plea, their cõming in or forth nothing. At ẏ pleas of ẏ crowne, for euery dosen iiii. d. shalbe take. Of euery gaole delyuery iiii. d. shalbe taken. Of euery one, whose peace is proclaymed vii. d. onely

Porters

Iury 1. d.

Marshals fee

Earle Baron

Abbots Priors

Archbishops Bishops

Religious

iiii. pence Homage Vppe r garmẽt

Gaole deliuerie

Marshals

Marshals of Justices in eire, taking money wrongfully of such as recouer seisin of land, or of them that obtaine their suits, & of fines leuied, & of Iurrours, Townes, prisoners, & of other attached vppon plées of the crowne, otherwise thē they ought to do in diuers maners. And for as much as there is a greater number of thē then ther ought to be, wherby ẏ people are sore greeued, the king commaundeth, that such things be no more done from henceforth, & if any officer of sée do it, his office shalbe taken into the kinges handes, and if any of the Justicers Marshals do it, they shall be greeuously punished at the kinges pleasure, and as wel the one as the other shal pay vnto al complainãts the treble value of ẏ they haue receiued in such maner. W. 1. ca. 29. An. 3. E. 1.

Officer of fee
Losse of office
Punish

3. damages

Waterbailifs
Serchers

4 ¶Item whereas diuers water bailifes, sercheours, comptrollours of search, & other their deputies & seruants, within ẏ ports of this realme & specially within the ports of Fowey, Plimmoth. Dertmouth & Pole, by colour of their offices, daily do wrongfully take by constreint of distresses & arrestes vpon the ships, barges, balengers, & other vessels, goods, & marchandises, of the kings leige marchaunts of ẏ said realme, & amonge al other vppon the kings leige marchãts of Gascoyne, Guien, Irelãd, Gerneley, & Garneley, in their cõming & goinge in the sayd ports, great charges & impositions, that is to say, for euery péece of cresicloth sower pence, for euery hundred of cannas vi. d. for ẏ weight of euery tunne of Iron xij. d. & sometime more, & likewise of al other goods & marchandises of the sayde leige people & other marchants of the kinges amity, & by such wrongfull distresses, arrestes, charges, & impositiõs, they do disturbe the said merchaunts frely to come into this said Realme, & to passe, against al law & conscience before all customes & subsidies due to our said soueraigne lord the king, to the great preiudice of our said soueraigne Lord the king, in losse of his customes & subsidies, & to the great damage of the said Marchãts & their successors, vnles due remedy therof be had in the same. By aduice, assent & authority aforesaid it is ordeyned & established, ẏ the said marchants, their successors & euery of them, of all such iniuries, distresses, arrests, charges, & impositions

Marchants

Impost

Cannas
Iron

Distres

afore recited to bée made to thē, or any of them, aswell by such water bailifes, serchers & comptrollers of the search, as by collectors of the said customes & subsidies, comptrollers of the same, surueiors of the customes, subsidies, of serch packers, or any other officers, or their deputies or seruants by their cõmaundement, or any of thē: hereafter may haue therupon a generall writ of trespas against such offendors & euery of them, after the fourme of the law, & to recouer against them & euery of them, therof so conuicted rl. li. And ẏ the said marchants their successors & euery of them, so greeued (as before is sayd) may pursue the said writ of Trespas against ẏ said offendors & euery of them for such iniuries, distresses, arrests, charges, & impositions so to be made, as afore is said, wtin li. moneths nert after such iniuries, distresses, arrestes, charges & impositions to bee made by them or any of them as afore is said. And in case ẏ the said marchãts, their successours or any of them do not pursue ẏ said writ of Trespas of such iniuries, distresses, arrests, charges, & impositions afore said, against the said offendours, nor none of thē within the said two moneths, ẏ then it shalbe lawful to euery other person of the kings leige people, to pursue the said writ of trespas of such iniures distresses arrestes, charges & impositions to be made as is afore said, against al such offẽdours & euery of them after the fourme of ẏ lawe, & to recouer against thē & euery of thē therof so conuict rl. li. ẏ king to haue ẏ one halfe, & he or they which will pursue, the other halfe. An. 28. H. 6. ca. 5. sta. 2.

Comptroller

Writ of trespas

40. li.

Merchaunts

li. moneths

Recouer 40. li
Moitie

¶False iudgement.

NOne hēfoorth (except our soueraigne lord ẏ king) shal hold in his court any plea of false iudgement genē in ẏ court of his tenants. For such plea specially belongeth to the crowne & dignitye of our soueraigne lord the kinge. Marl. ca. 20. An. 52. H. 3.

Recouer

2 ¶When any recorde cõmeth into ẏ kings court by writ of false iudgement, in case where ẏ party alledged ẏ the recorde is otherwise, then the court doth recorde ẏ same: the auerrement shalbe receiued of ẏ good countrey, & of them which were present in the court when the recorde was made

Auerrement

made, if they dw come: and by other of the countrey by the Sheryfes retourne. And if they come not, the enquest shall bée taken by the gwd countrey. An. 1. E. 3. cap. 4.

Sheriffes returne Enquest

¶Fee ferme.

Corporat Towne Corporation

AN. 2. E. 6. ca. 5. An act was made for ỳ remitting for 3. yeres, of fée fermes made by any corporate towne, or corporation, with diuers clauses concerning the matter. And after in An. 3. E. 6. cap. 18. the said remission of fée fermes, was restrayned to one yeare.

¶Fees.

COncerning the kings marshals of fée chamberlaines, porters in the circuit, of Justices and sergeants, bearing vierge before Justices at Westminster, which haue the same office in fée, and that alke more by reason of their fée, then they haue vsed to aske, whereuppon many do complaine on them, that haue knowen & seene the order of the court of longe time. Our soueraigne Lord the kinge hath caused to be enquired by an enquest, what the sayde officers of fée haue vsed to haue in tymes paste, and hath ordeined and cõmaunded, that a marshal of fée, which of new asketh a palfraie of Earles, Barons, & other holding by a part of barony, when they haue done homage, and nevertheless an other palfraie whẽ they are made knights, & of some that ought not to géeue any, aske a palfrie: It is in like maner ordeyned, ỳ the sayd marshal of euery Earle and baron, holding by an entire baronie, shalbée cõtentend with one palfraie, or with the price of it, such as hée hath vsed to haue of old: so that yf he take a palferay, or the price of one, at the doing of his homag in forme aforesaid, he shal take nothing whẽ he is made knight: & if he take nothing at ỳ doing of his homage, when he is made knight he shal take. Of abbottes & priours holding an whole barony, when they dw homage or fealtie, for their baronyes, he shal take one palfraie, or ỳ price, as afore is sayd, and this shal also bée obserued amongest archbishops and bishops, of such as hold but a part of a baronie, whether they be religious or seculer, hée shall take according to the portion of the part of the baronie ỳ they holde. Of religious men ỳ hold in free almes, & not by a barony, nor part of a barony, ỳ Marshal frõ henceforth shal demaũd nothing. And our soueraigne lord ỳ king hath grãted ỳ by this statut a Marshal of fée, shal not be barred herafter to demaũd more, if he can shew ỳ he hath right vnto more. The kings chãberlains from henceforth shal haue of archbishops, Bishops, Abbotes, Priours, & other persons spiritual, of Earles and Barons holding an entier barony, a reasonable fine, whẽ they do their homage or fealtie. And if they holde by a part of a baronye, they shal take a reasonable fine according to ỳ portion to them belonging. Other abbots Priours, persons spirituall and temporal ỳ hold no entier barony, nor part of a barony, shal not be distrained to make fine, as it is sayd by them ỳ hold by a barony, or part of barony, but the chamberlayne shalbe contented with his vpper garment or with the price thereof, which is done in fauour of personnes religions, more then of lay personnes, for it is more conuenyent, that religyous men should fine for their vpper garment, then to be strayned West. 2. cap. 42. An. 13. E. 1.

Marshals fee

Earle Baron

Abbots Priors

Archbishops Bishops

Religious

Chamberlains

Vpper garment

2 ¶Concerning porters, bearyng vpperge before Justicers of the benche in the circuit: It is prouided, that of euery assise & iurie, that they keepe, they shal take v. d. onely, and for the bils nothing. Of such as recouer their demaunds against many by default, confession, or other wise by iudgement, without assise or iury, they shal take nothing. Of such as go without day by default of the demaundant or plaintife, nothing. And if any recouer his demaund against many by one writ, & by recognysance of assise or iurie, they shalbe content with iiii. d. And like wise if many named in one writ do recouer their demaund by recognisaunce of assise or iurie, they shall take iiii. d. Of such as do homage in the bench, they shalbee content wt their vpper garment. Of great assises, attaints, iuries & battail waged, they shal take vii. d. only. Of such as be called before Justices to sue or to defend their plea, their cõming in or forth nothing. At ỳ pleas of ỳ crowne, for euery dosen iiii. d. shalbe takẽ. Of euery gaile deliuery iiii. d. shalbe taken. Of euery one, whose peace is proclaymed vii. d. onely

Porters

Iury v. d.

iiii. pence Homage

Vppe r garmẽt

Gaiole deliuerie

onely shalbe taken. Of the finders of mē slaine and other, of a towne attached iiij.ō Of tythinge men nothinge shalbe taken. Of Cirographers for making of a Cirografe, it is ordeyned, that they shalbe contented with iiij.s. Of clerkes writtinge writtes original and iudiciall, it is ordeyned, that for one writte they shal take but one peny. And ỳ king chargeth al his Iusticers, vpon their faith and othe that they owe him, that if such maner of officers offend in any article against this statut, and complaint come to thē thereof, they shall execute on them reasonable punishment. And if they offend ỳ second time, they shal awarde greater punishment, ỳ they may be duly corrected, & if they offend the third time, & be thercupon convicted (if they bee officers of fee) they shal leese their fee, & if they be other, they shal auoide the kinges court, and shall not bee receyued agayne wout the special grace & licēce of the king him selfe. W.2.ca.44. An.13.E.1.

Cirogra: phers

Clerkes

Iusticers

Punish ment of faute

iij. faute

3 ¶See courts An.33.H.8.ca.29. what fees the kinges Auditours & receiuours shal take for payment of acquitances and inrolements.

Auditours Receiuours Acquitances

¶Feoffements.

ITem because it is complayned to the kinge, that many people of his said Realme as wel great as small, hauing ryght & true title, as wel to lands tenementes, & rents, as in personell actions: be wrongfully delayed of their right, because that ỳ occuppors of defendants being mainteyned & susteyned in their wronge: do commonly make giftes and feoffementes of their lands & tenementes which be in debate, and of their other goods & cattels, to lordes and other great men of the realme against whom ỳ said pursuants for great manace that is made to them may not nor dare not make their pursuits. And also on the other part, complaint is made to the king, ỳ oftētimes many peopledo disseyse other of their tenements, and anone after the disseisin done, they make diuers alienations and feoffementes, sometime to Lordes and great men of the Realme to haue maintenaunce, and sometime to many persons of whose names the disseisies can haue no knowledge, to the intēt to deferre, & delay by such frauds, the sayd disseisies, and the other demaundants and their heires, of their recouery, to ỳ great anoyance and oppression of the people. It is ordeygned and established, that from henceforth no gift of feoffement of lands, tenemēts, or goods, be made by such fraud and maintenaunce. And if any be in such wyse made, they shalbee holden for none and of no value. And the sayd disseysies shal from henceforth haue their recouery against the first disseysors, as well of the lands and tenements, as of their double damages, without hauinge regard to such alienations, so that the disseisies cōmence their suites within the yere next after the disseisin done. And it is ordeined & stablished, that the same statute shall hold place in every other actiō in plea of land, where such feffemēts be made by fraud or collusion, to haue their recouery against ỳ first such feoffour. And it is to wete, ỳ this statut ought to be vnderstād where such feoffours therof take ỳ profits. An.1.R.2.c.9.

Delay

Gifts

Manace

Disseisie Alienations

Void

Recouerie

ii. dammages

¶Faires and markets.

IT shalbee commaunded to all the sheriffs of England, and els where, where nede shal require, to crie & publish within liberties ond without, that al the Lordes which haue faires, be it for peldinge certaine ferme for the same to the king, or otherwise: shal hold the same for the time ỳ they ought to hold it, and no longer, that is to say, such as haue them by the kinges charters graunted them, for the tyme ymitted by the said charters. And also they that haue them wythout charter, for the time that they ought to hold thē of right. And that euery lord at the beginninge of his faire, shal there doe crie, & publish, howe long the faire shal endure, to thintent that marchants shal not be at the same faires ouer the time so publyshed, vpon peyne to bee greuously pumyshed towardes the king. Nor the said lords shal not hold thē ouer ehe due time, vpon paine to seyse the faires into the kings handes, there to remaine til they haue made a fine to ỳ king for ỳoffence, after it be duly found that the lords held the same faires lenger thē they ought, or ỳ the marchants hath sitten aboue the time so cried & published. An.2. E.3.ca.15.apud North.

Charters

Proclaime Marchaunts

Seisure

Fine

2 ¶It is conteined in the statut made at

at Northampton, in the seconde yere of the raigne of the king ỳ nowe is, that the Lordes which haue faires by charters or otherwise, shal holde thē during the time ỳ they ought to do, & no longer, vpon payne to leyse such faires into the kings handes: And that euery lord at the beginninge of his faire, do cry and proclaime therin how longe the faire shall endure. And in the same statut is no certaine punishment ordeyned against the marchaunts if they sel after the tyme: It is accorded that the sayd marchaunts after the said time, shall close their bothes, and stalles, without puttinge any manner of ware or marchaundise to sell there. And if it be founde that any Marchaunt from henceforth sel any warre or marchaundise at the sayde faires, after the said time, such marchaunt shal forfayt to our soueraigne Lorde the king, the double value of that that is sold. And euery man that wil sue for our soueraigne lord the king shalbe receiued, & also haue the fourth part of that ỳ is lost at his suit. An. 5. E. 3. ca. 5.

Charters

Seise

Proclayme

Marchants

Fork. ii. dalne

iii. part

3 ¶That al maner of faires and markets in the said principal feasts and Sundaies, and good Fryday, shall clerely cease from al shewing of any goods or marchādises (necessarie vitaile onely except) vpon payne of forfayture of all the goods aforesayde so shewed, to the Lord of the fraunchise or liberty, where such goods cōtrary to this ordinaunce be or shalbe shewed, the fower Sundayes in haruest only except. Neuertheles of his special grace by auctority aforesayd, graunteth to thē power which of olde tyme had no day to hold their faire and market, but alonelye vpon the feastiual dayes, aforesaid, to hold by the same auctority and strength of his old graunt within three dayes next before the sayd feastes, next after, proclamation first beinge made to the simple common people, vpon which day ỳ aforesaid faires shalbe holdē, alwaies to be certified without any fine or fee to be taken to the kings vse. And they which of olde time haue by special graunt sufficient dayes before the feastes aforesaid, or after, shal in like maner as is aforesaid, holde his faires, and markets the ful nūber of his dates. (The sayd festiuall dates and Sundaies, & good Fryday except). Prouided alwayes that this present ordinaunce shall begynne to take effect at the feast of Saint Mychell next comming, and not before, and shall endure till the next Parliament, and so forth, except in the sayde parliament a reasonable cause bee alledged, shewed and proued, for the which it shal seme not expedient that ỳ foresaid ordinaunce so shall endure. 27. H. 6. ca. 5.

Principall feaste Sundaies Goodfryday

Proclamation

4 ¶No Stewarde, vnderstewarde, Baylyffe nor Commissarye, nor other minister of any such courtes of Pypowders, shal holde plea vpon any action at the suit of any personne or personnes, vnlesse the playntiffe or plaintiffes, or his or their attourney in the presence of the defendaunt or defendauntes, do sweare vpon the holie Euangelyst, vpon the declaration, that the contract or other feate conteyned in the sayde declaratyon was made or committed within the faire, and within the tyme of the same faire, where hee taketh hys action, and wythin the iurysdictyon and boundes of the same faire. And notwithstāding that the plaintiffe or plaintiffes do affirme the same, yet neuertheless the sayde defendaunt or defendaunts, shal not be concluded by the same, but shall answere and pleade to the action, or in abatement of the plaints, and to proffer an issue that the same contract, trespasse or other feate conteyned in such declaration, where vpon the plaintyffe or playntiffes do declare, was not commytted nor done wythin the tyme of the faire and iurisdictyon of the same, but out of the tyme of the faire, or at other places out of the iurisdiction of the same faire according to the trouth in this behalfe. And if it bee so tryed, or that the pleintiffe or pleintyffes, or their attorneys, do refuse to make the othes in the fourme aforesayde, that then the defendaunt or defendaunts, shalbee quyte dysmissed and discherged in this partie out of the same Court, the partye plaintyffe to take his aduauntage at the common law or other place conuenyent, as shal to him seme good, notwithstandinge thys Ordinaunce. And that euery steward, vnderstewarde, baylife and commissarye or other minister, holdinge, rulinge or gouerning any of the said courts ỳ doth the cōtrary of thys ordinaunce, shall forfait for euery default in this behalf .T.s. The one halfe therof to our soueraigne lord ỳ king,

Steeward Baylife Cōmissary Pipowders

Sweere

Answere

Refuse

Discharge

Common law

Fork. Ex. oris

and

and the other halfe to him that wil in this behalfe purſue his action vpon this ſtatut, by action of debt in his owne name. And that writs of proclamation be in all good haſt directed to euery ſheriffe of euery coũtie of England, to make this ordinance to be proclaymed, in euery faire within hys county, aſwel within fraunchiſe as without. This act to endure from the ſaid firſt day of May till the firſt day of the next parliament. Prouided alwaies ẏ this act nor nothing compriſed in the ſame act, bee hurtful or preiudicial, to Williã now Biſhop of Durham, nor to his ſucceſſoures within the lybertie and fraunchiſe of the biſhoprieke of Durham. An. 17. Ed. 4. cap. 2. This act is made perpetuall. An. 1. R. 3. cap. 6.

Free men of London

5 ¶ Euery frée man & Citizen of the City of London that now is or hereafter ſhalbe, may lead, cary or go, with his or their vitaile, ware or marchandiſe whatſoeuer it bee, at his or their libertie, to any faire or market, ẏ ſhal pleaſe him or them, wiñ this realme of England, any ſtatut, act, or ordinaunce made or to be made wiñ the city of London, to the contrary of ẏ premiſſes notwithſtanding. And the ſaid ordinaunce & act made in the ſaid Citye, bee voyd & of none effect. And ẏ no perſon of the ſaid City be hurt or preiudiced in leeſing of his libertie & fraunchiſe, without ẏ citie or otherwiſe, by reaſon or occaſion of annulling of the ſaid ordinaunce & act, or for non obeyings to the effect of the ſame, and if any perſõ be preiudiced in any wiſe by occaſion of the ſame, that he ẏ putteth or cauſeth any perſon to ſuch preiudice, loſe & forfait to the king x. li. as often as he ſo doth. And he that wil ſue for ſuch forfayture haue therfore an actiõ of debt againſt ſuch offender, the king to haue execution of ẏ one halfe, & he that ſueth the other halfe. And in ſuch actiõ ẏ defendaunt be not admitted to wage his law. An. 3. H. 7. ca. 9.

Voyd

Forf.

Monie

☞

6 ¶ For as much as ſtolen horſes bée many times put away, & ſold in priuy places of faires & markets, & toll priuily payd for thẽ, ſo ẏ the true owners bée without remedy. Be it &c. That ẏ owner, gouernour, ruler, fermour, ſtewarde, baylife, or chief kéeper of euery faire & market ouert, within this realme, and other the Quéens dominions, ſhal before the feaſt of Eaſter next, and ſo yerely, appoint and limit out, one certayne & ſpeciall open place, within the towne, place, fielde, or circuit, where horſes, mares, geldinges, and coltes, haue ben and ſhalbe vſed to be ſold, in any faire or market ouert, in which ſaid certayne & open place as is aforeſaid, there ſhalbe by the ſaid ruler or keper of the ſaid faire or market, put in & appointed one ſufficyent perſon or more, to take tole and kéepe the ſame place, from tenne of the clocke before none, vntil Sunne ſet, of euery day of the foreſayd faire and market, vpon payne to to loſe and forfait for euery default fortye ſhillinges. And that euery tolle gatherer, his deputy or deputies, ſhal during ẏ time of euery the ſaid faires and markets, take their due & lawful toll, for euery ſuch horſe mare, gelding, or colt, at the ſaid open place to be appointed as is beforeſaid, & betwixt the houres of tenne of the clocke in ẏ morning, & the Sunne ſet of the ſame day, if it be tendred, & not at another time or place, & ſhal haue preſently before him or thẽ at the taking of the ſame tolle, the parties to the bargaine, exchaunge, gift, contract, or putting away of euery ſuch Horſe, Mare, Gelding or Colt, and alſo the ſame horſe, mare, gelding or colt, ſo ſold, exchanged or put away, and ſhal then write or cauſe to be written in a booke to be kept for ẏ purpoſe, the name, ſurnames, and dwellinge places of al the ſaid parties, and the colour with one ſpecial marke at ẏ leaſt of euery ſuch horſe, mare, gelding or colt, in paine to forfait at and for, euery default cõtrary to the tenour hereof xl. s. And the ſaid tole gatherer, or kéeper of the ſayde booke, ſhall within one day next after euery ſuch faire or market, bringe and delyuer hys ſayde booke to the owner, gouernour, ruler, ſtewarde, bailife or chéefe kéeper of the ſayd faire or market, who ſhall then cauſe a note to be made of the true number of al horſes, mares, geldinges, and coltes, ſolde at the ſaid market or faire, and ſhall there ſubſcribe his name or ſet his marke therto vppon payne to him that ſhall make default therein, to loſe and forfayt for euery default xl. s. and alſo to anſwere the partie greeued by reaſon of the ſame his negligence in euery behalfe. And be it &c. that the ſale, gift, exchaunge or puttinge away after the laſt day of February nowe next comming, in any faire or market ouert, of any horſe, mare, gelding or colt, that is

Owner Steward Bailife

Horſes Mares Geldings

Tolle

Forf. Tolegatherer

Parties preſent

Tolebooke

Markes Colour Forf.

Subſcribe

Forf.

or

Feloniously taken

or shalbee theeuishly stollen or feloniously taken away, from any person or persons, shal not alter, take away, or exchange the

Property

propertye of any person or persons to or from any such horse, mare, gelding or colt vnlesse the same horse, mare, guldinge, or colt, shalbe in the time of the said faire or market, wherein the same shalbe sold, geuen, exchanged or put away, openlye ridden, ledd, walked, driuen or kept standing by the space of one howre together at the least, betwirt tenne of the clock in ỹ morning and the Sonne set, in the open place of the faire or market, wherin commonly Horses are commonly vsed to be solde, and not within any house, yarde, backside

House Secret place

or other priuy or secret place, and vnlesse al the parties to the bargayne, contract, gift or exchaunge, present in the said faire or market, shall also come together and bring the horse, mare, geldinge or colt, so sold, exchanged, geuen, or put away, to the open place appoynted for the tolle taker,

Tol-taken

or for the booke keeper, where no tolle is due, and there enter or cause to be entred their names and dwellinge places in maner as is aforesaid, with the colour or colours & one special marke at the least, of enery the same horses, mares, geldings, or colts, in the tollers booke, or in the keepers booke for that purpose where no tolle is due as is aforesaid: and also pay him their tolle, if they ought to pay any, and if not, then the buyer to geue one peny for the entrie of their names & executinge the other circumstãces aforerehearsed, to him that shal write the same in the said booke. And if any horse, mare, gelonge, or colt that is or shalbe theeuishly stolẽ or taken away, shall after the said last day of Februarye nert comming, be sold, geuen, exchanged or put away in any faire or market, & not vsed in al points, according to the tenour and entent of this statute, that then the owner of euery such horse, mare, gelding or colt, shal and may, by force of this statut,

Sette

sette or take againe, the said horse, mare, gelding, or colt, or haue an action of

Action of Detinue Replevin

detinue or replevin for the same, any sale, gift, chaunge or putting away of any such horse, mare, gelding or colt, other then according to this statut, in any wise not withstanding: the one halfe of al which forfaitures to bee to ỹ kinge & Quẽnes maiesties, her heires & successors, & the other to

Forf. Moitie

him or thẽ ỹ wil sue for the same, before ỹ Justices of peace, or in any of the kinge & Quẽnes mayesties ordinarye courtes of record, by bil, plaint, action of debt or information, in which &c. And be it further enacted &c. that the Justices of peace of euery place & county as well within liberties as without, shall haue auctoritye in their sessions within the limittes of their auctoritye and commission, to enquire, heare and determine, all offences against this estatute, as they may do any other matter triable before them. Prouided alwaies that in euery such faire and market where any tolle is not, nor shalbe due ne paiable by reasõ of ỹ frædome, libertie or priuiledge, of the said faire or market, the

Priuiledge

keeper or keepers of the booke touching the execution of this preset act, shal take nor exact but one penie, vpon and for euery cõtract, for his labour in writing the entery concerning the premisses, in maner and fourme as is afore declared. An. 2. & 3. P. & M. cap. 7.

Just. of peas

Just. of peas

Offences

*

¶Felony.

NOtorious felons, & which openly bee of euil name, & wil not put thẽselues in enquests concerning the felonies ỹ mẽ shal lay to their charge before ỹ Justices at ỹ kings suit, shalbe sent backe to prison & hard imprisonment, as they which refuse to be iustified by ỹ cõmon law of the land. But this is not to be vnderstãden of such prisoners as be taken for light suspection. W. 1. ca. 12. An. 3. E. 1.

Euil name

Imprisonment

2 ¶Concerning prisoners, which breake prison, our soueraigne lord the kinge wylleth & commaundeth, ỹ from henceforth none ỹ breaketh prison, shal haue punishment of life or mẽber for breaking of prison onely, except the matter or cause for which he shalbe imprisoned & taken, do require such iudgement, if hee were conuict thereupon after ỹ law & custome of the realme, albeit ỹ in tymes past it hath bene done & vsed otherwise. Sta. of breakinge prisons. An. 1. E. 2.

Breaking of prison

*

3 ¶None from henceforth shal vse to multiplye golde or siluer, nor vse craft of multiplication, & if any ỹ same do, he shal incurre the payne of felonye in this case. An. 5. H. 4. ca. 4.

Multiplying Gold Siluer Multiplication

4 ¶Wẽcause that many euill doers

do

Beat Wound Imprison Maime Cutting of tongues Putting out of eyes.

do dayly beate, woũd, imprison, & maime diuers of ỹ kings leige people, & after purposely cut their tongues, or put out their eies. It is ordeined & established, ỹ in such case, ỹ offenders that so shal cut tongues, or put out the eyes of any of ỹ kings leige people, & it be duely proued, & founde, that such dæde is don of malice prepenced, they shal incurre the paine of felony. An. 5. H. 4 cap. 5.

*

5 ¶ An. 11. H. 6. ca. 14. it was made felony for thée yeres, to ship marchãdise of the staple in any Créke.

Staple

6 ¶ An. 28. H. 6. c. 4. an act was made to endure for v. peres, to be felony for taking, arresting or distraining, of any persõ or goods in Wales, or in ỹ Duchy of Lancaster, & carrying thẽ out thereof.

17

7 ¶ For almuch as ỹ ordinances heretofore made in parliamentes against vnlawful hunting in forrests, parkes & warrens haue not bene put in due execution, by reason that the mysdoers haue of late vsed to disguise them selues, with painting of their faces, & with visors & other disguisinges, to ỹ intent they might not be knowen, by colour whereof, diuers rebellious riottes, & other inconuenyences haue also ensued. Be it &c. That at euery such tyme as informatiõ shalbe made of any vnlawful huntings by night, or wt painted faces herafter to be done, to any of ỹ kings coũsel, or to any of the Justices of the kinges peace of the county where any such huntinge shalbee had, of any person to be suspected thereof: It shalbe lawful to any of the same counsell or Justices of peace to whom any such informatiõ shalbe made, to make a warrant to the sherife of such countie to any constable, bailife, or other officer within the same county, to take & arrest the same person or persons, to whõ any such information shalbee made, & to haue him or them, afore the maker of the sayd warrant or any other of the kinges sayd counsayle, or Justices of his peace of the countie. And that the sayd counsayler or Justice of peace afore whom such person or persons shalbe brought, by his discretyon haue power to examyne him or them so brought, of the sayd hunting and of the sayd doers in that behalfe. And yf the same person wilfully conceale the said huntinges or any person with him defective therein, that then the same concealement be against euery such person so concealing felony. And the same felony to bée enquired of and determined, as other felonies within the realme haue vsed to be. And if he then confesse the troth, & all ỹ hée shalbe examined of & knoweth in ỹ behalf, that then the same offences of hunting by him done, be against the king but trespas. finable (by reason of the same confession) at the next general Sessions of the peace, to bee holden in the same countye, by the kings Justices of the same sessions there to bée sessed. And if any rescous or disobeysance be made to any person hauinge authority to do execution or Justice, by any such warrant by any person the which so should be arrested, so that execution of ỹ same warrãt therby be not had, that thẽ the same rescouse and disobeysance be felonye, inquirable and determinable as is afore said. And ouer that it is &c. that if any person or persons hereafter be conuicted of any such huntings with painted faces, visours or otherwise disguised, to the entent they should not be knowen, or of vnlawfull huntinge in time of night, that then ỹ same person or persons so conuicted, haue h.. punishmẽt as he or they should haue if he or they were conuicted of felony An. 1. H. 7. cap. 7.

Hunting by night Painted faces R. counsaile Just of p.

Warrant Sherife Constable Bailife Arrest

Just. of peace

Examine

Conceale

Coueniemẽt

Felony

Conuict

8 ¶ Where weomen as wel maidens as widowes & wiues, hauing substaunce, some in goods mouable, and some in lands & tenements, & some beinge heires apparant vnto their auncesters, for the incre of such substances bene often times taken by misdoers, contrary to their will. And after maried to such mysdoers, or to other by their assent, or defyled to the great displeasure of God, & contrary to the kinges lawes, and dispergement of the sayd weomen, and vtter heauines & discomfort of their friendes, & to the euil example of all other: It is &c. that what person or persons from henceforth ỹ taketh any woman so against her wil vnlawfully, that is to say, maide, widow or wife, that such taking procuring, & abbetting to the same, & also receiuing wittingly the same womã so taken against her will, & knowinge the sãe be felony. And ỹ such misdoers, takers & procurours to the same, and receitours knowing the said offence in fourme afore said, be henceforth reputed and iudged as principall felons. Prouided alway, that this

Weomen Wydowes Maidens Heires

Maried

Dispergement

Against her will

Taking Procuring Abbetting Receiuing Felony

Principall felony

this acte extend not to any person taking any woman onely clayming her as hys ward or bond woman. An. 3. H. 7. cap. 2.

Wards Bond woman

9 ¶ From hence forth the Stewarde, Treasorer, & Comptroller of the kyngs house for ỳ time being, or one of thẽ, haue full auctority & power, to enquyre by vij. sad men & discrete persons, of the Check roll, of ỳ kings honorable houshold, if any seruant admitted to be his seruãt sworne, & his name put into the Checke rolle of houshold, what soeuer he be, seruing in any maner Office or roume reputed, had, & taken, vnder the estate of a Lord, make any confederacies, compassings, conspyrations, imaginations, with any person or persons, to destroy or murder the king or any Lord of this Realme, or any other person sworne to the kings counsel, Steward, Treasorer, Cõptroller of ỳ kings house, ỳ if it be found afore the said Steward for the time being, by the said vij. men, that any such of the kings seruants, as is aboue said, hath confedered, compassed, conspired, or imagined, as is aboue said: that he so foũd by the enquiry, be put therupon to aunswere. And the steward, treasorer, & comptroller, or two of them, haue power to determine the same matter, according to the law. And if he be put in triall, that then it be tried by other vij. sad men of the same houshold. And that such misdoers haue no challenge but for malice. And if such misdoers bee founde guilty by confession or otherwise, that the said offence be iudged Felony. And they to haue iudgement & execution, as felons attainted ought to haue by the common law. An. 3. H. 7. cap. 14.

Steward Treasorer Comptroller Enquirie vij. of the Check roll Seruant Sworne Cõfederacies Conspirations Murder the king or any Lord vij. Counsell Determine Triall No challẽge Guilty Confession Judgement

☞ 10 ¶ Where before this time, dyuers haue vpon trust, deliuered vnto their seruants, their caskets & other iewels, money, goods, & cattells, safely to be kept to ỳ vse of their said Maisters, & after such deliuery, the said seruants haue gonne away from their said maisters, with ỳ said goods & cattells, or part thereof, to the intent to steale the same, & defraud their said maisters thereof, & some time being with their said maisters, haue conuerted the same, or part therof, to their owne vse, which misbehauiour so done, was doubtfull in the common law, whether it were felonie or not. Be it therefore &c. that all & singuler such seruants, to whom any such caskets, iewels, money, goods, or cattels, by hys or their said Maisters or Mistresses, shall from henceforth so be deliuered to kepe: ỳ if any such seruant or seruants, with draw him or them from their said maisters or mistresses, & go away wyth the said caskets, iewels, money, goodes, or cattells, or any part thereof, to the intent to steale the same, & defraude his or their said maisters or mistresses thereof, contrarie to ỳ trust and confidence to him or them put by his or their said maisters & mistresses, or els being in the seruice of his said maister or mistres, without assent or commaundemẽt of his said maister or mistres, he imbesell the same caskets, iewells, money, goodes, or cattels, or any part thereof, or otherwise conuert the same to his owne vse, with like purpose to steal it, that if the said caskets, iewels, money, goods, or cattels, that any such seruãt shal so go away with, or which he shall imbesell with purpose to steale it, as is aforesaid, be of the value of xl.s. or aboue: That then ỳ same false, fraudulẽt, and vntrue act, & demeanor, from henceforth shalbe deemed & adiudged felony. And he or they so offẽding to bee punished as other felons be punyshed, for felonies committed by the course of the cõmon law. Prouided alway, that this act, or any thing therein contepned, shal not in any wise extend or be preiudicial to any apprentice or apprentices, nor any person within the age of xviij. yeres, going away with hys or their masters goods or iewels, or otherwise conuertyng ỳ same to his or their owne vses, during the time of their apprentishyp, or being wỗ in the same age of xviij. yeres, but ỳ euery apprentice or apprentices, such person or persons, being within the said age, doyng or offending contrarie to this present act, shalbe & stand in like case, as they & euery of them were before the making of thys acte: The same act to continue & indure vnto the next Parliament. An. 21. H. 8. cap. 7. This act is by 5. Eliz cap. 10. reuyued to continue for euer.

Steale Conuert to his owne vse xl.s. Felony Prouiso Apprentices xviij. yeres

11 ¶ Wheretofore this time, dyuers euil disposed persõs, of their peruerse disposition, maliciously at diuers times, haue broken vp diuers parts of the dike, called the New powdicke in Marishland, in the county of Norfolke, & the broken dicke otherwise called Oldfield dicke by Marsh-

Powd. dike

land, in the isle of Ely, in ẏ countie of Cãbꝛidge, by reasen wherof, by ẏ salt & tresh water, entring by the said bꝛeaches, the grouñd of Marthlãd hath ben many times dꝛowned, & the inhibitãts of ẏ same, put to impoꝛtunate charges, & haue lost much of their cattel, to the great decay of ẏ cõmon weal, of ẏ countries adioyning to ẏ same, & also therby much people haue ben dꝛowned in their bedds: Foꝛ the reforꝛmation wherof, be it &c. ẏ euery such peruerse and malicious cutting down & bꝛeaking vp of any part oꝛ parts of ẏ said dikes, oꝛ of any other bank, being parcel of the rinde & vttermost part of ẏ said coũtry of marthlãd aforesaid, made foꝛ the defẽce & saluation of the same coũtry of marthland, at euery time & times from hence foꝛth, by any person oꝛ persõs cõmitted & dõ, otherwise thẽ in woꝛking vpon ẏ said bãks oꝛ dikes, foꝛ ẏ repairing, foꝛtifying, & mending of ẏ same: be taken, reputed, & adiudged felony, & that the offendoꝛs & doers of ẏ same, & euery of thẽ, be adiudged & reputed felons And that the Justices of the peace of the said counties of Noꝛfolke, & Cambꝛidge, vñin the said isle, at euery of their sessions within the same isle & counties to be kept, by ẏ authoꝛitie aforesaid, haue ful power to cause enquiry to be made, of euery such offence, so at any time in foꝛme aforesaid, hereafter to be cõmitted & done, and to award like pꝛoces against euery of the said offendoꝛs, with like iudgement & execution of the same, (if they oꝛ any of them bée therof found guilty by verdit oꝛ otherwise) as ẏ said Justices haue vsed & accustomed to do vpon other felonies, being felony at the common law. An. 22. H. 8. cap. 11. This acte was repealed by the generall vvords of An. 1. E. 6. cap. 12. but is reuiued by An. 2. & 3. P. & M. cap. 19.

Cut downe
Breake Downe
Marthland
Repayring
Felony
Just. of p.
Enquire
Pꝛoces
Execution
Breaking of the Ordinaries pꝛison
Clerke conuict Repealed

12 ¶ An. 23. H. 8. ca. 11. wilfull bꝛeaking of ẏ Ordinaries pꝛison by a clerk conuict of felony, & escape therby, was made felony, But it is repealed by 1. M. 1. Sessione.

13 ¶ Where befoꝛe this time, diuers of the kings subiects, & namely of ẏ Noꝛth parts of this realm, aswel in time of peace as of war, haue sold & deliuered out of this realme into Scotland, great multitude of horses, geldings, & mares, which hath ben thought not only great occasion of strẽgth & holdnes to the Scottish men, in time of war to inuade this realme, but also great enfẽbling of ẏ kings subiects, in ẏ defẽce of this realm: be it &c. that if any person oꝛ persons, after the feast of S. Geoꝛge the Marter next cõming, sel, exchange, oꝛ deliuer wõin their realme of Scotlãd, oꝛ in any place oꝛ ground called ẏ Batable ground, betwene England & Scotland, to ẏ vse of any Scottish man, any hoꝛse, gelding, oꝛ mare, wõut licence obteyned of the kings highnes, by his letters patents vnder his great seale, so to do: oꝛ sel, exchange, oꝛ deliuer to any Scottish man, wõin this realme of England, Wales, the towne of Berwicks, oꝛ Marches of the same, oꝛ in any of the said batable ground, to ẏ intent to be conueied into Scotland, any hoꝛse, gelding, oꝛ mare, wõut special licence obteined of the kings highnes by his letters patents, vnder his great seal so to do: that then the same sale, exchange, oꝛ deliuerie of such hoꝛse, gelding, oꝛ mare, contrary to this pꝛesent act, shalbe adiudged & demed by the law felony, aswell in the seller, exchanger, oꝛ deliuerer, as also in him oꝛ thẽ to whom the same sale, exchange, oꝛ deliuerie shalbe made. And ẏ it shalbe lawful aswel to ẏ warden & wardẽs of the East, west, & middel Marches, foꝛ ẏ time being in their warden Courtes, as also to the kings Just. of his peace in their Quarter sessions in euery shire of this realme, to enquire, heare, & determine, al & euery such felonies, after like maner, as is vsed in other felonies at ẏ cõmon law, whether ẏ sãe sales, exchãges, oꝛ deliueries be made, had, oꝛ don, by any person oꝛ persõs, cõtrary to this act, in ẏ realme of Scotland, oꝛ in any part of ẏ said batable grouñs, oꝛ wõin ẏ realme of Englãd, wales, Berwick, oꝛ marches of ẏ same. And ẏ it shalbe lawful to euery person & persõs, being ẏ kings subiects, & inhabiting in the foꝛesaid marches foꝛ against Scotland, to arrest any scottish mã, leading oꝛ cõueying any such hoꝛse, geldig, oꝛ mare out of this realm, into ẏ said realm of scotlãd: & ẏ the one half of ẏ pꝛice of ẏ said hoꝛse, gelding, oꝛ mare, shalbe to ẏ vse of ẏ seisoꝛ & arrestoꝛ of the sãe, after due trial of ẏ sãe made. & thother moity to ẏ kings highnes. An. 23. H. 8 ca. 16. This stat' was repealed by the general words of An. 1. E. 6. ca. 12. but it is reuiued by An. 1. Eli. ca. 8. Se after in Horses 9.

Beiuer Scotland
Noꝛse
Felony
Wardens
Just. of p. Q. Sessions
Arrest
Moitie

14 Foꝛ asmuch as ther is not yet cõdign punishment appointed, foꝛ ẏ detestable & abho-

Buggery

abhominable vice of Buggery, cõmytted with mankind or beast: Be it enacted &c. that the same offence be from henceforth adiudged felony, & such order & fourme of proces therein to be vsed against ỳ offendors, as in cases of felony at ỳ common law, & that ỳ offendors being thereof conuicted by verdict, confession, or outlawrie, shal suffer such paines of death. & losses, & penalties of their goodes, cattells, debts, lands tenements, & hereditaments, as felons ben accustomed to do, according to ỳ order of the cõmon lawes of this realme. And ỳ no person offending in any such offence, shalbe admitted to his Clergy. And ỳ Justices of peace shal haue power & auctoritie, wtin the limits of their cõmissions & iurisdiction, to heare & determin the said offence, as they do vse to do in cases of other felonies. This act to endure til ỳ last day of the next Parliament. An. 25. H.8.cap.6. This act is reuiued to contynue for euer, by An.5.Eliz.cap.17.

Felony

Clergie

Just. of p.

Determine

15 ¶An.31.H.8.cap.12.& An.32.H.8. cap.11. taking Hauks eggs out of ỳ kings grounds was made felony, & taking vp of the kings haukes, & not restoring them wtin a time was made felony, & hunting in ỳ day wt visers or painted faces, or faces hid or disguised, or in ỳ night in the kings grounds, and diuers other grounds, was made felony, except Wales, & the borders of Scotland. And after An.1.E.6.ca.12. these acts were repealed. And after An.3. E.6.ca.17. they were reuiued to cõtinue for iij. yeres, and after they were cõtinued An.5.E.6.ca.1. to continu to the last day of the next parl', & then they expired.

Hauks eggs

Haukes

Hũting with vysours painted faces

Wales Scotland

Repealed Reuiued

Expired

16 ¶An.33.H.8.ca.8. deuising or practising conjurations, witchcrafts, sorcerie, or inchantments, & digging vp of crosses, was made felony, & the offendour not to haue his clergy. But it is repealed by An.1 E.6.ca.12. & by An.1.M.1.Sessione.

Cõjurations Witchcrafts Sorcerie Digging vp of crosses Clergie Repealed

17 ¶An.33.H.8.ca.12. Stealing of the kings goods, of the value of vij.s. or aboue, or breaking or entring the kings house, to thintent to steale &c. was made felony, & the accessarie also a felon (wout clergy or sanctuary) & the trial therof there appointed. But these felonies be repealed by An. 1.M.1.Sessione by general vvordes.

Kings goods Breaking of the K. house

Clergy Sanctuary Repealed

18 ¶An.33.H.8.ca 14. Propheſing vpon declaration of armes, names, cognysances, or badges, was made felony, & the offendour not to haue his Clergie. But it is repealed by 1.E.6.ca.12. & by 1.M. 1.Sessione by general vvordes.

Propheſing

Clergy Repealed

19 ¶An.37.H.8.cap.6. Burninge of frames was made felony, But it is repealed by 1.E.6.cap.12.

Burning of frames Repealed

20 ¶An.37.H.8.cap.10. Casting of slaunderous bills was made felony, But it is repealed by 1.E.6.cap.12.

Slanderous bills Repealed

21 ¶Be it &c. that al wilful kylling by poysoning of any person or persons, that at any time hereafter shalbe done, perpetrated, or cõmitted, shalbe adiudged, take, & deemed wilfull murder, of malice prepensed, & that the offendors therein, their aidors, abbettors, procurors, & counsailors shal suffer death, & forfait in euery behalf, as in other cases of wilful murder, of malice prepensed. An.1.E.6.ca.12. and in this act, all offences made felony by Statutes since 23. Aprilis. An.1.H.8. not being felony before, were repealed. But diuers of them be reuiued againe by statutes made since that tyme.

Poysoning

Wilfull murder

Abbettors Forſ.

Repealed

22 ¶An.2.E.6.cap.2. Departing of a Souldiour without licence is made felonye. See thereof Captaines 6.

A Souldiour departing without licence

23 ¶All offences made Felony, or lymitted or appointed to be within the case of Premunire, by any act or acts of parliament, statut or statuts, made sithence the first day of the first yere of king H.8. not being felony before, nor vvithin the case of Premunire, & also al & euery branch, article, and clause mencioned or in any vvise declared in any of the same estatuts, concerning the making of any offence or offences to be felony, or vvithin the case of Premunire, not being felony, nor vvithin the case of Premunire before, & al paines and forfeitures concerning the same, or any of them, vvere repealed by An.1.M.1.Sessione. But diuers of those Statuts be reuiued since that time.

Felony Premunire

Repealed

24 ¶See Amendement 3. of embeseling or auoyding of records to be felony.

Embeseling of records

25 ¶See Executors 6. of felony of seruants, taking their Masters goods after their death.

Seruants

26 ¶See Faires & Markets 6. for stollen cattell.

Stollen cattell

27 ¶See Forestes 10. that hunting was not then felony.

Hunting

28 ¶See Triall 8. of felonies done vpon the Sea.

Felonies on the Sea

Castels

29 ¶ See Treason 28. for practising to take or distroy the Quenes Castels, to be felony by An. 14. Eliz. cap. 1.

Conspire Enlarge Prisn

30 ¶ Be it enacted &c. that if any person or persons, at any time after the end of this present session of parliament, shall imagine, conspire, deuise, inuent, or go about, vnlawfully & maliciously, to enlarge or set at libertie, any person or persons, committed or to be committed to any prison, garde, or custody, being, or which shalbee indicted of any treason, in any wise concerning the person of our said soueraigne Lady the Quene, & the same conspiracies, imaginations, deuises, or inuentions, shal by expresse words, writing, or other matter, or act, expressly, or manifestly set forth vtter, or declare: the then euery such person so offending, shalbe deemed & adiudged a felon, & suffer, lose, & forfait, as in cases of felony, by the due course of the lawes of this realme. An. 14. Eliz. cap. 2. To endure during hir Maiesties life.

Indicted

Words or writing

Forf.

¶ Feasants & Partriges.

FOr asmuch as diuers persons, vse by nettes & other engines, to take feasants & partriges vpon the lands & tenements of diuers owners & possessioners of the same, wout their licence, by the which they lose not onely their disport, the they their frends & seruats should haue about hauking & taking of the same, but also the profit the should grow to their household, to the great hurt of al Lords & gentlemen, & other hauing any great liuelode win this realme, wher fore it is &c. the it shal not be lawfull to any person of what condicion he be, to take or cause to be taken, any feasants or partriges, by net, snares, or other engins, out of his owne warren, vpon the freehold of any other person, wout the assent, agreement, & special licence of the owner or possessioner of the same, vpon paine of forfeyture of x. li. the one halfe therof to the partie the wil sue for the same, by action of debt, or by bil or otherwise, & the other halfe therof to the owner or possessioner of the said ground, vpon the which the said feasants & partriges be so taken. Also it is ordeined by the said authority, the no maner of person of what condicion or degree he be, take or cause to bee taken, be it vppon his owne ground, or any other mans, the egges of any faucon, gosshawkes, laners, or swans, out of the nest, vpon paine of imprisonment of a yere & a day, & fine at the kings wil, the one half therof to the king, & thother half to the owner of the ground where the egges were so taken, & the the Justices of the peace haue authority by this preset act, to heare & determin such matter, al wel by inquisition, as information & proues. Also it is ordeined by the said authority, the no man from the feast of Ealche next comming, beare any hauke of the breede of England, called a niese, gosshawke, tassell, laner, laneret, or falcon, vpon paine of forfeiture of his hauke to the king, & the said hauke to be at the kings pleasure. And the al such persons the bring any nyese, hauke, or hauks, from any of the parts beyond the sea, bring a certificat vnder the Customers seale, of the port wher he first landed, to the said hauk or haukes, or if he come out of Scotland, then vnder the seale of the warden or lieutenant of the Marsh the cometh thorough, testifying the the same hauke or hauks be of the parties beyond the sea, or of Scotland, vpon the same paine. And the person that bringeth any such hauk or hauks to the king shall haue a reasonable reward of the king, or els the same hauk or hauks for their labor. Also it is ordeined by the same authority, the no man take any ayrer, faucon, gosshauke, tassell, or laner, or lanerets, in their warren or woodes, or in other place, nor purposely driue them out of their coucrts, accustomed to breede in, to cause them to go to other coucrts to breede, nor slee the for any hurt by them done, but suffer them to passe at their liberties, vpon paine of x. li. the one halfe therof to the partie the wil sue for the same, by action of debt, by examination before the Justices of the peace, information, or otherwise, & the other halfe to the king. Prouided alway, the moity of the forfeiture aboue said, giuen to the owner of the ground, for taking of swans egges, be vnto the owner of the said swans, & not to the owner of the ground. An. 11. H. 7. c. 17.

Take feasats or partriges

Without licence

Forf.

Beside eggs Swans eggs

Just. of p.

Beare hawks

Nieste hawks

Aiery hawkes

Just. of p.

Swannes eggs

2 ¶ Where the game of feasants & partriges, is win these few yeres in maner vtterly decaied, by means of such as take them wt nets & other engins, & of such as do vse hauking in the beginning of harueste, before the yong feasants & partriges be of any bignes, to the great spoile of corne & grasse then growing in the fields. For reformation

formation wherof: We it &c. ẏ no maner of person or persõs, of what estate, degree or condicion soeuer, shall at any time or times, from & after the first day of Aprill next ensuing, take, kil, or destroy, any feasants or partriges, wᵗ any maner of nets, snares, gins, engins, rowling, lowting, or other deuises whatsoeuer, in the night time, vppon paine of forfeiture for euery feasant so taken, killed, or destroyed, contrary to the true meaning of this act, the summe of xx.s. & for euery partridge so taken, killed, or destroied ẏ summe of x.s. the which said penalties & forfaitures, if euery person or persons so offending, do not pay wᵗin x. daies, next after his or their conuiction: then to haue one monethes imprysonment without baile or mainprise. And further, ouer & besides such forfeiture or imprisonmẽt, to put in bond wᵗ good suerties, for the space of iij. yeres, that he shall not take, kil, or destroy, any partridges or feasants, contrarie to ẏ true meaning of this act, ẏ same bond to be taken by some Justice of the peace, of the county where the said offence shalbe cõmitted: The one half of al which said seueral forfeitures, to be to ẏ chiefe Lord or lords, of the lyberties, lordships, or manors, vpon & in which ẏ same shalbe so taken, killed or destroied: & the other moity to such person or persõs as wil sue for ẏ same, in any of her maiesties courts of Record, by bil, plaint, or information: in which suite, no essoine, protection, or wager of law shalbe allowed.

Destroy Feasant Partridge

Night

Forf.

Mainprise

Bond

Iust. of p.

Lord

Prouided alwayes, ẏ if such person, to whom the one halfe of ẏ said forfeiture is appointed for ẏ taking, killing, or destroying of partridges & feasants, contrary to the tenour & true meaning of this act, shal dispence wᵗ, licence, or procure, any taking killing, or destroying, of any partridges or feasants, contrarie to ẏ forme of thys act: That then al such forfeitures & penalties, as such person or persõs should haue by vertue of this act, shalbe to the poore of the parish, where such taking, killing, or destroying shalbe cõmitted, & that to bee leuied or recouered in maner & forme aforesaid, by any one of ẏ Churchwardens of the parish where the offence shalbe cõmitted. And be it likewise further enacted by the aucthority aforesaid, ẏ no maner of person or persons, from & after ẏ said first day of April, shal hauke, or wᵗ his spaniels hunt, in any ground where corne or other graine shal then grow (except it be in hys owne ground) at such tyme as any eared or codded corne, or graine, shalbe stãding & growing vpon the same, nor before such time, as such corne & graine shalbe shocked, cocked, hiled, or copped, vpon payne of forfeiture for euery time ẏ he shal so hault or hunt as aforesaid, (wᵗout the consent of the owner of the corne or graine) to such person or person as shalbee owner of the said eared or codded corne or graine, xl.s. & ẏ same to be leuied or recouered in maner & forme aforesaid. Prouided alwaies & be it further enacted by the aucthorie aforesaid, ẏ the Justices of assises in their circuits, & Justices of the peace in euerie shire, countie, & towne corporat wᵗin this Realme, in their Sessions, within the seueral limits of their Cõmission, & Stewards of leets, liberties, & lawdaies, wᵗin their seuerall iurisdictions, shal & may by vertue hereof, heare, enquire, & determine of all & euery offence or offences, whych shalbe cõmitted wᵗin ẏ precinct of their liberties, iurisdictiõs, or franchises, against the tenour of this act. And further ẏ euery Justice of ẏ peace within euery county of this realme, shall within the limits of his cõmission, haue power & aucthority by vertue hereof, to examine al offendors in the premisses, wᵗin the county where hee is or shalbe Justice, if so be, ẏ the said offence or offences, shal not before be heard or determined by ẏ said Justices of assise in their circuits, or by ẏ ste wards of leets, liberties, or lawdaies, within their sayd seueral iurisdictions: & also to take bond wᵗ good suerties, for his & their apparance ẏ shal so offend, to appeare at ẏ next generall Sessions of the peace, to be holden wᵗin ẏ same countie, where the same offẽce shalbe committed, to aunswere ẏ said offence, & to pay the penalties, or receiue the punishmẽt by this acte appointed or limited. Prouided alwaies, ẏ this act shall not in any wise extend to lowbellers, tramellers, or others, which shal vnwillingly happen to take any partridges or feasants by night, vnder any tramel, lowbel, roadnet, or other engin, so as they & euery of them do presently lose & let go, euery feasant & partridge so taken, & suffer them presently to flie & go at large, at the place where they shall happen so to bee taken,

Poore of the Parish

Church Wardens

Hauke

Corne

Forf.

Iust. of p.

Sessions

Leetes

Determine

1. Iust. of p.

Examine

Bond

Next sessions

Prouiso

Vnwillingly

Flye

without willingly killing, or wilfully hurting, any such feasãt or partridge so taken, in any maner of sort, any thing in this act conteined, to the contraris notwithstanding. An. 23. Eliz. cap. 10.

¶ Fighting & Quareling.

Quarel Brawle Church Churchyard Ordinarie

Suspend Laymen & Clerke

Fine to Church Churchyard

Excommunicated

Strike with weapon

Draw any weapon

Church Comon Verdict Confession Justices Just. of p.

Adiudged

One eare cut of

Burned in the cheeke

FOr asmuch as of late, many barbarous behauiors haue ben committed by irreligious persons, by brawling & fraying openly in churches & churchyards: Be it &c. that if any person whatsoeuer, shall at any time after the first day of May nert cõming, by words only, quarel, chyde, or brawle, in any Church or churchyard, that then it shalbe lawful vnto ỳ Ordinary of the place where ỳ same offẽce shalbe don, & proued by two lawful witnesses, to suspend euery person so offẽding, ỳ is to say, if he be a lay man, Ab ingressu ecclesiæ, & if he be a Clerk, from ỳ administration of his office, for so long time as the sayd Ordinarie, shall by his discretion thinke mæte & conuenient, according to the fault. And further it is &c. that if any person or persons, after ỳ said first day of May, shal smite, or lay any violent hands vpon any other, either in any church or churchyard: ỳ then Ipso facto, euery person so offẽding shalbe dæmed excõmunicat, & be excluded from ỳ felowship & company of Christes congregation. And also it is &c. ỳ if any person after ỳ said first day of May, shall maliciously strike any person, with any weapon, in any church or churchyard: or after the same first day of May, shal draw any weapon, in any church or churchyard to thentent to strike an other with ỳ same weapon: That then euery person so offẽding, & thereof being conuicted by verdict of xij. men, or by his owne confession, or by two lawfull witnesses, before ỳ Justices of assises, Justices of oier & termyner, or Justices of peace, in their sessions, by force of this acte, shalbee adiudged by the same Justices before whom such person shalbe so cõuicted, to haue one of his eares cut of. And if ỳ person or persons so offendinge, haue none eares, whereby they should receiue such punishment, as is before declared, ỳ thẽ he, or they, to be marked & burned in the cheeke, wỉ an hoat iron hauing this letter F. whereby he or they may be knowen & taken for fray makers and fighters, besides ỳ, euery such person to be, & stand in Ipso facto excommunicated, as is afore said. An. 5. E. 6. cap. 4.

Excommunicated

¶ Fines.

Admit Defeat

Demãdants Plaintifes

Exceptions Aunsweres

Justices

Read openly

Warrant Charter Couenant

Appeare personally

FOr asmuch, as fines leuied in our court ought & do make an end of all sintes, & therof are called fines, chifely when after waging of battel, or ỳ great assise in their cases, they hold ỳ last & final place for euer, & now by a certain time passed, aswel in ỳ time of king H. of famous memorie our father, as in our time, the parties to such fines & their heires, cõtrarie to ỳ lawes of our realme, of auncięt time vsed, were admitted to admull & defeat such fine, alleaging, ỳ before the fine leuied, & at the leuying therof, & since, ỳ demãdants or plaintifes, or their aũcestors were alway seised of ỳ lands contained in the fine, or of some parcel thereof, & so fines lawfully leuied, were many times vniustly defeated & admulled by iurors of the countrey, falsely & maliciously procured: We therfore intending to prouide a remedy in ỳ premisses, in our parliamẽt at west. haue ordeined, ỳ such exceptions, aunsweres, or inquisitiõs of ỳ countrey, shal from henceforth in no wise be admitted, contrary to such recognitions or fines. And further, we will that this statut shall extend aswell vnto fines heretofore leuied, as to thẽ ỳ shalbe leuied hereafter. And let ỳ Justices see that such notes & fines, as hereafter shalbe leuied in our court, be read openly & solempnely, & ỳ in the meane time all plees shal cease, & this must be ij. certaine dates in ỳ weeke, according to the discretion of the Justices. An. 27. E. 1. Stat' 1. cap. 1.

2 ¶ The king vnto the Justices of hys bench greeting, whereas of late we haue ordeined, ỳ al such fines as are to be leuied in our court, be lawfully leuied, which we will in no wise to bee broken, or to be admulled of their power, we haue sent vnto you our mind in writing, firmely to bee obserued, ỳ is to wit, ỳ aswel ỳ parties demãdant or plaintif, as ỳ tenants or defẽdants, ỳ will yeld or knowledge, right of lands or tenements vnto other, in ples of warranty of charter, couenant, & other, wherupon fines ar to be leuied afore you, before such fines do passe, the parties shal appeare personally, so ỳ their age, ideocy, or any other default being in thẽ, may bee iudged & discerned by you.

Impotent

Visit the partie diseased

Abbot Prior Knight

Barons of the Eschc. Attorneis

Clerkes Semants

Lord Chauncelor

Original

Money Proclamation

Prouided alway, ỳ if any person aged, or decrepite, or impotent, by casualty, bee so oppressed & holden, that by no mean he is able to come before you in our court, then in such case we will, ỳ two or one of you, by assent of the residue of ỳ bench, shal visite the partie so diseased, & shal receiue his cognisance vpon the plee & forme of ỳ plee ỳ he hath in our court, whereupon ỳ same fine ought to be leuied. And if there go but one, he shal take wt̄ him an Abbot, a Prior, or a knight, a man of good fame and credence, & shal certifie you thereof by record, so ỳ al things incident to ỳ same fine being examined by him or them, the same fines according to our forme & ordinance, may be lawfully leuied: yet we will not ỳ any of our Barons of ỳ eschequer, or our Justices, shal admit any atturneis but only in plees & matters ỳ passe afore them in the benches, & in places where they be assigned by vs. And the same power of admitting atturneis, we prohibite & deny to ỳ clerks, & seruants of the said Barons & Justices. And do ordeine, ỳ if any atturneis be admitted hereafter by any of the persons aforesaid, their admission shalbee of none effect: Reserued alway to ỳ Chancelor for the time being, his authority in admitting atturneis, according to whose discretion they shalbe admitted, & to those our Justices as heretofore hath ben obserued in ỳ admission of atturneis: we will also ỳ this our ordinance shall take effect & begin at ỳ vtas of ỳ trinity next ensuing. Geuen at our parli. at Carlile the 15. yere of our raigne. An. 15. E. 2. Stat' of Carlile.

3 ¶ When the writ original is deliuered in presence of ỳ parties, a pledour shal say this: Sir Justice conge de accorder, & the Justice shal say to him, sir R. & shall name one of the parties, then when they be agreed of the summe of money, ỳ must be geuen to the king, the Justice shal cōmaūd the peace to be cried, & after ỳ pledour shal say: In so much as the peace is licenced thus vnto you W. S. & A. hys wife, that here be, to knowledge ỳ manor of B. with the appurtenants, contayned in ỳ writ, to be the right of our soueraigne lord the king, which he hath of their gyft: To haue & to hold to him & to his heires, of the said W. & A. & to the heires of the said A. as in demeans, rents, seigniories, plees, purchases, wardes, mariages, reliefes, escheats, mills, and wolsons of churches, & al other frāchises, & free customes to ỳ said manor belonging: paying yerely to R. & his heires, as chief Lords of ỳ fee, the seruices & customes du for al seruices. And it is to be noted, ỳ the order of ỳ law will not suffer a final accord to be leuied in the kings court, wont a writ original, and that must be at the least before iiij. Justices in ỳ bench, or in eire, & not otherwise, & in presence of the parties named in the writte, which must be of full age, of good memory, & out of prison. And if a woman couert be one of the parties, then she must be first examined, by 4. of ỳ said Justices, & if she do not assent therto, ỳ fine shal not be leuied. And the cause wherfore such solempnitie ought to be done in a fine, is because a fine is so highe a barre, of so great force, & of so strong nature in him selfe, ỳ it concludeth not only such as be parties & privies thereto & their heires, but al other people of the world, being of full age, out of prison, of good memorie, & within the fower seas, the day of ỳ fine leuied, if they make not their claime of their action wtin a yere & a day by ỳ countrey. An. 18. E. 1.

Presence of the parties
Full age
Good memorie
Out of prison
Woman couert
Examine
Assent
Claime within a yere & a day

4 ¶ The plees of Nonclaime of fines, which from hēceforth be to be leuied, shal not be taken nor holden for any barre in time to come. An. 34. E. 3. cap. 16.

Nonclaime

5 ¶ All the fines to be taken before any Justices, shalbe in the presence of the pledges, & that the pledges know ỳ summe of their fine before their departing. An. 38. E. 3. cap. 3. Stat' 1.

In presence of the parties

6 ¶ All the writs of Couenant, and al other writs wherupon fines shalbe leuied in time to come, wt̄ the writs of Dedimus potestatem if any be, with al knowledges and notes of the same, before that they be drawen out of the cōmon bench by ỳ Chirographer, shalbe inrolled in a rol, to be of record for euer, to remaine in the safe custodie of the chiefe Clerke of the common bench, & of his successors, for the old fee of xvij. d. accustomed to be paied to the chiefe clerke for the entring of ỳ concord of euery fine, wout paying any more: to the entent ỳ if the notes in the custody of ỳ chirographer, or ỳ fines be embesilled, a man may haue recourse to the said roll to haue execution, as he should haue if the fines were not embesilled, & all the writs of the couenant, and al other writs, whereupon

Writs of Couenant
Dedimus potestatem
Common place
Enrolle
Fee
Embesill

fines haue ben leuied in times past, shalbe also of record. And moreouer al ỳ fines ỳ were now late embesiled in the treasorie of our souereigne Lord the king, by persons vnknowen, if the notes & the same writs of Couenant of such fines embesiled, remaining in the custody of the Chirographer may be foũd, ỳ then to ỳ party shewing part of the fines embesiled, such notes & writs of Couenants, shal remain of record as far forth as the same fynes should haue ben, if no embesiling thereof had ben made. An. 5. H. 4. cap. 14.

Notes

Record

7 ¶ After the engrossing of euery fine to be leuied after the feast of Easter next cõming in the kings court before his Justices of ỳ cõmon place, of any lands, tenements, or other hereditaments, the same fine shalbe openly & solẽpnely read & proclaimed in the same court ỳ same terme, & in iij. termes of the yere next ensuyng, after the same engrossing in ỳ same court at iiij. seuerall dayes in euery terme. And in ỳ sãe time ỳ it is so reade & proclaimed, al plees shal cease, & moreouer a transcript of the same fine shalbe sent by ỳ said Justices of ỳ cõmon place, to the Justices of assises of ỳ county where ỳ said lands and tenemẽts be, they to cause ỳ said fine to be read & proclaimed openly & solempnely in euery their sessions of assises to be holden the same yere, if assises do then hold, & all the plees in the meane time to cease. Also it is ordeined & established by ỳ said authoritie of parliamẽt, that a like transcript of the same fine shalbe sent to ỳ Justices of peace, of the countie where ỳ said lãds & tenements be, & they shal cause open & solempne proclamation of the said fine to be made at iiij. generall sessions of ỳ peace to be holden in the same yere. The sayd Justices of assises, & also Justices of peace to certifie the same proclamation to the kings Justices of ỳ common place at the second day of returne of ỳ terme thẽ next following, after which proclamation had made, & certified, the said fine to be a final end, & to conclude as well prũies as straũgers to the same, except women couert, other then be parties to the said fine, and euery person or persons then being with in age, in prison, or out of this realme of Engläd, or not of whole memorie, at the time of such fine leuied. Also sauing to euery person or persons such right, title, claime, & interest, which they haue to, or in the said lands, tenements, & other hereditaments, at the time of such fine engrossed, so ỳ they do pursue their said right title, claime, or interest, by way of action or lawfull entrie, wiñ fiue yeres next after ỳ said proclamation made, had, or certified. And also sauing to al other persons, al such actions, right, title, claime, & interest, in, & to all the said lands, tenements, & other hereditaments, which shal grow, remaine, discend, or come to them, after ỳ said fine engrossed, by force of any gift in taile, or by eny other cause or matter had, or made, before the said fine leuyed, so ỳ those persons take their said actions, or pursue their said right & title, according to the law wiñ v. yeres next after such actions, title, claime, or interest, growen, discended, remained, or come to thẽ. And also that the said persons & their heires, may haue their said action against the taker of ỳ profits of ỳ said lands, tenemẽts, & other hereditaments, at ỳ time of such action to be taken. And if the same persõs at the time of such action, right, and tytle growen, discended, remained, or come to them, bee couert baron, or wiñ age, or in prison, or out of this land, or out of whole memorie: It is ordeined, established, and enacted by authority aforesaid, that their actions, right, & title, be reserued & saued, to them & their heires, till the time they come and be at their ful age, out of prison, wiñ this land, vnmaried, & of whole memorie, so ỳ they or their heires take theyr said actions or lawful entrie, according to their right & title, wiñ fiue yeres next after they come & be at their full age, out of prison, within this land, vnmaried, & of whole memory, & pursue ỳ same actions, or take their lawful entrie to effect, according to ỳ law of Engläd. Also by auctority of ỳ said parliament it is ordeined, established, & enacted, that all such persons, which be couert, not parties to ỳ fine, & euery person being within age, in prison, or out of this realm, or out of whole memorie, at ỳ time of the said fynes leuied & engrossed, by this acte of parliament before excepted, hauing any right or title, or cause of action to any of the said landes, tenements, & other hereditaments: ỳ they or their heirs, take their said actions, or lawfull entrie, according to their right & title, within

Engrossing

Proclaymed

3. Termes

4 seuerall dayes

Transcript Just. of the cõmon place

Just. of all.

Proclaimed

Transcript to the Just. of p.

Proclamation

4 Generall Sessions

Just. of all.

Just. of p.

Certifie

Woman couert

Within age

Prisoners

Out of the Realme

Non sane memorie

Right

v. Yeres

Gift in taile

5 yeres

Actions reserued

v. Yeres.

Within .v. yeres after ful age, out of prison vnmaried, within this land, & of whole memorie

Concluded

Engrolling

Proclaimed .iij. termes

.iij. seuerall dates

Women couert Within age Prisoners Out of this Realme Non sane memorie

Right

Within .v. yeres

Action

Fee in taile

Perno; of profits

Court baron Within age Prisoners Out of this land Non sane memorie

Full age Out of prison Vncouert Whole mind

.v. yeres

Action Purlue

.v. yeres

within the .v. yeres nert after that the sayde persons come or be of ful age, out of prison vnmaried, within this land, & also beinge of whole memorie. And also sue the same actions & take their lawful entry, & so pursue with effect according to the law of the realme of Englād. And moreouer if they do not, & take their said actiōs, & also their said lawful entry, in ẏ maner as is afore said, ẏ then they shalbee concluded by the said fines for euer, in like forme as they be that be parties & privies to the sayd fines leuied & engrolled. Also by the said authoritie it is ordeyned & estably shed, ẏ euery fine, which shalbe from henceforth leuied in any of ẏ kings courts of any manors, lāds, tenemēts, or other possessions, after ẏ maner vsage & forme ẏ fines hath bē leuied before ẏ making of this act before rehersed, shalbe of like strength effect & authority, as fines so leuied be or were before ẏ making of this act, this act or any other act in this parliamēt made or to be made not withstanding. And ẏ euery persō shal be at his liberty, to leuy any fine hereafter, as he wil him selfe at his pleasure after ẏ making cōtained & ordeyned, in & by thys act, or after ẏ maner & forme before vsed An. 1. R. 3. ca. 7.

8 ¶ That after the engrossing of euery fine to be leuied, after the feast of Easter that shalbee in the yeare of our Lorde. MCCCC &c. in the kings court afore his Justices of the comon place, of any lāds, tenementes, or other hereditaments, the same fine be openly & solempnly read and proclaymed in the same court, the same terme, & in three termes then nert following the same ingrossing in the same court, at iiij. seuerall dates in euery terme. And in the same tyme that it is so read & proclaimed al pleas shal cease, & the said proclamations so had & made, the said fine to be final end, & conclude as wel parties as strangers to the same, except women couert, other then bene parties to ẏ said fine, & euery person then beinge within age of xxj. yeres, in prison or out of this realme, or not of whole minde at the tyme of the said fine leuyed, nor partyes to such fine. And sauinge to euery person or persons & to their heires, other then the partyes in the sayd fine, such right clayme, and interest as they haue to or in the sayd landes, tenements, or other hereditamēts ẏ time of such fine ingrossed. So that they pursue their tytle, clayme or interestes by way of actiō or lawful entre within fiue yeres nert after the said proclamations had and made. And also sauing to al other persons such action, right title, claime, and interest in, or to the sayd landes, tenements, or other hereditaments, as first shall growe, remayne, or discend, or come to them after the sayd fines ingrossed, & proclamation made, by force of any gift in the tayle, or by any other cause or matter, had and made before the said fine leuied. So ẏ they take their said right, and title, according to the lawe, within .v. yeres nert after such action, ryght, title, clayme, or interest, to them accrued, discended, remained, fallen or come: and the sayde persons and their heires, may haue their said action against the pernour of the profits of the sayd lāds and tenements, and other hereditaments, tyme of the sayd action to bee taken. And if the same persons at tyme of such actiō, right, and tytle, accrued, discended, remained, or come vnto them, bee couert baron or within age, in prison, or out of this land or not of whole minde, that then it is ordeyned by the said authority, that their acton, ryght and title to bee referred and saued to them and to their heires vnto the time they come and be at their full age of xxj. yeres, out of prison within this land, vncouert and of whole mind, so that they or their heires take their actyons of the lawfull entrie according to their ryght and title, within .v. yeres nert after ẏ they come and be at their ful age, out of prison within thys lande vncouert and of whole minde. And the same actions pursue, or other lawfull entrie take, according to the law. And also it is ordeyned by ẏ authoritie afore said, ẏ all such persons as be couert de baron not parties to the fine, & euerie person being within age of xxj. yeres, in prison, or out of thys lande, or not of whole minde at time of the sayd fines leuied and engrolled, & by this said act afore excepted, hauing any right or title, or cause of actions to any of the said landes and other hereditaments, ẏ they or their heires inheritable to the same, take their sayd actions or lawful entry according to their ryght, and title within fiue yeres nert after they come and bee of full age of xxj. yeres out of prison vncouert within thys

land

land,and of whole mind,and the same actions sue, or their lawfull entrie take and pursue,according to the law. And if they do and take not their actions & entrie, as is aforeclaid, ỳ they & euery of them & their heires, & the heires of euery of thē, be cōcluded by the sayde fines for euer,in lyke fourme,as they ben, that bene parties or pryuies to the said fines, sauinge to euery person & persons not partye nor pryuie to to the saide fine, their exception to auoid ỳ said fine,by that,that those that were parties to the fine, nor any of them, nor no person nor persons to their vse, ne to the vse of any of them, had nothing in ỳ lāds & tenemēts compriled in the said fine at ỳ time of the said fine leuied. And it is ordeined by the said authorities that euery fine that hereafter shalbe leuied in any of the kings courts,of any maners,lands,tenemēts,or other possessions,after the manner,vse,& fourme,that fines haue bene leuied afore the making of this act,be of like force,effect,& authority,as fines so leuyed be, or were,afore ỳ making of this act, thys acte or any other acte in the sayde parliament made or to be made notwithstanding. And euery persō be at his liberty to leuy any fine hereafter after,his pleasure,whether he wil after ỳ forme cōtained & ordeined in & by this act, or after ỳ maner & forme afore time vsed. An. 4. H. 7. cap. 24.

Concluded

Exception

Nothing in the lands

Force

2 ¶ All and singuler fines,aswel heretofore leuied,as hereafter to be leuied,before the said Justices (s. of ỳ comon place) with proclamations according to the sayd estatute,by any person or persons of full age of rij. peres,of any manors,lands,tements,or hereditaments, before the time of the same fine leuied,in any wise entayled to the person or persons so leuying the same fine,or to any ỳ aūcestour or auncestours of ỳ same person or persons, in possession,reuersion remainder,or in vse: shal be immediatly after the same fine leuied, engrossed, & proclamation made, adiudged accepted dēmed,& taken, to al intentes & purposes,a sufficient barre & discharge for euer,against the said person & persons and their heires, claimming the said lands,tenements,& hereditaments,or any parcell therof, onely by force of any such entaile,& against al other persons claiming ỳ same, or any parcell thereof,onely to their vse, or to the vse of any maner of heire of the bodies of them: any ambiguitie, doubt,or contrariolitie of opinion,risen or growen vpon the sayd estatut to the contrary notwithstāding. Prouided alwaies that this act nor any thing therin contained, shall extende to barre or exclud, the lawful entrie,title,or interest,of any heire or heires person or persōs,heretofore geuen,or hereafter to be geuen,growen, or accrued to them, or any of them, in or to any maners,lands,tenements,or hereditamēts, by reason of any fine or fines heretofore leuied or hereafter to be leuied,by any woman,after the death of her husband,contrary to the fourme, intent,& effect of the statut made in the eleuenth yere of kinge Henry the vij. (s.ca. 20. which is in discontinuaunce of right 1.) of any manors, lands,tenements,& hereditaments,of the inheritance or purchase of the said husbād, or of any his auncestours, geuen or assigned to any such womā in dower for terme of life, or in tayle, in vse or in possession, but that the same act made in the sayd rij. yere of the said late kinge Henry the vij. (s.ca.20.) shal stand,remaine,& be, in ful strength & vertue,in euery article,sentēce, and clause therein contained,in like manner & fourme as though thys present act had neuer ben had nor made. Prouided also that this act ne any thinge therein contained,do extēd to any fine or fines,at any time heretofore leuied, or hereafter to be leuied,of any lordships,manors, landes, tenements,or other hereditaments,what soeuer they be,the possessioners & owners thereof by reason of any expresse wordes contayned in any especiall act or actes of parliament, made or ordeyned sithen the said tiij. yere of king Henry the vii. stand, be bounden, or restrayned from makinge any alienations,discontinuances,or other alterations of any of the same Lordships, maners,lands, tenementes,or hereditaments,contained in the said fine or fines; but that all & euery such fine & fines, at any time heretofore leuyed, or hereafter to be leuied by any such person or persons,or their heirs,of any such lordships,manors, lands,tenements,or other hereditaments shalbe of such like force & strength in the law & of none other effect,thē ỳ same fine so leuyed or to be leuied,should haue bene, if thys present act had neuer bene had or made:

Proclamations Full age

Entailed

Possession Reuersion

Barre

Heires

Women

Dower Terme of life Intayle

Lordships Manors

Alienations Discontinuances

made: any thyng therin contayned to the contrary notwithstanding. Prouided also ỹ this act nor any thyng therin cõtained, shal not extend to any fine or fines heretofore Landes in suit leuyed, of any manors, lands, tenements, or hereditamẽts now in suit, demaund, or wherof any charters, euidences, or muniments concerning ỹ same, be now in demaund in the kinges high court of Chaũcery: nor to any fine or fines hertofore leuied, of any manors, lands, tenements, or hereditaments, which before ỹ first day of this present parliament, haue ben recouered, gotten or obtayned, by reason of any iudgemẽt, entry, degree, arbitremẽt, or other lawful meanes, cõtrary to ỹ purport, intẽt, or effect, of any such fine or fins ther of hertofore leuied, nor to any fine or fins heretofore leuied, or hereafter to be leuied by any person or persons, of any manors, lands, tenemẽts, or hereditaments, before ỹ time of the leuying of ỹ same fine, geuẽ, graũted, or assigned to ỹ said person or persons, so leuying the same fine, or to any of his or their aũcestors in ỹ taile by vertue of any L. patẽts of our said soueraign lord or any of his progenitors, or by vertue of any act or acts of this parliamẽt, ỹ reuersion whereof at ỹ time of the same fine or fines so leuied, being in our said soueraigne lord, his heires or successors. But ỹ euery such fine & fins, shalbe of like force, strẽgth & effect, as they were or should haue bene, if this act had not ben had or made. An. 32 H.8. ca. 36.

Charters Euidences

Chauncery

Aunceſtors in taile

L patents Reuersion

10 ¶ All and singuler fines which at any time hereafter shalbe leuyed or knowledged, before ỹ Justices of our soueraign lord the king, or of his heires or successors of the county palantine of Lancaster, cõmonly called Justices of assises at Lancaster, or before one of thẽ, of any lands, tenements, or other hereditamẽts, lying or beinge within the county palantyne of Lancaster, which shalbe openly read and proclaymed, thre seueral dates in ỹ open sessions in the presence of the Justices of assises at Lancaster, or of one of them for the time being, at the same sessions that the same fine shal fortune to be ingrossed, & also ỹ shalbe openly read & proclaymed in the presence of the Justices of assise at Lancaster, or of one of them, for the time being, at the two nert generall sessions ỹ shalbe holden in the said county palantine of Lancaster before the Justices of ỹ same county commonly called Justices of assise at Lancaster, or before one of them, nert after the leuying, or ingrossing of such said fine, at thre seueral dayes in either of the said two sessiõs, after such maner & forme as is commonly vsed in the kinges court of his common place at Westt. shalbe of like force strẽgth, & effect in the law, to al intents, cõstructions, & purposes, as fines, being duely leuied with proclamation before the kings Justices of his cõmon place be or ought to be of. Anno 37. H. 8. ca. 19.

Countie p. of Lancaster Just. of ass.

Proclaimed 3 dates

Open sessiõs Openly read

Generall sessions

3. dates

11 ¶ Fines which at any tyme hereafter shalbe leuied or knowledged before the high Justice of our souereigne lord ỹ king, or of his heires & successors, of his countie Palantine of Chester for the time being, or before the deputie or lieutenant, iustices there for the time being, of any lands, tenements, or other hereditaments, lyinge or being within the said countie palantine of Chester, which shalbe openly read & proclaimed iij. seueral dates, in the open session, in the presẽce of the Justice of the said countie palantine of Chester, for the time being, or before the deputie or lieutenant Justice there, at the same Sessyons ỹ the same shall fortune to bee ingrossed. And also ỹ shalbe openly read & proclaymed, in the presence of the Justice of the said countypalantine of Chester, or before ỹ deputie or lieutenant Justice there for ỹ time being, at the two nert generall sessions that shalbe holden in ỹ said cõty palantine of Chester, before the Justice of ỹ same county palantine, or before the deputy or Lieutenaunt Justices there, nert after the leuying & ingrossing of such fine at thre seueral dates in eyther of the sayd two sessions, after such maner & forme as is cõmõly vsed in ỹ kings court of cõmon pleas at Westt. shalbe of like force, strẽgth & effect, in the law, to al intents, constructions, & purposes, as fines duely leuied wt proclamations before the kings Justices of his cõmon pleas, bee or ought to be of. An. 2. E. 6. ca. 28.

Countie p. of Chester Liuetenant

Proclaimed 3. dates

Open sessions

Engrossed

Generall sessions

Force

12 ¶ Al fines aswel heretofore leuyed, as hereafter to be leuied, before ỹ Justices of the cõmon place of any manors, lands, tenements, or other hereditamẽts, wherupon the proclamations hath not, or shall not by reasõ of adiournemẽt of any terme by writte, bee duely made, shalbee of as

Proclamatiõs & Adiournement

good

gwd force effect, & strength to all intents, constructions, & purposes, as if any terme heretofore so adiorned, or at any time hereafter, shalbe so adiourned, had ben holden & kept from the beginning to ỳ end thereof, not adiourned, & proclamations therin made according to ỳ forme & effect of the said estatut. Prouided alwayes ỳ this act shal not in any wise extende to any syne heretofore leued of any ỳ manors, lãds, tenements, or hereditaments, now in suit demaund or variance, in any of ỳ Queens courts, or wherof any charters, euidẽces, or immuniments concerning ỳ same bee now in demaund, in ỳ Queens high court of Chaũcery, nor to any fine or fines heretofore leued, of any manors, lands, tenements, or hereditaments, which before ỳ first day of this presẽt parliamẽt haue ben recouered, gotten or obtained, by realõ of any iudgemẽt, entre, decree, arbitremẽt, or other lawful means, cõtrary to ỳ purport, entent, or effect of any such fine or fines thereof heretofore leued. An. 1. M. 1. parl. cap. 7.

Landes in suit

Charters

Chauncery

Recouered

¶Fines to the king.

Writ of inquisition

NOthing from henceforth shalbe geuẽ for a writ of inquisition, nor taken of him ỳ praieth Inquisition of life or of mẽber, but it shalbe graunted freely. Magna Charta. cap. 26.

¶First fruits and tenthes.

Tenthes

ANno 26. H. 8. ca. 3. An act was made whereby ỳ first fruits & yerely tẽthes of spiritual promotions, were geuen to ỳ king, his heires & successors, & diuers articles are there at large, expressing how we & by what waies, ỳ king should be answered of those first fruites and tenthes, & diuers other thinges concerninge the first fruits & tenths. And that the first fruits of benefices accustomed to bee payed to the Bishop of Norwich within that dioces, & to ỳ Archdeacon of Rychmond, within his archdeaconry, or to any other person within this realme, or the kings dominyons, shal cease, & be extinct, & no lenger be payd but onely to ỳ king, his heires & successors. These first fruits graunted to the king, be extinct, & these tenths graũted to the king be discharged from the king and Quẽne as hereafter appeareth. Anno 2. & 3. P. & M. ca. 4.

Bishop of Norwich Archdeacon of Richmõd

Extinct

2 ¶An. 26. H. 8. ca. 17. was enacted ỳ ỳ leasees of spiritual persõs, be discharged of paying of ỳ first fruites & tenthes, not wõstãding any couenant, contract &c. Leasees

3 ¶An. 27. H. 8. ca. 8. was enacted ỳ he ỳ paieth or cõpoundeth for his first fruits, shalbe deducted of ỳ tenth for ỳ yere, out of his first fruits, & shal pay ỳ tenth. Compound

4 ¶An. 32. H. 8. cap. 22. was enacted how ỳ Bishops should be discharged of ỳ tenth ỳ they could not leue, & how ỳ king shoulde be answered of the tenth of any benefice omitted &c. Bishop

5 ¶An. 32. H. 8. ca. 47. was enacted ỳ the Bishop of Norwich should collect the tenthes in his dyoces, and accompt for the same. B. of Norwich Accompt

6 An. 34. H. 8. ca. 17. was enacted where the new erected bishops should pay their tenthes &c. New bishops

7 ¶An. 2. E. 6. ca. 20. was enacted that by a certificat frõ the bishop, of none payment of any tenthe of any benefice, the incumbent shoulde lose but the benefice onely. Certificat Non paymẽt Losse of benefice

8 ¶An. 7. E. 6. ca. 4. was enacted how the Collectours of the tenthes should bee bound to collection. And a larger day geuen for the payment of ỳ tenthes: & howe the king should be payd of the tenth, for ỳ time of the vacation of ỳ benefice: & how a patent of collectourship of the tenthes should be gwd, onely duringe the tyme of the grauntour. Collectors bound king Vacation Patent of collectorship

9 ¶Al paimẽts of the first fruits, & graũted by An. 26. H. 8. ca. 3. vvere taken away from the crowne by one act. An. 2. & 3. P. & M. & afterward restored by 1. Eliz. ca. 5. as followeth. Crowne Restored

10 ¶That the said act made in the second & third yere of the raigne of the sayd late king Philip & Quẽne Mary, & al articles, clauses: & sentences therin contayned, shalbee from & after the fyrst day of this present parliament, vtterly & clerely repealed, made voyde, & of no force, ne effect. And al authorities & liberties graũted, limitted & appointed in & by the sayde act, to ỳ said late Cardinal Pole, or made or derived by force strength, or colour, of the said act, by or from the said late Cardinal, to any other person or persons, bodyes politike or corporate, to cease and be vtterly voide, & determined. And that the Repealed Liberties Cardinall Poole Void

the said first fruits, and al payments therof, from & after the sayd first day of this parliament, shalbe reuyued and haue their being & continuance againe, & be demed & adiudged, to al intents cõstructions & purposes, to ỳ Quẽnes highnes most royall person, her heires & successors, & vnited, & annexed to the Imperiall crowne of this realme, of & in such like, & the same estate interest, title, quality, sort degree, & cõdition as ỳ same was or were in ỳ person or possession of the said late Quẽne Mary, at & before the said eight day of August in the said act of extinguishment mencyoned & expressed. The same act of extinguishmẽt or any letters patents, or any other matter or thing had, done, or suffered by ỳ said late Quẽne, to the contrary therof in any wise not withstanding. And also ỳ as well so much of the sayd perpetuall and annuall rents, & pencion graunted by the said act made in the said prliament of the raigne of the said late king Henry the eight, as also so much of the said yerely rents, reserued vpon the said seueral letters patentes nomine decime, & also so many of the said rectories, personages, & benefices impropriate, glebe landes, tithes, oblations, pencions, portions, and other profits & emoluments, ecclesiasticall and spirituall aforesaid, and the reuersion & reuersions therof, and al rents emoluments, and profits incident to the same, as were in ỳ handes and possessione of ỳ said late Quẽne Marie, at and before the said eight day of August: shal from the feast of S. Michael the archangel last past, be deemed, adiudged & demed, actually & really, in ỳ seisin & possession of our said soueraigne lady Quẽne Elizabeth, her heires & successours, to all intents, constructions, & purposes, of & in such like and the same estate, interest, order, degree, qualitie, sort & condition, & as fully, wholly, largely, and beneficially, as the same were in the seisin & possession of the said late Quẽne Marie, at & before the same eight day of August. And ỳ as well the said first fruits and tenths & the order therof, as also the said annual rentes, reserued nomine decime, & the said rectories personages, benefices, glebe landes, tithes, oblations, pencions, portions, & other profites, & emoluments, ecclesiastical & spiritual aforesaid, & euery of thẽ, & the reuersion and reuersions of them, and of al rẽts & profites, vnto the same or any of the incident or belonging, shalbe within ỳ said order, survey, rule and gouernaunce of the said court of Eschequer, in euery degree, sort and condition, as they were (at & before the said viij. day of August) the sayde act made in the said second & third yeres, or any other matter or thing, to the cõtrarie thereof notwithstanding. And that so much of al & euery ỳ said actes & statutes, first recited, or of any other act or statute touchinge or concerninge the order, leuying, true answering, and payment or qualification of the said first fruits and tenths, and of the said rectories personages, & benefices impropriate, & of the rents, reuenues, emoluments, & profits thereof, and of al other the premisses, & also the charge, discharge, or alteration of them or any of them, or any matter or thing in any wise sounding or tẽding therunto, which were stãding & being in force, effect & vnrepealed at & before the said viij. day of August, except onely the said actes of the erection of the courtes of Augmentations & first fruits and tenthes: shalbe, remaine & continue in their ful and perfect strength and forces, & be obserued and put in true execution, according to the tenours & purportes of the same, & of euery of them. And that the Quẽnes maiestie, her heires & successours, by authority of this present parliamẽt, shal from the said first day of this present Parliament, haue, holde, possede and enioy for euer, the aduowsons, gifts, & patronages, of al vicarages belonginge or incident to any of ỳ said rectories & personages impropriate, in ỳ same sort, qualitie, cõdition & degree to al intents & purposes, as the same were in ỳ person & possession of ỳ said late Quẽne Mary, at and before ỳ said 8. day of August: Any thing or act done by the same late Cardinall, or any graunt or graunte by letters patẽts made by the sayd late Quẽne Marie, of the said aduowsons & patronages, or any of them, to any Ecclesiastical or spiritual persone or personnes, or any spirituall corporation, to the contrarie in any wise notwithstanding. Sauing to al and euery person or persons, bodyes politique & corporate, and their heires, executors, successours, and assignes and euery of them, other then such persons as be mencioned & named

Crowne

Lettres patents

Rectories Personages & Glebe landes

Possession

Annuall rents

Oblations

Eschequer

Leuying Qualification

Vnrepealed

Augmentation

Aduowsons Patronages Vicarages

Graunts

Spiritual person Spiritual corporation

named in any letters patentes, made by ẏ̄ said Quẽne Mary the said eyght day of August, or at any time sithẽ, or claiming only by or vnder the auctority & strẽgth of the same act, or letters patents or any of them, al such right, title, interest, estate, office, leases, graunts, annuities, pẽcions, fees, corodies, rents, & other perely profits & cõmodities as they or any of thẽ ought or should have had, perceived, or enioyed, of, in, or by reason of any the personages, rectories, or of any other the premisses, in case the said former act now repealed and this present act of repeale, had never ben had ne made. Any thing in ẏ̄ same acts or eyther of them conteined or sounding to ẏ̄ contrary thereof in any wise not withstanding. And be it further enacted by the auctority aforesaid, ẏ̄ frõ & after the sayd feast of S. Mich. tharchangel last past, & so from thẽceforth frõ time to time the sayd pencions, annuities, rents, corodies, fees & other perely paymentes, shalbe payd and payable onely by our said soueraigne Lady, her heires & successors, at the receipt, of the Eschequer, or in such other places as the Quẽnes Maiesty, her heires & successours shall appoint, to all & euery person & persons that ought to have & enioy ẏ̄ same in such sort, order & fourme as the same should or ought to have ben payd & payable in case the sayd acte now repealed, had neuer bene had ne made: Any thing therein or els in this act contained to the contrary thereof in any wise not withstãding. And be it further enacted by thauctority aforesaid, that all and singuler incũbents, proprietaries, tenants, fermors, lessees & occupyers of the premisses, or any part therof, their heires, executors and assignes which at the said first day of this present parliamẽt were behind or in any arrerages of and with the rents, fermes, tenthes or other reuenues profits & duyties by them or any of them due & payable for or by reason of the premisses or any of them, shal and may be by auctority of this act seuerally chargeable, accõptable, and aunswerable to the Quẽnes maiestie, her heires & successors in & at the said court of the eschequer, of & for the same arrerages and duyties, as other accomptants bene & shalbe in the same court, any thing in the sayd act, now repealed in this acte, or any other matter or cause to the contrary thereof, in any wise notwithstandinge. And yet neuertheles the Quẽnes most excellent maiesty, at the humble request of her said subiects, of her aboundant grace & bountefulnes, is pleased & contented ẏ̄ it be enacted by thauctority aforesayd, that all and singuler vicarages, not exceeding the perely value of x.li. after the rate & value vpon the records & bokes of the rates & values for the first fruites and tenthes, now remaining in the eschequer, or that shal hereafter come & remayne in the same court. And also al & singuler personages not exceeding the perely value of x. markes, after the like rate and valuation, & the incumbents thereof & of euery of thẽ, their executors, administrators, successours & suerties and euery of thẽ, from the sayd feast of Saint Michael the archaungell last past, shalbe free and clearely discharged, & acquited for euer against the Quẽnes maiestie, her heires and successours of and from the said first fruits: Any thing in the said act of first fruits & tenths made in the said xxvi. yere of the raigne of the said late kinge Henry the eyght or in this act of repeale, or any other act or acts before recited to the contrarye thereof in any wise notwithstanding. Prouided alwaies and be it enacted by auctoritye aforesayd that if any incumbent of anye such promotion spiritual as is aforesayde, charged or chargeable to the payement of the sayd first fruites, happen to lyue to the end of one halfe yere next after ẏ̄ last auoydance of the same promotion spirituall, so as he hath receiued or without fraud or couin, might lawfully haue receiued or enioyed the rentes or profits of that halfe yere. And before the end of ẏ̄ other halfe yere then next followinge, shal happen to die, or to be lawfully euicted, remoued, or put from the said promotion spirituall, by iudgement in any action at the common law, without fraude or couin: That then euery such incumbent, his heires, executors, administrators, and suerties, shalbe charged & chargeable but onely with the fowerth part of the first fruits due to bee payed for such his promotions, & with no more of the said first fruits. Any thing in this act contained, or any bond or writing to be made for ẏ̄ payment of the said first fruits, or any other matter or cause to the contrary notwithstandinge. And if it shall happen

Office Leases Graunts Annuities

Repealed

Rents Corodies Fees

Eschequer

Incumbents Proprietaries

Arrerages

Accomptable

Vicarages of x.li.

Personages of x. markes

Incumbents Executors Suerties

Discharged

Incumbent

Halfe yeres rent

Dye Euicted

Heires Executors Administrators Suerties

Bond

happen any such incũbent to lyue by the
Whole yere space of one whole yere, next after the last
auoidance of the same promotion spiritu-
all, and after, before the ende of one halfe
yere then next following shall fortune to
Dye Euicted dye, or to be lawfully euicted, remoued or
put from the said promotion spirituall, by
iudgement in any action at the common
law, without fraude or couin: That then
Heires Executors Administrators euery such incumbent, his heires executors, administrators & suerties, shalbe char-
Moitie ged & chargeable, but only with ẏ moity,
& one halfe of ẏ first fruits due to be payd
Bond for such his promotion spirituall, & ẅ no
more of the same first fruits. Any thinge
in this act conteined, or any bond or writ-
ting obligatorie, to be made for the pay-
ment of the same first fruits, or any other
matter or cause to the contrary notwith-
standinge. And if it shall happen any such
incumbent to liue to the end of one whole
Yere & halfe yere & a halfe, next after the last auoidãce
of such promotion spirituall, & before the
Dye Euicted ende of vi. moneths then next followinge,
shal fortune to die, or to be lawfully euic-
ted, remoued, or put from the promotion
spiritual, by iudgement in any action at ẏ
cõmon law, without fraud or couin, ẏ thẽ
euery such incumbent his heirs, executors,
administrators & suerties, shalbe charged
iii. pars & chargeable, but only with three parts of
the first fruits of ẏ same promotion spiri-
tual, in fower parts to be deuided, & with
no more. Any thing in this act conteined,
or any bond or writting obligatorie, had or
made for the paiment of ẏ said first fruits
or any other matter or cause to the cõtra-
ry, notwithstanding. And if it shall hap-
pen any such incumbent to liue to thend of
ii yeres two whole peres, next after the last auoi-
dance of the same his promotion spiritu-
all, & not to be lawfully euicted, remoued
or put from the same promotion spiritual
as is aforesayd, that then euery such in-
cumbent, his heires, executors, adminpi-
stators & suerties, shal cõtent & pay to our
lord Soueraigne Lady the Quẽne, her
heires & successors, the whole first fruites
due to be payd for ẏ same promotion spi-
ritual, according to the statuts aforesaid.
Prouided also and be it enacted, that all
Graunted Orforde Cambridge College graunts, immuniments, & liberties, gẽ-
uen to the vniuersities of Orford, & Cam-
bridge, or to any colledge or Hall in either
of the said vniuersities, & to the colledges
of Wincheſter, & Eton, & vnto euery or any of them, by our late soueraigne Lord kinge Henry the eight, or any other of the Quẽnes highnes progenitours or predecessours, or by act of parlyament: for or touching the release or discharge of ẏ sayd first fruits & tenths, or any part thereof, shalbe alwaies and remayne, in their ful strength & vertue. And that all such lawfull conueyances & assurances in the law, as were had or made before the makinge of this act, to either of ẏ said vniuersities of Orford and Cambridge, or to any colledge or Hall, ẅn any of them, by what name or names so euer they or any of thẽ be incorporated or named, of any of the said personages or benefices impropriate, or of any part of the same, or of any patronages, for the mayntenance of studyents, or learning: shalbe as good and effectual in the lawe, to al ententes, constructyons and purposes, as though this acte had neuer bene made. And bee it further enacted by thauctoritie aforesaid, ẏ the Deane & Canons of the frẽ chappel of s. George the Martir, within the Castell of Windsore, & al the possessions & hereditaments of ẏ same frẽ Chappel, Deanry & Canons, by whatsoeuer name or names they be incorporated or known, shalbẽ eroncrated, & shal stand for euer discharged, of the tenths & first fruits before mẽcioned: Any thing in this act or in any other act or statute before mencioned to ẏ contrary thereof in any wise not wẽstanding. Prouided also & be it enacted, ẏ al leases made before ẏ xx. of Octẽber last past, for xxi. yeres, or iii. lines at ẏ most, by any person or persons, bodies politique or corporate, being lawfully seised, of, or in any of ẏ said personages impropriate, or of, or in any other ẏ premisses wont cõmõly to be let, or set to ferme, then being out of lease, or wherof there was not at ẏ time of ẏ making of ẏ said lease or leases, any former lease to endure aboue one yere thẽ to come at ẏ most. And vpon which new lease or leases ẏ old yerely rẽt accustomable wont to be payed for the same, by the space of xx. yeres last before ẏ making of such lease or leases, or more yerely rẽts reserued & payable, during ẏ said terme, & all other lawfull graunts, by them or any of them heretofore made of any office or offices in old time, wont commonly to bee graunted

Winchester Eaton

Conueyances

Vniuersities

Personages Benefices Impropriat Patronage

Deane Cannons Frẽ chappell

Discharged

Leases for xxi. yeres iii. Lines

Former lease

Olde rent

Offices

Gifts of personages

graunted, & all gifts and grauntes of any personage or personages impropriat, hertofore belonginge to the archdeaconry of

Welles

Welles, in the county of Somerset, or to the incumbēt of ỳ same office or dignity, or to the incumbent of the same lately geuen & restored: shalbe as good & effectuall in the law, as though this act or any thing therin cōteined had not ben had or made. And be it further enacted by the auctorite afore said, ỳ the said archdeaconry, & all

Archdeacon

rectories & spirituall promotions, geuen, assigned, limitted or appointed to the same: And al & euery incumbent & incumbents,

Incumbent

which hereafter shalbe presented, collated, preferred & admitted vnto the said Archedeaconrie, & the Rectories & spiritual promotions therunto limitted & appointed, or appertayning or belonging: shal stand remaine & be, charged & chargeable, with ỳ

Chargeable

paiment of the first fruites & tenthes for the same to ỳ Quēns highnes, her heires & successors, in such like maner & fourme as other spiritual promotions, & the incūbents of the same, be and shalbe charged & chargeable by this act, or by any other act or statute before specified. Prouided alwaies & be it further enacted by thauctority afore said, that so many of ỳ sayd rectories, personages & benefices impropriate, gelbe landes, tythes, oblatyons, and other profits & emoluments ecclesiastical & spiritual, & euery of them & the reuercion & reuercions of them, & al rents and profits vnto the same or any of them incident or belonging, as were at & before the said eyght day of August, in the hands or possessions of the sayd late Quēne Mary, & within the suruey, rule & order of ỳ Court

Duchy of Lancaster

of the Duchy of Lancaster: shalbe againe within the order suruey, rule & gouernement of the said Court, in such and ỳ same maner & fourme, to al intents & purposes, as they were at & before ỳ said eyght day of August in the said two & thre yeres of the raigne of the late king & Quēne, any thinge in thys act or in the same act of the same late kinge and Quēne, to the contrary therof in any thing notwithstāding. Prouided alwaies & be it further enacted by the auctority of this present parliament, that no person nor persons, presented, instituted, or inducted, at any time

Instituted Inducted

sithens the first day of this present parlyament, or ỳ shalbe presented, instituted, or inducted, on this side the feast of the Natiuitie of Saint John Baptist next comming, to any the said spiritual or ecclesiasticall promotions, chargeable to or wyth the paymēt of the first fruits or one yeres profits of such promotion: shal incurre any penaltie of forfaiture, by entringe into any of the sayd spiritual or Ecclesiasticall promotions, or by taking the profits therof, for the none paiment or not compounding, of or for, the first fructs therof, so ỳ

Compound

he or any other for him, shal or do cōpoūd for the same first fruits accordinge to the true meaning of the statut, before the said feast of the natiuitie of S. John Baptist, any thing in this act contayned to the cōtrary not withstāding. Prouided also that this act or any thinge therein contayned, shal not in any wise extend, to charge any

Hospital

hospitall founded & vsed, & the possessions thereof employed to, and for, the releife of

Poore people Scholes

poore people, or any Scholes of the possessions or reuenues of thē, or any of them, with the payement of any tenthes. Any thinge in this act before mencyoned to ỳ contrary in any wise notwithstandinge. An. 1 El. ca. 31.

¶Fishers and Fishing.

Humber

THe waters of Hūbre, Owse, Trent, Done, Arre, Derewent, wherfe, Nidiore, Swale, Tese, Tin, Eden, & all other waters (wherein Salmons be take) shalbe in defence for taking Salmons, frō the Natiuitie of our Lady vnto S. Martins day. And likewise ỳ yong Salmons shal not be taken nor distroyed by nettes,

Salmons

Nettes Mill pooles

nor by other ingins at mille poles, from the middes of April vnto the Natuity of S. Jo. Bap. And in places whereas fresh waters be, there shalbe assigned ouerseers

Ouerseers

of this statut, which beinge sworne, shall oftētimes see & enquire of the offendors, & for the first tresspas they shalbe punished

First tresp. Burning of nete..

by burning of their nets & ingins: And for the second time, they shal haue imprisonment for a quarter of a yere: And for ỳ iij. tresspasse, they shalbe imprisoned a whole

Imprison

yere. And as ỳ tresspas encreaseth, so shall the punishment. W. 2. ca. 48. See some alteration in part, hauen 1.

2 ¶ First that no herringe be bought

Herring

nor sold in the sea, til the fyshers be come into ỳ haue with their herring, & that the

table

cable of the ſhippe be drawen to the land. Stat. of Callice. An. 31. E. 3. ca. 1.

Herring Faire

3 ¶ The fiſhers be free to ſell their herring, to al ẏ commeth to the faire of great Yarmouth, wꝫout any diſturbance of their

Hoſtlers

hoſtlers, or any other. And when the fiſhers will ſel their marchandizes in ẏ port, they ſhal haue their hoſtelers with them, if they there will be, & in their preſence & the preſence of other merchants, openly ſhal ſell their merchandizes. And ẏ euerie man claime his part for the taking, after the rate of the ſame marchandiſes ſo ſold.

Sale

And the ſaid ſale ſhalbee made from the ſunne riſing, til the ſunne going downe, &

Forf.

not before nor after, vpon forfeiture of ẏ ſame marchandiſes. And that the ſayde fiſhers be free to buy their vittailes, & that that them needeth, where ſhal pleaſe thē.

Hoſtlers

And that none hoſtelers nor other, buy any ſor to hange in their houſes, by couyn nor in other maner, at an higher price the

rl.s. the laſt

laſt, then rl.s. but leſſe in as much as hee may, according as he may agree with the ſeller. And that none hoſtelers, nor none of their yomen, nor none other whatſoeuer he be, comming to the ſaid faire, ſhall

Forſtal

goe by land nor by Sea, to forſtall herring priuelie nor apertly, but the herring ſhal come freely vnſolde vnto the hauen.

Yermouth hauen

Nor that none make buying of freſh herring in the hauen of Yarmouth, betwixt the feaſts of Saint Michael & S. Martin,

Impriſon

vpon paine of impriſonment at the kings will, & to forfait al the herring ſo bought, & that no veſſell called Pycar, of London, nor of none other place, ſhall enter in the

Forf.

ſaid hauen, to abate the faire, in dammage of the people, vpon the paine of forfeiture of their veſſel, and all their cattels founde

Hoſtlers ſworne

within. And that al ẏ hoſtlers be ſworne before the Wardens of the ſaid faire, and enioyned vpon a great forfeiture to the

Forf.

king, to receiue their hoſtes wel and conenably, and to aide & eaſe them reaſonably, taking of euery laſt that ſhalbee ſold to other marchants, then to the ſaid hoſtelers rl.d. And that of herring ſold to the ſame hoſtelers to take in their houſes, the ſame hoſtelers ſhal take nothing, & that becauſe of the profits, which they ſhal haue of victuales ſold to their ſaid hoſtes, & of ẏ aduntage that they haue more then other, of cariage of herring, ſo by them bought and ſold in their houſes. And that the hoſtlers becauſe of thys ordinaunce, do not refuſe their hoſtes, but receiue them and intreat them in good and friendly maner, as they haue done before this time. And that they for the aduantage of rl.d. the laſt, take vpon them for the paiment of al the herring

Warranty

that ſhalbe ſold by their aſſent to any perſons. And the hundred of herring ſhalbee

Hundred Laſt

accompted by vj. score, and the laſt by x. thouſand. And that the Marchantes of

Marchants

Yermouth, of London, or els where, ſell the thouſand of herring to the people, after the rate of the price of the laſt. And that ẏ people of Yermouth ſell the laſt of redde herring, bought for rx.s. freſh within rl.

Red herrings

daies, for halfe a marke of gaine, and not aboue. And that the people of London, at

London

ſuch faire, ſhall bring the laſt from Yermouth to London for j. marke of gaine &

Gayne

not aboue. And alſo ij. laſtes of ſhotē herring freſh, ſhalbe ſold for the price of the

Shoten herring

rate of the being of a laſt of full herryng. And ſo of more and leſſe, after the ſame rate, and of ſhoten herring redde, the two laſtes ſhalbe ſolde dearer of a marke then the laſt of herrings full red. And that becauſe ẏ cariage of a laſt of ſhoten herring drawth to as much as the laſt of ful herring, and ſo of more and leſſe, according to the ſame rate. And that the ſhipps called the Pykers, ſhal freely buy freſh herring

Pykers

and all other marchandiſes of fiſhes in Kirkley, and els where vpon the coſts of the Sea, without impeachmēt or diſturbance of the hoſtelers of Yermouth, or of

Hoſtlers

any other. So alwaies that no more herring be diſcharged in the road of Kirkely of the fiſhers ſhips, but as much as may reaſonably ſuffice to the charge of the pikers, that thither commeth for the ſame cauſe. And that the fiſhers be compelled to bring al the remnāt of their herring to ẏ ſaid faire to ſell there: So that none ſel herring in no place aboue ẏ hauen of Yermouth by vij. miles, except in iij. townes of Yermouth, that is to ſay, Eſton, weſton, and Southon, vnleſſe it be herring of their owne fiſhing. And our ſoueraigne lord the king will, that the Barons of the

Barons of v. Ports

v. Ports, ſhal do to be kept & gouerned the ſaid faire, according to the compoſityon

Faire

late made betwene them & the people of ẏ towne of Yermouth, confirmed by the kings graundfather. And that ẏ ſame barons & bailifes of great Yermouth, do to

be kept this present ordinãce in al points, & to be cried in euery Sunday, betweene S. Michael & Saint Martin, vpon paine to lose their fraunchise, and to be punished at the kings will. And that the people of Yermouth suffer the said Barons of the v. Ports, to gouerne & rule the said faire, after the purport of ỳ said composition, & due execution to be made of this ordinãce, vpon the pain last aforesaid. And these ordinances in the right of buying & selling of herring, shalbe holden in al the townes of England, where herring is taken & searched, vpon the paines aforesaid. Stat' of Calice. An. 31. E. 3. cap. 2.

Proclaimed

Losse of fraunchises

4 ¶ The Chauncelor & Treasorer, taking to them Justices & other of ỳ kyngs Councel, such as to them shal seeme, shall haue power to ordeine remedy of ỳ buying & selling of Stockfish of S. Botulfe, & Salmon of Berwicke, & of wynes and fish of Bristruit & els where, to the intent that the king & the people may the better be serued, & haue better market, then they haue had before this time, & that the ordinances by them made in thys party, bee firmely holden. Stat' of Calice. An. 31. E. 3. cap. 3.

Chauncelor Treasorer Justices

Stock fish Salmon

5 ¶ All the shippes called deggers, and Lordships appertaining to the hauen of Blackney, & the coasts therto adioyning, (that is to say) of Sutterley, Winton, Clay, Salthouse, Sheringham, & Crowmere, shal deliuer & discharge their fish in the hauen of Blackney only, betweene Beuord & Hodsdon, & in none other place, vpon paine of imprisonment at the kings pleasure, & forfeiture of the same fish. And that no fish be deliuered & carried out of ỳ said shippes into any house or els where, before the owner of the ship, in which the fish is, & the Marchant which bought the same fish, be agreed of the price. And thys shalbe done by day light.

Shippes

Blackney

Deliuer fish

Imprison Fort.

6 ¶ No fisher nor Lord of any ship, nor none other, set hand vpon any fisher within the ship, for to trie, chuse, or empeire the fish, but onely ỳ buyer, or his attorney, vpon the said paine. And ỳ no fish called Loth fish, be chose or tried, but only in iij. parts, that is to say, Lob, Ling, & Cod. And that euery of the same iij. sorts of lob, ling, & cod, be good & couenable, as in old time hath bene vsed. And in case ỳ no ordeis, that is to say, fish greater thẽ lob, be found in the ship, called a landship, in the hundred of Lob, ling, & Cod: the masters & mariners shal haue of euery hũdred of lob, ling, & cod (the hundred accompted to vj. score) rr. ordeis, if there be so many, & if there be lesse, the masters & mariners shall haue al the ordeis. And if there bee more, ỳ ouer plus aboue the scores to euery hundred, shalbe put to ỳ ship boat, in amendement of the price of the same, to ỳ profit of the buyer. And also by the aduice of the Marchants & buyers of the Lords, comming to the faire of Blackney, & of the lords of the ships, a price shalbe set at the beginning, & assessed vpon the fish of dogger fish, before that any sale be made, which price shalbe holden during ỳ fayre. And ỳ the said fish, bee sold at such a price openly & not by couin priuely. And that no Lord of ships, Mariners, nor other, lodge nor do bee lodged in their houses priuely nor apertly, fish in mud, nor fish searched, for to sell againe an other time at retaile, but al such fish shalbe sold reasonably vpon the said bonds, at the faire & price aforesaid, vpon the same paine. And that no man buy netts, hookes, nor other instrumẽts pertaining to fishing, in the countie of Norffolk, but Lords, Masters, & Mariners of ships, that vse the misterie of fishyng, & which haue to do of such thinges, vpon paine of imprisonment, & to be raũsomed at the kings wil, and to forfait the things so bought. And that no lord of ship, mariner, nor other, make impeachment, nor be rebel in any point against this present ordinance. Nor that no mariner nor fisher, because of this ordinance, let not, nor refuse to go in fishing, as before times they were wont to do, nor disturbe, couenant made betwene Marchant & Lord of ship, vpon paine of imprisonment, & to be raunsomed at the kinges will. And that vpon the same a writ be sent to the Sherife of Norfolke, ỳ at euery mans complaint, ỳ will sue for the king, or for hym selfe, against those ỳ in any point cõmeth against this ordinãce: he shal do the same rebels & trespassors to be attached, & them deteine in prison, til the king & his counsel haue ordeined of thẽ that right requireth, after the quantity of their trespas. Ordinance for Fish. An. 31. E. 3.

Ship

Loth fish

Lob Ling Cod

120. to the Hundred

Marchants Faire of Blackney

Dogger fish

Price

Fish in mud

Retaile

Netts Hookes

Norfolke

Imprison Fort.

Imprison

Sherife

Attach

7 ¶ It shalbe lawfull to euery man, of what condicion ỳ he be, Marchãt or other,

Herring

to

Buy openly

to buy herring openly and not priuely, at ſuch price as may be agreed betwirt hym & the ſeller of the ſame herring. And that no man enter in bargaine, vpon the buying of the ſame, till he that firſt commeth to bargaine ſhall haue an ende of his bargain greeable to the ſeller, & that none encreaſe vpon other during the firſt bargain, vpon paine of forfeiture againſt vs ẏ double of his profer, but euery man ſhal haue the herring ſo bought, according to ẏ bargaine therof made. And that euery fiſher may deliuer & ſel his herring & fiſh at euery Mart, when he commeth to the ſayde towne of great Yermouth, without any diſturbance or impeachment, notwithſtanding any ordinance made to the contrarie before this time. An. 35. E. 3.

Fork.

Mart

Marchant ſtraunger denizen

Salmon

Content & of barrels

8 ¶ No Merchant ſtraunger nor denizen, after the feaſt of S. Michaell next cõming, ſhal ſell nor ſet to ſale any Salmõ by butt, barrel, or halfe barrel, or any other veſſell, before that it be ſeene, except the ſame Butt, do hold & containe lxxxiij. gallons, the barrell clij. gallons, the halfe barrell xxj. gallons, well & faithfully packed, vpõ pain of forfeiture for euery butt, barrel, & halfe barrell, ſo fayling their ſaid meaſure by. s. biij. Alſo that no ſuch merchant, being vnder the kings obeiſãce, after the ſaid feaſt of Saint Michael, ſhal ſel or put to ſale, any maner of ſalmõ by butt or other veſſel, except it be wel & faithfully packed, that is to ſay, the great ſalmon by him ſelfe, wout mingling with them any grilles or broken bellied ſalmon. And that al ſmal fiſh called grilles, ſhalbe packed by them ſelues only, wout any mingling, vpon paine of forfeiture and loſſe of by. s. biij. d. for euery butt, barrel, and halfe barrell, mingled, packed, & ſet to ſale contrary to this act. Alſo that no marchants nor other perſon ſet any herring to ſale by barrel, halfe barrel, or firkin, except ẏ ſame barrell containe xxxij. gallons, the halfe barrel & firkin after the ſame rate. And ẏ the ſame herring be wel, faithfully, & iuſtly couched & packed. And that it be of one times taking & ſalting. And that the ſame herring be as good & aſwell packed in the mids, and in euery part of the ſame barrel or other veſſel, as it ſhalbe in the endes of ẏ ſame barrels & other veſſels, vpon paine to forfait iij. s. iiij. d. for euery barrel, halfe barrel & firkin, ſo failyng their ſayd meaſure, and alſo vpon paine of forfeiture and loſſe of iij. s. iiij. d. for euery barrell, halfe barrel, & firkin of herring, ſorted, laide, or packed, contrarie to this act. Alſo that no ſuch marchant nor palingman ſel or ſet to ſale, any eles by barrell, halfe barrel, or firkin, except the ſame barrel contain xlij. gallons, the halfe barrel & firkin after the ſame rate. Nor that any ſuch marchant nor palingman, do mingle any galebetten ſtorued, or pulled eles with the good eles, but that the good eles be wel & iuſtly packed, & ſold by them ſelfe: Nor ẏ they mingle with the good eles, or put to ſale any red eles, vpon paine of forfeiture & loſſe of xx. s. for euery barrel, halfe barrel & firkin ſo fayling their meaſure. And alſo vpon paine of forfeiture & loſſe of x. s. for euery barrel, half barrel & firkin, ſo mixt, packed, & ſet to ſale, as afore is ſaid, contrarie to this act. Alſo that no ſuch marchant after ẏ ſaid feaſt, ſel or ſet to ſale, any barrelled fiſh, except the ſame fiſh be wel & faithfully packed, that is to ſay, ẏ comptable fiſh, commonly called taile fiſh, by it ſelfe, and the ſmal fiſh called grills by them ſelues, wout any mixting of the ſaid fiſhes with the great fiſh, & without mixting or packing of tholes or fiſh with broken bellies with the ſaid taile fiſh or ſmal fiſh. And that the ſaid taile fiſh nor ſmal fiſh, be not laide double in the packing. And that euery taile fiſh containe in length from the bone in the finne, to the third ioynt of the taile xxvj. ynches at the leaſt, and that the napes of all ſuch barrelled fiſh, ſhalbee no longer then the littel bine that ſitteth vpon the great finne. And that the bone of euery ſuch ſalt fiſh, ſhalbe taken away to the nanell of ẏ ſame fiſh. And that euery ſuch fiſh be ſplatted, or opened downe to an handfull of the taile, vpon paine of forfeiting & loſing of iij. s. iiij. d. for euery barrel of fiſh, which hereafter ſhalbe found packed, ſorted, mixt, naped, laid double, or not boned, nor ſplatted open, according to this acte. Alſo in eſchewing the cõmon damage & diſceiptes afore ſaid: Our ſaid ſoueraigne Lord the king, hath ordeyned & enacted by the auctority afore ſaid, that al Maiors, Bailifes, & gouernors of Cities, Borroughes, Townes, markets, & all other places of this his realme, for the time being, where there be Maiors, Bailifes, or gouernors, ſhall haue power and

Wel packed

Grilles

Fork.

Herring

Barrell

Wel packed

Fork.

Marchant Palingman

Eeles Well packed

Fork.

Barrelled fiſh

Taile fiſh

Content in length

Fork.

Maiors Bailifes

Search Gauge

Mony

auctoritie, to name & chose discrét and expert person or persons, daily to search & gauge, al such vessels as above be rehersed that they be faithfully packt, & kepe their faithfull measure & assise, according to the ordinances aforesaid. The one halfe of al the said fines, forfaitures, & paines, & euery of them, to bee to our soueraigne Lord the king, & the other halfe to him or them of his subiects that shal seise or pursue for the same, by action of debt by writ at the common law, by bill or plaint, after the custome of the citie or towne, where any such fines, forfaitures, & paines shal hereafter happen to be or fal. And that the defendant in any such action be not admitted to wage nor do his law, nor that any protection or essoine in the kings services for any such defendants be allowed. Prouided alwayes, that this act be not preiudicial to any person or persons, hauing the forfaiture of the goods of felons, fugitiues & dampned persons. Moreouer it is ordeined & enacted, by the auctoritie aforesaid, that euery such person & persõs, shal haue & enioy like forfeitures, of & in euery of the premisses, within their franchises, as the king now hath in other places wythout. An. 22. E. 4. cap. 2.

9 ¶It may please the king &c. to confirme, ratifie, & establish the said acte (s. An. 22. E. 4. cap. 2) & euery thing therein comprised. And ouer that by ỳ same auctoritie, to ordeine & establish, that euery such gauger, packer, or searcher, take no more for gaugung of a barrel salmon, barrel herring, barrel fish, barrel eeles, halfe barrell, & firkin, for euery peece so gauged but a farthing, & for his labour for serching & packing, if it be méde of a barrel salmon fro head to head j. d. and for his labour for boning, naping, & packing of a barrel fish if it be méde j. d. & for his labouring, searching, & packing of a barrell herring from head to head, if it be mædefull ij. d. and for serching & packing of euery barrel of eeles ij. d. And for searching & packing of euery halfe barrel of herring fro head to head j. d. for euery halfe barrel of eeles searching & packing j. d. & for searching & packing of euery firkin of herring if it be mædefull ob. And ouer that, ỳ all & euery such gauger, searcher, & packer, that misbehaueth or offendeth in any thing concerning the sayd offices of gauger, searcher, & packer, contrarie to this act, & so proued, before any of the said Maiors, Bailifes, gouernors of any Citie, Towne, Borough, market, or any other place wỏn this realme, where he or they so be gaugers, packers, or searchers, gauger, packer, or searcher, shal lose & forfait his said office, & the same from thence forth no longer to enioy, any lease graunt or graunts thereof made notwithstanding, & for further punishmẽt, to haue & suffer imprisonment, by the space of xl. daies, without baile or mainprise. Prouided alway, that the said searcher & packer, or any of them, shal nothing receiue of the said fées by colour of their office, but only for such butts, barrels, halfe barrels, & firkins, as by thẽ hereafter shalbe sufficiently searched & packed, & be not afore sufficiently packed: This present act to begin & take effect at the feast of Easter next cõming, & not before. An. 1. H. 7. cap. 23.

Offend

Maiors Bailifes

Forf.

Imprison

10 ¶An. 25. H. 8. cap. 4. An acte was made against forstalling & regratinge of fish, & against buying & selling of fish, against Marchãts aduẽturers into Island. But it is repealed by An. 35. H. 8. cap. 7.

Forstalling Regrating

Repealed

11 ¶An. 25. H. 8. cap. 7. An acte was made, to endure for x. yeres, against the killing & taking of yong frie & spawne of eeles & salmons, & kipper salmon, vpon forfeitures there declared.

Killing of the Spawne

12 ¶An. 31. H. 8. cap. 2. Fishinge of pondes, stewes, or motes, with intent to steale fish, betwene vj. a clocke in the euening, to vj. a clocke in ỳ morning, against the wil of the possessors, & also vnlawfull breaking of the heads of seuerall pondes, stewes, or motes, by day or night, where by fish is taken or distroyed agaynst the wil of the possessors, is made felony. But those felonies be repealed by 1. E. 6. cap. 12. & by 1. M. 1. Sessione. And in the said act of An. 31. H. 8. ca. 2. it is further enacted, that if any such euill disposed persons, after the feast before limited, do fish in the day time, at any other time then is before rehearsed, in any such seuerall pondes, stewes, or motes, wỏ any maner of nets, hookes, or baits, as is aforesaid, what kind soeuer they be of, against ỳ will, pleasure, & mind of the owners, or possessors of the same seuerall ponds, stewes, or motes, not hauing any maner of colour of title so to do, & thereof be lawfully conuicted at the suit of our soueraigne lord the king, or of the

Pondes Stewes In the night

Breaking of Dammes

Felony Repealed

Seuerall waters

Conuict

Imprſon the partie greeued, that then the ſaid parties ſo conuicted, ſhal ſuffer imprſonmẽt by the ſpace of iij. monethes, & after ẏ ſaid iij. monethes expired, ſhall find ſufficyent ſuertie, for his or their good abearing, or els to remaine ſtil in prſon, wout baile or mainprſe, vntil ſuch time, as he or they can find ſuch ſuertie. An. 31. H. 8. cap. 2.

Good abearing

13 ¶An. 33. H. 8. cap. 2. An act was made againſt buying of fiſh of ſtrangers vpon the ſea, or beyond the ſea, to endure to the latter end of the parliament. And after An. 37. H. 8. cap. 23. it was continued after An. 5. E. 6. cap. 17. it was continued And after An. 7. E. 6. cap. 11. it vvas continued. And after An. 1. M. 1. parliament' cap. 13. it was conrinued to the end of the next parliament, & then it expired.

Buying of fiſh Straungers

Expired

14 ¶For almuch as within theſe few yeres now laſt paſt, there hath ben leuied perceiued, & taken, by certaine of the officers of the Admiralty, of ſuch marchants & fiſhermen, as haue vſed & practiſed the aduentures & iourneis into Iſland, Newfoundland, Ireland, & other places cõmodious for fiſhing, & the getting of fiſh, in & vppon the ſeas, or otherwiſe by way of marchãdiſe in thoſe parties diuers great exactions, as ſummes of money, doſe, or ſhares of fiſh, & ſuch other like things, to the great diſcouragement & hinderance of the ſame marchants, & fiſhermen, & to no little dammage to ẏ whole cõmon weal. And whereof all great complaints haue ben made, & information alſo perely, to ẏ kings maieſties moſt honorable counſel. For reformation whereof, & to thintent alſo, that the ſaid marchants & fiſhermen, may haue occaſion the rather to practiſe & vſe the ſame trade of marchandiſe, & fiſhing freely, without any ſuch charges, or exactions, as is before limited, whereby it is to be thought, the more plenty of fiſhe ſhal come into this Realme, & thereby to haue the ſame at more reaſonable prices. Be it &c. that neither the Admiral, nor any other officer or miniſter, officers or miniſters of the admiraltie, for the tyme being, ſhall in any wiſe hereafter exact, receiue or take, by him ſelfe, his ſerũt, deputy, ſerũts or deputies, of any ſuch marchant or fiſhermen, any ſumme or ſũmes of money, doles, or ſhares of fiſh, or any other reward, benefit, or aduantage, what ſoeuer it be, for any licence to paſſe thys Realme, to ẏ ſaid viages, or any of them. Nor vpon any reſpect concerning the ſaid viages or any of them, vpon paine to forfait for the firſt offence treble the ſumme or treble the value of ẏ reward, benefit, or aduantage, that any ſuch officer or miniſter ſhal hereafter haue or take, of any ſuch marchant or fiſherman: For the whych forfeiture, the party greeued, & euery other perſon or perſons, what ſoeuer he or they be, ſhal & may ſue for the ſame, by information, byl, plaint, or action of debt, in any of the kings Courts of record, ẏ kyng to haue the one moity, & ẏ party complaining the other moitie, in which ſuyte no eſſoine &c. & for the ſecond offence, ẏ party ſo offending, not onely loſe & forfait his or their office or offices, in the admiralty, but alſo to make fine & raunſome at the kings will & pleaſure. An. 2. E. 6. cap. 6.

Admirals officers Marchants Iſeland Newfound: land

Exactions

Admiral

Officer

Exact

Money

No reward

Licence

Forf. Moitie

ii Offence

Forf. office Fine

15 ¶An. 4. H. 7. cap. 21. An acte was made, to endure to ẏ beginning of ẏ nert parliament, for ẏ keping & ſauing of ẏ frie of fiſh, in the hauen of Olford in Suffolk.

Frie Olford

16 ¶For the preſeruation of ſpawne, frie, & yong breede of fiſh in Ryuers and ſtreames, both ſalt and freſh, where with heretofore ſwine & doggs haue ben feede, to the great hinderance of the common wealth: Be it &c. that no perſon or perſõs of what eſtate, degree, or condition ſo euer he or they be, from & after the firſt day of June nert comming, with any maner of nette, wele, butt, tapning, kepper, lune, creele, raw, fagnet, trolnet, trimnet, trimbote, ſkalbote, webliſter, leur, lamet, or wõ any deuiſe, or inginnes, made of heare, woll, lyne, cannas, or ſhall vſe any heling net, or trimle bote, or by any other deuiſe, inginne, cawtells, waies, or means what ſoeuer, heretofore made or deuiſed, or here after to be made or deuiſed, ſhal take & kil. any yong brode, ſpawne, or frie of eeles, ſalmon, pike, or pikerel, or of any other fiſh in any ſludgate, pype, at ẏ taile of any mill, weare, or in any ſtreits, ſtreames, brokes, riuer, ſalt or freſh within this realme of England, Wales, Berwicke, or the Marches thereof, or ſhal from & after the firſt day of June nert comming, by any of the wayes or meanes aforeſaid, or otherwiſe, in any riuer or place aboue ſpecified, take & kill any ſalmons or troutes, not being in ſeaſon, being kepper ſalmõs, or kepper troutes, ſhedder Salmons or

Inginnes Netts Spawns Sludgate Weare Wales Berwicke Salmons Trouts Kepper

shedder troutes. And be it further enacted by auctho̅rity afo̅resaid, that no person o̅r persons, of what estate, degree, o̅r condiction he o̅r they shalbe, from ꝑ after the said first day of June, by any of the meanes afo̅resaid, in any of ẏ̀ riuers o̅r places aboue named, shal take ꝑ kill, any pike o̅r pikerell, not being in length x. ynches fish and mo̅re, no̅r any Salmon not being in legth xvj. ynches fish ꝑ mo̅re, no̅r any Trout not being in length viij. ynches o̅r mo̅re, no̅r any Barbell, not being in length xij. ynches o̅r mo̅re. And to the intent the said yong frie, bro̅de o̅r spa̅wne, may be̅ pre̅serued, acco̅rding to ẏ̀ true meaning hereof. Be it further enacted by the auctho̅ritie afo̅resaid, ẏ̀ no maner of person o̅r persons, from ꝑ after ẏ̀ first day of June next comming, shal fish o̅r take fish with any maner of nettes, tramell, keppe, wo̅re, heule, crele, o̅r by any other ingine, deuise, wales, o̅r meanes whatsoeuer, in any riuer o̅r other places aboue mencioned, but onely w̄ nette o̅r tramell, whereof euery mesh, o̅r masshe shalbe ij. ynches ꝑ a halfe bro̅ade, angling excepted. Prouided neuertheles̄e, ꝑ be it enacted by the auctho̅ritie afo̅resaid, ẏ̀ in all such places where Smelts, Loches, Minnies, Bulheads, Cudgeons, o̅r Eeles, haue ben vsed to be̅ taken ꝑ killed, ẏ̀ in all such places, it shalbe lawful onely fo̅r the taking of smelts, loches, minneis, gudgions, and eeles, to vse such netts, lepes, ꝑ other ingines, deuises, wapes, ꝑ meanes, as heretofo̅re hath ben vsed fo̅r the taking of the same, so ẏ̀ such person o̅r persons vsing o̅r occupying such nets, o̅r other ingins, as is last afo̅re me̅cioned, do not take, kill, o̅r destroy any other fish w̄ the said netts o̅r ingines, contrarie to the tenour ꝑ fo̅rme aboue in this estatut contained. And be it further enacted, ẏ̀ if any person o̅r persons, after ẏ̀ afo̅resaid day, limitted in this pre̅se̅t act, offend in any of ẏ̀ points befo̅re rehearsed, co̅trarie to ẏ̀ teno̅r, fo̅rme, ꝑ purpo̅rt of any part of ẏ̀ same, ẏ̀ then euery such perso̅ ꝑ persons so offe̅ding, shal lose ꝑ forfait fo̅r euery time of his o̅r their offence, ẏ̀ su̅me of xx.s. ꝑ the fish so taken, contrarie to the teno̅r here of, ꝑ also the vnlawful nets, ingins, deuises, ꝑ instruments whatsoeuer they be, w̄ here w̄, o̅r whereby such offe̅ces shal fortune to be made, co̅mitted o̅r don. And to the intent that a perfect execution may be had of this pre̅sent act. Be it further o̅rdeined by auctho̅ritie afo̅resaid, that ẏ̀ lo̅rd admiral of England, ꝑ the Maio̅r of ẏ̀ citie of London fo̅r the time being, ꝑ al ꝑ euery other person ꝑ persons, bodies politike ꝑ co̅rporat, which by graunt o̅r other lawful wales o̅r means, lawfully haue o̅r ought to haue any conseruation, o̅r pre̅seruation of any riuers, streams, o̅r waters, o̅r punishments ꝑ co̅rrection of offences, co̅mitted in any of them: shal haue ful power ꝑ auctho̅rity by vertue of this act, to enquire of al the offences to be̅ co̅mitted ꝑ done, contrary to ẏ̀ effect ꝑ true meaning of this acte, w̄in his o̅r their such lawfull rule, gouernment, iurisdiction, ꝑ conseruation, by the othes of xij. men o̅r mo̅re, ꝑ to heare ꝑ determin al ꝑ euery ẏ̀ same offe̅ces, co̅mitted w̄in his o̅r their such iurisdiction, conseruation, rule, ꝑ gouernment. And ẏ̀ al such paines ꝑ forfaitures, as shal rise o̅r grow by ẏ̀ reason of any such conuiction, fo̅r any ẏ̀ offences afo̅resaid, shalbe to ẏ̀ vse of euery of ẏ̀ said person o̅r persons, being no body politike o̅r co̅rporat, no̅r head of any body politike o̅r co̅rporat, befo̅re who̅ such co̅uiction, as is afo̅resaid, shalbe had, ꝑ to the vse of euery such body politik ꝑ co̅rporat, as heretofo̅re haue lawfully had any fines, forfaitures, ꝑ amercia̅me̅ts, fo̅r any offe̅ce vnlawfully co̅mitted o̅r do̅e, in any such their iurisdiction, o̅r co̅seruacies, vpon conuiction had befo̅re the head of any such body politike o̅r co̅rporat. And ẏ̀ also ẏ̀ lo̅rd of euery lete w̄in thys realme of Engla̅d ꝑ wales, o̅r ẏ̀ dominions of ẏ̀ same, shal haue ful po̅wer ꝑ auctho̅rity, to e̅quire of al ẏ̀ offences, co̅trarie to ẏ̀ purpo̅rt, teno̅r, ꝑ fo̅rme of this statut, w̄in ẏ̀ pre̅cint of their said lete: such inquiry to be had in maner ꝑ fo̅rme, ꝑ after such so̅rt, as common amerciaments o̅r other thigs inquirable in their court o̅rlete, haue ben lawfully vsed ꝑ accustomed to be had ꝑ made, and ẏ̀ vpon euery such pre̅sentme̅t had in any court o̅r lete, by ẏ̀ othe of xij. men o̅r mo̅re, as is afo̅resaid, of any offence o̅r offe̅ces, made co̅trary to ẏ̀ teno̅r of this estatut: That the̅ al such forfeitures aboue in this statut limitted ꝑ appoynted fo̅r such offe̅ce, shalbe vnto the lo̅rd of the said lete fo̅r the time being, to his owne vse fo̅r euer, ꝑ shalbe leuied in such maner ꝑ fo̅rme, as amerciame̅ts fo̅r affaires, co̅mitted w̄in the pre̅cinct of such lete, haue ben

Pike o̅r Pikerell x o. ynches Salmon xv. ynches Trout viij. ynches Barbell xij. ynches

Netts Ingine Meth Angling

Smeltes Loches Eeles

Forf.

L. Admirall Maio̅r of London

Conseruatoꝛs

Enquire

Othes of xij.

Oier ꝑ ter.

Forf.

Vse

L. of Leete

Enquire

Pꝛesentment

Vse

Leete

ben vſed and accuſtomed to be leuied. And
Leete if any leete after the ſaid firſt day of June
be kept within this Realme of England,
or Wales, or the dominions thereof: & the
Steward ſteward of the ſaid Leete for ỹ time be-
ing, or other for him, do not charge ỹ iury,
ſworne in ſuch leete, to enquire of all the
offences, done wtin the precinct of the ſaid
leete, contrarie to the tenour & fourme of
this ſtatut: That then ỹ Steward of the
Forf. ſaid leete, to loſe and forfait xl. s. the one
Moitie moitie of which forfaiture ſhalbee to the
Quęenes maieſtie, her heires and ſucceſ-
ſours, & the other moity to him that wyll
Jury ſue for the ſame. And if any Jury ſworne
in any leete, & being charged to enquire of
the offences cõmitted within the precinct
Conceale of that leete, do wilfully & willingly con-
ceale & make default in preſentment, or
do not preſent the offence and offendors:
That then it ſhalbe lawfull to the Ste-
ward, or bailie of the leete, or his or their
Another Jury deputie for ỹ time being, to empanel one
other Jurie within the ſaid leete, & to en-
quire of ſuch concealement, default, & non
preſentment, and that vpon ſuch conceal-
ment, default, or non preſentment found
& preſẽted, euery of the ſaid Jurors which
Forf. ſo did conceale, make default, or not pre-
ſent, ſhall loſe & forfait for euery ſuch of-
fence xx. s. to the Lord of the ſaid leete, ỹ
ſame to be leuied in maner & fourme as is
aforeſaid, for the other offences limitted &
expreſſed. And it is further enacted by
aucthority aforeſaid, that if the offences
Deſtroying of fish aboue mencioned, touching the taking,
killing, or deſtroying of fiſh, or frie and
ſpawne, be not preſẽted at the leete where
they ſhalbe committed, within one yere
Juſt. of p. Juſt. of Oier Juſt. of all. next after the offence committed, that the
Juſtices of peace in their Seſſions, Juſ-
tices of Oyer & determiner, & Juſtices of
Aſſiſe in their ſeueral circuites, ſhall haue
Enquire Oier & ter. full power & auctheritie to enquire there-
of, & to heare and determine al the offen-
ces committed, contrarie to the tenour of
Bodies politique this eſtatut: Sauing alwaies to al & euery perſon & perſons, bodies politique and
corporat, and euery of them, al ſuch right,
title, intereſt, claime, priuiledge, & conſer-
uation, & inquirie, & puniſhment, of, & for,
any the offences aforeſaid, as they or any
of them lawfully haue & enioy, or of right
ought to haue and enioy, by any maner of
meanes, any thing in this act to the con-
trarie notwithſtanding. This act to en-
dure to the ende of the next Parliament.

Prouided alwayes that this act, or any
thing therein contained, ſhall not extende
vnto the fiſhing of the ryuer or water of
Twede Twęde, nor to any riuer or water wher-
of the Quęenes maieſtie is aunſwered of
any yerely rẽt or profit, nor to ỹ owners,
Wske fermors, & occupiers of the riuers of Vſke
Wye or Wye, in the countie of Monmouth, for
any fiſh hereafter to bee taken in any the
riuers or waters before mencioned & ex-
preſſed, but that it may bee lawfull at all
ſeaſonable time & times hereafter, for ſuch
as haue or ſhal haue any maner of intereſt
therein, to take & fiſh the ſaid riuers and
waters, in ſuch maner & fourme, as here-
Ingine tofore hath ben vſed and accuſtomed, not
vſing any net or ingine, to the intent wil-
Spawne lingly to take, kill, & deſtroy the ſpawne,
brędе, or frie, bręding of any kind of fiſh
within the ſaid ſeuerall riuers or waters:
this act or any thing therein mencioned
or contained, to the contrarie notwyth-
ſtanding. An. 1. Eliz. cap. 18. This act vvas
Diſcontinued diſcontinued 8. Eliz. & reuiued 13. Eliz.
Continued cap. 25. and continued vntill the end of
the next Parliament. And 14. Eliz. cap.
11. likevviſe continued vntill the end of
the next parliament Note that Iuſtices of
peace, ſeeme to haue ben Conſeruatours
of Ryuers, at the making of this ſtatut, by
the ſtatut An. 17. R. 2. cap. 9. vvhich ſee
after Hauens 2.

17 ¶ Where diuers perſons of great
poſſeſſions, haue of long time had, & ma-
ny now of late haue made in their ſeueral
grounds, powles &c. for the increaſe of fiſh,
for the prouiſion of their houſes, and haue
incloſed many parcels of their grounds
for dęre, & haue haukes bręding in theyr
woodes, for their cõmodity, and the ſame
haue ben by euill diſpoſed perſons, broken
into, cut out, & ſet open, and the fiſh, dęre,
& haukes taken and ſtolen, wherby many
ryots and other inconueniences haue ben
perpetrated: For remedy thereof be it
enacted &c. that if any perſon or perſons,
after the feaſt of Pentecoſt next cõming,
ſhall at any time by day or by night, vn-
Vnlawfully lawfully without auctheritie, breake, cut
downe, cut out, or diſtroy, any head or
Heades of Ponds heads, damme, or damms, of any ponds,
powles, motes, ſtagnes, ſtewes, or ſeuerall
pittes, wherein fiſh are or ſhal happen to

be put in or stored withal, by the owners or possessioners thereof, or doe, or shall wrongfully fishe in any the sayd seuerall pondes, poles, motes, stagnes, stewes, or pits, to the intent to destroy, kil, take, or steale away, any of the same fish, agaynst the will, minde, or pleasure of the owners or possessioners of the same, not hauing any lawful title, or auctority so to do, & therof be lawfully conuicted, at the suit of our soueraigne Lady the Quéene, her heires or successors, or the party greeued: shall suffer imprisonment of hys or their bodies, by ỳ space of iij. monethes, & shall yeld & pay to the partie greeued his treble dãmages, & after the said iij. moneths expired, shall find sufficient suerties, for hys or their good abearing against the Quéene our soueraigne Lady, her heires & successors, & al her liege people, for the space of vij. yeres after, or els shal remaine & continue still in prison, wout baile or mainprise, vntill such time, as he or they so offending, can & shal find such sufficient suerties, during ỳ said time and space of seuen yeres, as is aforesaid. And bee it further enacted by the auctheritie of thys present parliament, that if any person or persons, after ỳ said feast of Pentecost nert coming, at any time by night or by day, in maner aforesaid, wrongfully, or vnlawfully, breake or enter into any parke empaled, or any other seuerall ground closed with wall, pale, or hedge, & vsed for ỳ képing, breeding, & cherysshing of déere, & so wrongfully hunt, driue, or chase out, or take, kill, or slea any déere within any such empaled parke, or closed ground wt wall, pale, or other enclosure, & vsed for déere, as is aforesaid, or do or shall take away any hauke or haukes, or the egges of any of them, by any waies or meanes vnlawfully, out of any ỳ woods or ground of any person or persons (not hauing lawful auctheritie or licéce so to do) & therof be lawfully conuicted at ỳ suit of our soueraigne Lady the Quéene, or the party greeued, as is aforesaid, shal likewise suffer imprisonment of his or their bodies, by ỳ space of iij. moneths, & shal yeld & pay to ỳ partie greeued his treble damages. And after the said three monethes expired, shall find sufficient suerties for his or their good abearing, for the space of vij. yeres after, against the Quéenes Maiestie, her heires and successors, & all her liege people, as is aforesaid, or els shall remaine & continue still in prison, wout baile or mainprise, vntil such time, as he or they so offendinge, can & shal find such sufficient suerties, during the said terme of vij. yeres, as is afore rehearsed. Prouided alwayes that this acte, or any thing therein contained, extend not to any parke or inclosed groũd hereafter to be made & vsed for Déere, wout the graunt or licéce of our soueraigne Lady the Quéene, her heires, successours, or progenitors. Prouided alwaies, & bee it enacted by auctheritie aforesaid, that it shalbe lawful for the partie greeued, to sue & take his further remedy, against all and euery such offendor or offendors for hys losse & dammage, & to recouer the treble value of the same in this behalfe, aswell before Justices of Oyer and determiner, Justices of Assise in their circuites, & Justices of peace, as els where, in any other the Quéenes courts of record, & that vpon the true satisfaction of ỳ said iij. dãmages to the partie greeued, or vpon the confession & knowledge thereof by ỳ same party, before the said Justices in open Sessions, to be holden within the county where the offence was committed, it shalbe at ỳ libertie of ỳ same party greeued, to whom the said offence was committed, to release at his pleasure the said suertishyp of good abering, at any time within the said vij. yeres, or before: Any thing in this act before specified or expressed, to the contrary not wstanding. And be it further enacted by the auctheritie aforesaid, ỳ the Justices of Oier & determiner, Justices of assises in their circuits, & Justices of the peace & gaole deliuerie, in their Sessions, shall by vertue hereof, haue power & auctority to enquire, heare and determin al & singuler the offences aforesaid, & to make & award proces thereupon, aswel vpon indictmẽts taken before thẽ, as by bill of complaint, information, or any other action, in which suit or action, no essoine, wager of lawe, nor protection shalbe allowed. And bée it further enacted by the auctheritie aforesaid, that if any person or persons, at any time hereafter, shall fortune to bee bound before any of the Justices before mencioned, to ỳ Quéene, her heires or successors, for his or their good abearing for vij. yeres according to the tenour of this acte, & the same

Wrongfully Seuerally

Connict

Imprison

Good abearing

vij. yeres

Without bail or mainprise

Night or day

Parke

Deere Hunt Kil any deere

Hawkes Hawkes egges

Connict

Imprison

3. Damages

Good abearing

Without baile or mainprise

Prouiso

Parke

Q. graunt

Recouer 3. Value

Just. of Oier
Just. of all.

Just. of p.

3. Damages

Confession

Open sessions

Releasé Good abearing

Just. of oier
Just. of all.

Just. of p.

Enquire Oier & ter.

Proces Indictments

Being bound to good abearing, do confesse his fault

same partie or parties so bound, shall afterwardes wythin the seuen yeres come before the Justices of peace of ỹ said cõtie where the sayd offence was committed, or some of them in open Sessions, and there in the sayde open sessions confesse and acknowledge his or their sayde offence or offences, and be sory therefore, & satisfy the partie or parties greeued, according to the tenure of this act: ỹ thẽ the same Justices before whom ỹ said confessiõ shalbe so made, shal⁊ may haue power & auctority by vertue of this act, in ỹ sãe open sessions, or in any other open sessiõs afterwards to be holden before ỹ said Justices in the sayde countie, within the sayd terme of .vij. yeres, if it shall seeme good to their discretions, to discharge the sayd recognysaunce and bounde so taken, and also the said partie ⁊ parties so bound: This act or any thing therein contayned to the contrary thereof, notwithstandinge. An. 5. El. ca. 21.

Open sessiõs

Discretion Discharge

*

¶ Flaxe and hempe.

☞

FOr the better puttinge in practyse of making of lynnen cloth within this realme, to the increase of the comon wealth of the same, and to set a worke a number of idle people. Be it &c. that all manner of persons, of what degree, estate, or condition they be of, hauing to their occupation three score acres of errable lãd or pasture, or three score acres of errable lande & pasture, beinge apte for tyllage, shal yerely for euer, after the feast of Saint Michaell the Archangell next comminge, at their proper costes and charges, till, and sowe, or cause to be tilled and sowen in seasonable time, one Rode, that is to say, ỹ forth part of an acre of the lande being in their occupation as is aforesaid, with line seede, otherwise called flax seede or hempe seede, or with both, the sayde rode to be sowen in one place together or in seuerall places at their pleasure: And so from the sayde feast yerely shall till and sow, or cause to bee tilled and sowen, one rode for euery forty acres, which hee or they shall happen to haue in occupation, as is aforesayd without any fraude or couin, vpon paine to forfait .iij.s.iiij.d. for euery forty acres which any person or personnes shal haue in occupation, as is aforesayde, and not till and sowe, or cause to be tylled and sowen one Rode accordinge to this act, in manner and fourme aforesayd rehersed. And it is also enacted, that al Justices of peace in their sessions, and Maiors, Sheriffes, and Bailifes in Cities, Boroughes and Townes corporate, in their sessions, or other courtes within the lymittes of their commissions and auctorities, shall haue full power and auctoritie to enquire of the offendors in this act, as well by the othes of twelue men or otherwyse by informatyon by their discretions. And yf any person or personnes bee presented afore them, within the lymittes of their auctorities, or any information geuen to them, of any offendours of this acte, that then they shall haue full power, and auctoritie vpon euery such presentment, or information, to make proces agaynst the offendours of this act, lyke as is commonly vsed vppon indictmentes of trespasse. And if any bee presented, and afterwarde be conuicted by confession or otherwise, that he hath offended contrary to this act, that then hee shalbee put to no lesse forfeyture then is aforesayde, to the vse of the kinge, our soueraygne Lorde, yf the offence be wythout Cyties, Boroughes, or Towne corporate. And if the offence be within any Citie, Borough, or towne corporate, then the sayd fine to bee to the vse of the Maior, Sheriffes, or Bailifes, of the sayd City, Borough or towne corporate, where the offence shalbe presented. And yf any bee conuict by confession, or otherwyse by exampynation vppon any informatyon made by any person or persons, agaynst any offendour or offendours of this act, that thẽ euery such person so conuict vppon any informatyon shal lose such forfait as is aboue remẽbred, the one half therof to ỹ king our soueraign lord, & thother halfe to such as make ỹ information. And that for ỹ leuying of euery such forfeiture, aswel the Justices of peas Maiors, sheriffes & bailifs within the limits of their commissions & auctorities, haue ful power & auctoritie, to make such proces, as they shal seme by their discretions. Prouided alwaies ỹ none informatiõ at ỹ suit of any person concerning this act, shalbe of any effect, to put any person to aunswer or losse of forfaiture, except the said informatiõ be exhibited wtin one yere next

60. acres

Sowe

4. part of one acre

Flaxe Hempe

Fortie

Just. of peace Maiors

Forf.

Moitie

Execution

Discretion

one yere

nert after the offence done contrarye to this act, nor ỳ any information or preſẽtment for ỳ king, be of any effect to put any perſon to any aunſwer, or loſſe of any forf. by vertue of this acte, except the ſaid information or preſẽtment for the king, be within ij. peres nert after the offence don & cõmitted contrary to this act. Prouided alſo ỳ parkes, for dere. woods, groues, low grounds for medowes, felles, fennes, ſalt marſhes, heath groũds, cõmons, & ſuch other like groumds, ỳ nature wherof is not apt for tillage, nor any landes or paſture, which hath not ben put in tillage, wĩn the ſpace of l. peres, ſhal not be accompted in nor of, ỳ nũber of acres, for the which any perſon ſhalbe bound to till & ſowe, any the ſædes aforeſaid, by vertue of this act: any thing in this act to ỳ contrary not wſtanding. And it is further ordred, ỳ the acres ſhalbe accõpted after the rate of viij. ſcore perches for the acre, & euery perch cõteyning xvj. foote & a halfe, of the rule, & not otherwiſe. Prouided alway ỳ this act, or any thing therin contemed, extende not to ſuch lãds as haue fortuned, or ſhal fortune to be plowed, tilled or broken, one ij. or iij. peres together in x. or xij. peres or other longer ſeaſon, only for clenſing of ỳ ſame frõ moſſe, molehills, buſhes, or like thing, or for prouſe of the aptnes of the groumde to beare corne, and not vſed otherwiſe in time paſt in tillage, ſo ỳ in thoſe peres, ỳ it ſhal fortune the ſaid lands not afore excepted to be ſo plowed tilled or broken, the ſame order bee obſerued in ſowinge the percyon thereof with lyne or hempeſæd, as is aforeſayd. Ne alſo ſhall extende to any groumdes incloſed or to be incloſed, wher in dere haue ben, be, or ſhalbe kept by the kinges graunt, or otherwiſe, any thing in this preſent act made to the contrary not withſtanding. And for as much as ſpirituall perſõs, which do, or ſhal haue in their hands and occupation, landes for erpences, of their houſholde, cannot conuenĩently otherwiſe take any profit of ſuch flare or hempe, as grow vpon ỳ ſame vnles by ſale to other perſons: Be it therfore further enacted, ỳ it may be lawfully to al and ſinguler ſpirituall perſons, hauinge in their hands & occupation, any maner lãds for erpences, of their houſholdes not prohibited by the lawe to ſell ſuch flare and hempe, as ſhall growe vpon their lands, ſo being in their owne hands, & occupation as is aforeſaid, any act, ſtatute, or prouiſion made to the cõtrary notwſtanding. This act to continue to the laſt day of the nert parliament. An. 24. H. 8. ca. 4. This ſtatute is reuiued in ſome ſort with ſome alteration by 5. El. ca 5. vvhich ſee after in shippes. *

ti. peres
Prouiſo
Parkes
Fennes

Acre

ti. peres

Incloſed grounde for deere

Spirituall perſons

2 ¶ It ſhal not be lawful to any perſon or perſons at any time hereafter to water any maner of hempe or flare in any riuer runninge water, ſtreame, broke or other cõmon pond, where beaſtes be vſed to bee watred, but only on ỳ ground or pits for ỳ ſame ordeined, & to be ordeined, made, and prouided, or elſe in other their owne ſeuerall ponds, vpon paine euery perſon & perſons offending or doing contrary to ỳ tenour, meaning & purport of this ſtatut, to loſe & forfait for euery time ſo doing xx. s. the one halfe therof to be to our ſouereign lord the king, & the other half therof to bee to ỳ partie greued, or to any other ỳ kings ſubiects ỳ will ſue for ỳ ſame forfaitures, in any court of record, leete or lawday, by action of debt, bil, plaint, information or otherwiſe, in which ſuit no protection, wager of law, eſſoine or other delatory plee, ſhalbe admitted or allowed. Anno 33. H. 8. cap. 18.

Watering of hempe or flax

Forf. Moitie

Court of record Leete Lawday

¶ Fooles, lunitike, & mad men.

THe king ſhal haue ward of the lãds of natural fooles, taking ỳ profites of thẽ without waſt or diſtruction, & find to thẽ their neceſſaries of whoſe fee ſoeuer ỳ the lands be holden. And after ỳ death of ſuch ideots, he ſhal render it to the right heirs, ſo that ſuch ideots ſhal not alien nor their heires ſhalbe diſherited. Prerogatiua regis An. 17. E. 2. ca. 9.

King Ward No waſt

Heires

2 ¶ Alſo the king ſhal prouide, whẽ any (that before time hath had his witt & memory) happen to faile of his witt, as there are many perlucida interualla i. by cuidẽt ſpaces, that their lands & tenements ſhal be ſafely kept without waſt or deſtruction, & that they & their houſhold ſhal liue & be cõuenĩently maintained with the profits of the ſame, & the reſidue beſides their ſuſtentation, ſhalbe kept to their vſe to be deliuered vnto them when they come to right mind. So ỳ ſuch lands & tenements ſhal in no wyſe be alyened. And the kinge ſhall

King

Lands kept without waſt

Onerplus

shall take nothinge to his owne vse, & if ỳ partie die in such estate, then the residue shalbe distributed for his soule by ỳ aduise of the ordinary. Prerogatiua regis An. 17. E.2.ca.10.

Destribution

¶Forcible entre.

☞ Enter with force

THe king defendeth, ỳ none from hēceforth make any entrie into any lands & tenements, but in case where entrye is geuen by the law, & in such case not wyth strong hande, nor wᵗ multitude of people, but onely in peaceable & easy maner. And if any man from hencefoꝛth do to the cōtrary, & therof be duely connict, he shalbe punished by imprisonment of his body, & therof raunsomed at ỳ kinges will. An. 5. R.2.cap.7.

Connict Imprison Fine

☞

2 ¶The ordinances & statutes made & not repealed of thē ỳ make entries wyth strong hand into landes & tenementes or other possessions, & hold thē seines in with force. And also of all those ỳ make insurrection or great rydings, ryots, routs, or assemblies, in disturbaunce of the peace or of ỳ cōmon law, or in affray of the people, shalbe holden & kept & fully executed: ioyned to ỳ same, ỳ at al times that such forcible entries be made, & complaint therof cōmeth to the Justices of peace, or to any of thē, ỳ the same Justices or Justice, take sufficient power of the county, & go to the place where such forcible entry with force is made: & if they find any that holde such place forcibly, after such entrie made, they shalbe taken & put in the next gayle, there to abide connict, by the record of the same Justices or Justice, till they haue made fine & raunsome to the king. And ỳ al they of ỳ county, as wel the ỳ sherife as other, shal attend vpon ỳ Justices to go & assyst them to arrest such offenders, vpon payne of imprisonment, & to make a fine to the king. And in the same manner it shalbe don of thē that make such forcible entries into benefices or offyces of holy church. An. 15. R.2.cap.2.

Holden with force Insurrection Ryots routs

Complaint Just. of peace Power of the countie

Find with force The next gaole Connict of record Fine

Sherife

Assist Imprison Fine

Benefices

☞

3 ¶For as much as ỳ said statut (s. of An. 15. R.2. before 2.) doth not extende to entries into tenements in peaceable maner, & after holden with force, nor if ỳ persons which enter with force into lands or tenements, be remoued & voided before ỳ comminge of the said Justices or Justice, as before, nor no paine ordeyned if ỳ sherife do not obey ỳ cōmaundments & precepts of the said Justices: for to execute ỳ said ordinaunce, many wrongfull & forcible entries be daily made, in lands & tenements, by such as haue no right, & also dyuers gifts, feoffements & discontinuances sometimes made to Lords, & other pusāt persones & extorcioners, within the counties, where they bee conuersaunt, to haue maynteriance: & sometime to such persons as be vnknowen to thē so put out, to ỳ intent to delay & defraude such rightfull possessors of their right & recouery for euer, to the final disherison of diuers of ỳ kings faithfull leige people, & likely dailys to encrease, if due remedy bee not prouided in this behalfe: Our soueraigne lord ỳ king, considering the premisses, hath ordeined, ỳ the said statut, & al other statuts of such entries or alienatiōs made in times past, shalbe holden & duely executed: Ioyned to the same, that from henceforth any ỳ doth make such forcible entrie into landes, tenementes, or other possessions, or them hold forcibly, after complaint therof made (within the same coūty, wheꝛs such entry is made) to the Justices of peace, or to one of them, by the party grætied, ỳ the Justices or Justice so warned, within a conenable time, do the sayde statute duely to bee executed: & that at the costes of the partie so greeued. And moreouer though ỳ such persons making such entries be present, or els voyded, before the comming of the sayd Justices or Justice, neuertheles the same Justices or Justyce in some good town nert ỳ tenemēts so entred, or in some other conuenient place, after their discretion and euery of them, shal haue auctho-ritie and power, to enquire by the people of the same comtie, as well of them that make such forcible entries into lands and tenements, as of them which ỳ same hold with force. And if it be found before any of them, ỳ any doth contrary to thys statut, then the said Justices or Justice, shall do the lands & tenements so entred or holden as afore, to be reseised, & put the party so put out in ful possession of the same lāds & tenemēts so entred or holden as before.

Sherife Refuse to obey

Delay Defraud

Holde forcibly Complaint Just of peace

Execute At the parties costs

Enquire

Refuse Put in possession

And yf anye persoune after such entrye in landes or tenementes holden wyth force, make a feffement or other discontynuaunce to any Lorde or other person,

Feoffement Discontinuāce

person, to haue maintenaunce, or to toll & defraud the possessour of his recouery in any wise. yf after in assise or other actyon therof to be taken or pursued before Justices of assises, or other the kinges Justices whatsoeuer they be, by due enquire therof to be taken, the same settements & discontinuäces may be duely proued to be made for maintenance, as afore is said, that thē such settements or other discontinuances, so as before, made, be voyd & frustrat & holden for none.

Maintenäce

Voyd

And also when ỹ said Justices or iustice make such enquiries as before, they shall do their warrants & precepts to be directed to the sherife of ỹ same coūtie, cōmaūding him of ỹ kings behalf, to cause to cōe before thē & euery of them sufficient & indifferent persons, dwellinge nert about ỹ landes so entred, as before, to enquire of such entries, wherof euery mā which shal be empanelled to enquire in this behalfe, haue land or tenemēts of the yerely value of xl.s. by yere at the least, about reprises, & that the sheriffes returne issues vppon euery of them at the day of the first precept retournable xv.s. & at the second day xl. s. & at the third time C.s. at euery day after the double. And if any sheriffe or bailife wīin a franchise, hauing returne of the kings writ, be slack & make not execution duely of ỹ said precepts to him directed to make such inquiries, ỹ he shal forfait to the king xx. li. for euery default, & moreouer shall make fine & raunsome to the king. And ỹ aswel the Justices or Justice aforesaid, as the Justices of assises at their cōming into the coūtrey to take assises, & euery of thē, haue power to heare & determine such defaults & negligences of the said sheriffes & bailifes, & euery of them, as well by bill at the suit of the partye greeued for him selfe, as for the kinge, to bee sued, as by endictement to bee taken for the kinge onely. And if the sheriffe or bailife be duly attainted in this behalfe by endictment or by bil, that he which sueth for him and for the kinge, haue the one moytie of the forfaiture of xx. li. together with hys costes and expences, and that the same proces be made against such persons endicted or sued by bill in this behalfe, as shoulde be against persons endicted or sued by writ of trespas done with force & armes against the peace of the king.

Just of peace Precept to the sheriffe

Enquire of entries

xl.s. and Issues

Sheriffe Bailife

Forf.

Fine Just. of peace Just. of ass.

Oure ỹ ter.

King Indictment Sheriffe Bailife Attaint

Goode Costes

Proces

And moreouer if any person be put out or disseised of any lands or tenements in forcible maner, or put out peaceably, & after holden out with strong hand, or after such entrie, any settement or discontinuance in any wise therof be made to defraud & take away the right of the possessor, ỹ the party greeued in this behalf haue assise of nouel disseisin, or a writ of trespas against such disseisor, & if ỹ party greeued recouer by assise or by action of trespas, & if it bee found by verdict or in any other maner by due forme in ỹ law, ỹ the party defendāt entred wīth force, into ỹ lands & tenemēts, or thē after his entry did hold with force: ỹ the plaintife shal recouer his treble dāmages against ỹ defendant. And moreouer ỹ he make fine & raunsome to ỹ king.

Disseised with force Put out peaceably Holden with force Feoffement

Assise of Nouel diss. Writ of trespas Recouer Verdict

Enter with force Holde with force 3. dammages Fine

And ỹ Maiors, Justices or iustice of p. the tits & bailifs, of cities, towns & boroughs hauing fraunchise, haue in the said cities, towns & boroughs, like power to enquire of such entries or putting out, & in other articles aforesayd rising wīin ỹ same, as the Justices of peace and sheriffes in counties and coūtries aforesayd haue. Prouided alwaies ỹ they which kepe their possessions wīth force in any lands or tenements, wherof they, or their auncestors, or they whose estate they haue in such lands & tenemēts, haue continued their possessions in the same by thre yeres or more, be not endamaged by force of this statute. An. 8. H. 6. cap. 9.

Maiors Just. of peace Sheriffes Bailifes

Hold with force

3. yeres possession

¶ Forrestes, Chases, Parkes and warrens.

ALL Forrestes, which kinge Henry our grādfather afforested & made, shalbe viewed by good lawful men, & if hee haue made forest, of any other wood more thē of his owne demeine, wherby ỹ owner of ỹ wood hath hurt, we will ỹ forthwith it be disafforested. And if he haue made forest of no mās wood but of his own, then we will ỹ it remaine forest still. Sauing ỹ cōmon of herbage, & of other things in ỹ same forest, to them which before were accustomed to haue ỹ same. Carta de foresta 1.

Viewe

Demeine

Disafforested Woods

Common of herbage

2 ¶ Men ỹ dwell out of ỹ forest from hēceforth shal not come before the Justicers of our forest by no cōmon sūmons, vnles they be impleded ther, or be suerties for some other that were attached for the forest

Common summons Suerties

forest, Carta de foresta cap. 2.

Woods

3 ¶ All woods which haue bene made forest by kinge Richarde our vncle, or by King John our father, vnto our first coronation, shalbe forthwith disafforested, vnles it be our demeane wood. Carta de foresta cap. 3.

Disafforest Demeine Wood

Archbishops Bishops Freeholders Woods

4 ¶ All Archbishops, Bishops, Abbots, priors, Earles, barons, knightes, & other our freholders, which haue their woods in forests, shal haue their woods as they had them at the time of the first coronation of king Henry our graundfather, so þ they shalbee quite for euermore of all purprestures, wastes, and assertes made in those woods after time, þ vntil the beginninge of the secõd yere of our coronation: & those þ from henceforth do make purpresture wiõt our special licence, or wast, or assert in þ same, shal answere vnto vs for the same wastes, purprestures, & asserts. Carta de foresta ca. 4.

Purprestures Wastes

Wast Licence

Rangers

5 ¶ Our rangers shal go through þ forest to make range, as it hath bene accustomed at þ time of the first coronation of king Henry our graundfather, & none otherwise. Carta de foresta cap. 5.

Lawing of dogges

6 ¶ The inquirte or view for lawinge of dogges within our forest, shalbe made from henceforth, whẽ the range is made, that is to say, euery iij. yere, & then it shall be don by the view & testimony of honest mẽ & not otherwise. And he whose dogge is not lawed & so found, shalbe amerced, & shal pay for the same iii.s. And from hẽce forth no Dre shalbe taken for lawinge of dogs. And such lawing shalbe done by the assise cõmonly vsed, that is to say, þ three clawes of the forefote shalbe cut of by þ skinne. But frõ henceforth such lawinge of dogges shall not be done, but in places where it hath bene accustomed frõ þ time of the first coronation of the forsaid king Henry our graundfather. Carta de foresta cap. 6.

View

Amerce

Ore

Assise 3. Clawes cut of

Foster

7 ¶ No foster or bedil from henceforth shal make scotal, or gather garbe of otes, or any corne, lambe, or pyg, nor shal make no gathering, but by the sight & vppon the othe of the twelue raungers, when they shal make their raunge. So many foresters shalbe assygned to the kepinge of the forestes, as reasonably shal seme sufficiẽt for the kẽping of the same. Carta de foresta cap. 7.

8 ¶ No swanimote from henceforth shalbe kept wiõ this our realme but thrise in the yere, first the 15. day afore Michelmas, when þ our gistakers, & walkers of woods, come together to take agistemẽt in our demean woods, and about the feast of Saint Martin in winter, when þ our gistakers shall receyue our pannage. And to these two swanimotes shall come our fosters, verders, gestakers, & none other by distres. The thirde swanimote shalbee kept in the beginning, fiftene dayes before the feast of Saint John Baptist, when that our gyst takers, or walkers do mete to hũt our deere. And at this swanimote shal mete our fosters, verders and none other by distresse. Moreouer euery fourty daies throughout the yere our fosters and verdors shall mete, to see the attachments of the forest, as wel for grenehugh as for hunting, by the presentment of our foresters, and afore them shalbe attached. And the sayd swanimots shal not be kept but wiõ the counties, in which they haue vsed to be kept. Carta de foresta ca. 8.

Swanimot

Agistment

Pannage

Foresters

View

Attachments Grenehugh Hunting

9 ¶ Euery free man may take agistemẽt in his owne wood wiõ our forest, at his pleasure, & shal take his pannage. Also we do graunt, þ euery freeman may drive his swine freely & wythout impedyment throughout our demeane woods, for to agist thẽ in their own woods, or els where they wil. And if their swine tary one night & lie within our forest, there shalbe no occasion taken therof, whereby he may leese any of his owne. Carta de foresta cap. 9.

Freemen Agistment Pannage Drive swine

10 ¶ No man frõ henceforth shal lose neither life nor member, for killing of our deere, but if any man be take ther wiõ, & cõuict for taking of our venisõ, he shal make a greuous fine if he haue any thig wherof: & if he haue nothing to leese, he shalbe imprisoned a yere & a day. And after þ yere & day expired (if he can find sufficient suerties) he shalbe delinered. And if not, he shal abiure þ realme. carta de foresta ca. 10.

Killing of deere

Conuict Fine

Imprison

Suerties Abiure

11 ¶ Whatsoeuer archbishop, byshop, earle, or baron, cõming to vs at our commaũdemẽt, & passing by our forest, it shal be lawful for him to take & kil one or two of our deere, with our Foster, yf hee bee present, or els hee shal cause one to blowe an horne for him, þ he seme not to steale our deere. And likewise they shal do returning hõe from vs. carta de foresta ca. 11.

Archbishop Bishop Earle Baron Kill one or two deere Blow an horne

12 ¶ Euery

Freemen

12 ¶Euery frēman from henceforth without daunger shall make in his owne wood, or in his land, or in his water, which he hath within his forest, milles, springs, poles, marshes, dikes, or errable ground, wout inclosing ỳ errable groūd, so that it bee not to the annoyāce of his neighbors. Carta. de foresta cap. 12.

Wood

Milles

Liable

Freemen

Ayries of haukes

Hony

13 ¶Euery frē man shall haue wōn his own woods, ayries of haukes, sparowhaukes, kawcons, eglis, & herons, & shall haue also the honie ỳ is found within hys woods. Carta de foresta cap. 13.

Foster

14 ¶No foster frō henceforth, which is not foster in fē, paying to vs ferme for his bailiwike, shal take any chiminage or tolle within his bailiwike. But a foster in fē paying vs ferme for his bailiwik, shal take chiminage, ỳ is to say, for carryage by cart, ỳ halfe yere ii. d. and for an other halfe yere two pence, for an horse ỳ beareth lodes, euery halfe yere an halfepeny. And but of those only that come as marchants through his bailewike by lycence, to buy bulshes, timber, barke, cole, & to sell it againe at their pleasure. But for none other carriage by cart, chiminage or tolle shalbe taken. Nor chiminage shal not bee takē but in such places only where it hath ben vsed to bee. Those which beare vpon their backs bushment, barke or cole to sel though it be their liuing, shal pay no chyminage to our fosters, except they take it within our demeane woods. Carta de foresta. cap. 14.

Chiminage

Fee

Marchants

Demesne Woods

15 ¶All that be outlawed of trespasse wīn our forest, since the time of king Hēry our graundfather, vnto ỳ first yere of our coronatiō, shal come to our peace wout let, & shal find to vs suerties, ỳ from henceforth they shal not trespas, vnto vs within our forest. Carta de foresta ca. 15.

Outlawed of trespas

Suerties

16 ¶No constable, castellaine, or bayliue, shall holde plea of forest, neyther for grēne hugh nor hunting, but euery foster in fē shal make attachements for plea of forest, as wel for grene hugh as hunting, & shall present them to the verders of the prouinces. And whē they be inrolled & inclosed vnder the seales of ỳ verders, they shalbe presented to our chiefe Justicers of our forest, when they shal come thither to hold plea of forest, & before them they shal be determined. Carta de foresta cap. 16.

Constable

Baylife

Hunting

Plea of forest

Present Justic.s

Determine

17 ¶Concerning trespassers in parkes & ponds, it is not yet discussed: for ỳ lords demaunded the proper imprisonment of such as they should take in their parkes & ponds, which ỳ king denied. Wher for it was deferred. Mert. cap. 11. An. 20. H. 3.

Trespassers

Ponds

18 ¶It is prouided also for trespassers in parkes & ponds, ỳ if any be thereof attainted at the suit of the partie, great and large amendes shalbee awarded, according to the trespas, & thre yere imprisonment, & after shal make fine at the kings pleasure (if he haue whereof) & then shall find good suerty ỳ after he shall not cōmit like trespas. And if he haue not wherof to make fine, after iii. yeres imprisonment, he shal find like suertie: & if he cannot find like suertie, he shal abiure ỳ realme. And if any being guiltie therof, be fugitiue, & haue no land nor tenement sufficient (whereby he may bee iustified) so sone as the kinge shal find it by enquest, he shalbe proclayned from coūtie to countie, & if he come not, he shalbe outlawed. It is prouided also and agreed, that if none do sue within a yere & a day for ỳ trespas done, ỳ king shal haue the suit. And such as be found guilty therof by lawful enquest, shalbe punished in like maner in al points as aboue is said. & if any such trespassour be attainted, ỳ he hath taken tame beasts or other thing in his parks by maner of robery, in cōming, tarying, or returning, let ỳ cōmon lawe be executed vpō him, as vpon him that is attainted of opē theft & robbery, as wel at the suit of the king as of ỳ party. W. 1. ca. 20. An. 1. E 3.

Impriſon

Fine

Suertie

Abiure

Fugitiue

Proclamation

Outlawed

Yere & day

Attaint

Common law

Robbery

19 ¶If any forester, parker, or warrenour, do find any trespassour wandering wīn his libertie, intending to do damage therin, & ỳ after hue & crie made to him to stand vnto ỳ peace, wil not yeld him selfe, but doth continue & execute his malice, & disobeying ỳ kings peace, doth flee, or defendeth him selfe wō force and armes, although such foresters, parkers, & warrēners, or any other cōming in their cōpany, & aidinge such foresters, parkers, and warrēners, in the kings peace, do kill any offendour or offendours being so found, either in arresting or taking thē, or any of thē, they shal not be arraigned vpon ỳ same before the king & his Justices, or before any other the king his bailifs, or any other within any franchise or without, nor shal not leese for so doing eyther life or limme, or

Forester

Warrenour

Trespassour

Hue & crie

Flee

Force

Kil the offender

No araignement

Neither loſe of life or limme

or ſuffer any other punyſhment, but ſhall enioy the kings peace as they dyd before. Notwithſtandinge let all ſuch foreſters, parkers, warreners, & al other beware, ỹ by reaſon of any malice, diſcord, debate, or other euil wil, had before time, they do not lye, nor maliciouſly pretend, againſt any perſon paſſinge through their liberties, ỹ they came thyther for to treſpas or myſdoe, when of truth they did nothinge, nor were not foũden as treſpaſſours, & ſo kill them, for if they do & be conuict therupon, ỹ death of ſuch perſons ſhalbee inquired, & execution ſhalbe done in like maner, as is done for other of ỹ kings ſubiects ſtãding in his peace, & like as it ought to be don of right & according to the law & cuſtome of the realme, ſtatut of treſpaſſours in plees An. 21. E. 1.

Malice

Enquire

20 ¶ Whereas certaine people ỹ be put out of the forreſt for the purlieu, & by the great men haue made requeſt to our ſouereigne lord the king at this parliament, ỹ they might bee acquited of their charge & of things ỹ the foreſters demaund of thẽ, as they were wont to be: Our ſouereigne lord the king aunſwered, firſt, ỹ where he had graunted purlieu, that hee was pleaſed ỹ it ſhould ſtand in like manner, as it was graunted, albeit that the thing were ſued & demaũded in an euil point: Neuertheles he willeth & intendeth ỹ al hys demeane lands where ſoeuer they be, ỹ haue bene of the crowne, beinge retourned by way of eſcheate or other wiſe, ſhall haue eſtate of free chaſe & free warren, & in ſuch maner ſhalbe ſaued & kept to his vſe, for al maner of eſcheates and for al manner of things that pleaſeth him. And in right of them that haue lands & tenementes diſafforeſted for the ſaid purlieu, & ſuch as demaund to haue cõmon within the bondes of foreſtes: The entent & wil of our ſouereigne lord ỹ king is, that from hẽceforth (where purlieu is (they may claime to to be quite of charge of the foreſtes. And where as the kinges beaſtes cannot haue their haunt and repaire vppon the foreſt ground as they had ſo longe as they were within the foreſts, that ſuch folke ſhal not haue common nor other eaſement within the bondes of the woods nor of ỹ lands, the which remaine in foreſt: but if any of them that be diſafforeſted by the purlyeu, would rather be wõn ỹ foreſt as they were before, thẽ to be out of the foreſt as they be nowe: It pleaſeth the kinge very well that they ſhalbe receiued therunto, ſo that they ſhal remaine in their auncient eſtate and ſhal haue common & other eaſement, as wel as they had before. Whereupon our ſouereigne lord the king, willeth and commaundeth, ỹ his Iuſtices of the forreſts on this ſide Trent, & beyõd Trent, in like maner ſhal kæpe & holde, & cauſe to be kept and holden ſtraytly, the foreſayd points within their liberties, in the forme abone mencyoned. Anno 33. Ed. 1. ſtatute 5.

Purlew

Demeſne lands

Landes of the crowne

Free chaſe

Free warren

Common

No common Woods

21 ¶ If any foreſter ſhall finde any man, attachiable for grene hugh in his foreſt, firſt he ſhal attach hym by two pledges, if they be to be found, if not, he ſhalbe brought to the nert Towne where they may be found. And if they be afterwarde found, he ſhal attache him by fower pledges, and if the third time he ſhalbee preſented before the verdours, & be put by 8. pledges, afterward after the third attachment, his body ſhalbe attached & retained for a remembrance that he is a verdour. Know that al trees not bearing fruit, and theſe which beare fruit at any time in the whole yere, and an Aſhe if he be old, ſhal remaine in the foreſt, & arable, bee cauſe our Lord the kinge is in poſſeſſion. If any man ſhalbe found felling an Oke, wythout the demeans wode and within the precinct, without the view delyuery of the foreſter, or verdor, he ſhalbe attached by iiij. pledges, and by the viewe of the verdour the Oke ſhalbe praiſed, & the names of the pledges ſhalbee written in the roll of the foſters and verdours. If any man ſhalbee founde in the kinges demeanes, aſſertinge or doing purpreſture, his body ſhalbe forthwith retayned, but if without the demeines within the precinct, he ſhal be put by fire pledges, and if he be afterwarde founde, hee ſhall double hys pledges, if the thirde tyme, hee ſhall retayne his bodye. If any man attacheable, doe refuſe to put in ſuertyes and pledges, hee ſhalbee dyſtrained by hys cattalles found wythin the boundes of the foreſt, but yf he haue none, hys body ſhalbee detayned vntyll he haue done that which he ought, and if hys abode, be without the boundes of the foreſt, hys name, and the place whence hee is, ſhalbee inrolled, but delyuerie

Wert Attach Pledges

Arreſt

Trees

Cut trees

Attach Verdours Oke

Aſſert Purpreſt Arreſt

Pledges Arreſt

Diſtreſſe

Arreſt

Enrol

Housebote
Haybote

uery of housebote & haybote shalbe made as the woodsere may suffer ỳ same to remaine in ỳ state in which it is, & not at ỳ request of the demaundant, neyther may he geue nor sel any thing of the wood with out the kings warrant. If any Dœre bee found dead, or wounded, there shalbee an inquisition made by vj. of the nert villages to the forest, which shalbe written in the rolle, ỳ finder shalbe put by vj. pledges, & the flesh shalbe sent to a spittle house, yf by testimony of the verdours, & the countrey, there be any nigh, but if there bee no such house nere, ỳ flesh shalbe geuen to ỳ poze & lame, ỳ head & skinne shalbe geuē to ỳ poze of the nert towne, & the Arrow (if there be any found) shalbe preseted to ỳ verdour, & inrolled in his roll: If there bee any greyhounds found running to do any hurt, ỳ foster shal retayne them & present them in ỳ presence of the verdour, & sende thē to ỳ king or chiefe Justice, of ỳ forrest: If any mastine be found upō any Dœre, & shalbe mused, he whose mastine he is, shalbe quite of ỳ dœd, but if he be not mused, the honour of such mastine shalbe guiltie, as if he had geuē it him with his hand, and hee shalbee put by fire pledges, whose names shalbe written, & also what dogge it was. If any mā take Dœre in ỳ forest without warrant, his body shalbee arrested whersoeuer he be founde within the bounds of the forest, & when he is takē, he shal not be delinered without special commaundement of ỳ king, or of ỳ chiefe Justice of ỳ forest. If any see any misdoers wi in ỳ bounds of the forest, to take or cary away any dœre, he shal do what he may to take thē, & if he can not, he shal leuy huy & crie, & if he do not so, he shal remaine in ỳ kings mercie. If any woodward shall see misdoers withm his wardship, or shal see a dead wild beast, he shal shew him to the chiefe foster or verdour, & if he do not, & ỳ foster of our lord ỳ king fynde such a fault in his wod within the precinct, that wod shalbe taken into the kings hands, by the kings cōmaundement or of his chiefe Justice, & the woodwarde is to be attached by iiij. pledges. If any man shal hane a wod against ỳ demesne wod of our Lord the king, it is lawful for him after ỳ ỳ demesn bedges are agisted, to haue in ỳ time of pānage, so many swin as ỳ wod may suffer by the view of ỳ foster, verdour, regardor, agister, & other lawful men, & this shalbee done of ỳ profit of the swyne. Know ỳ in the time of pawnage, when ỳ agistment ought to be made, ỳ fosters, verdors, & agistors ought to crave ỳ assent of ỳ Justices of our lord ỳ kings forest, & seeke their good will, & the agistment shalbe made alwel wōin the demesne bedges & woods, as without, & the agistment shalbe made according to their cōmaundement, & tenour of their letters, which letters he shal haue before the Justices of the forrest in ỳ nert circuit. And it is cōmaunded ỳ hereafter be take for euery hogge as much as may be, to the vse of our lord the king for pannage, ỳ is to say, one peny or ij. d. but of little pigges, there shalbe no more payd thē was before. If any man of another countie put or willingly suffer his cattail to go wōin the boundes of the forrest, the foster may retayne ỳ cattaile by suerties & safe pledges, which if he cannot do, by the testimony of the verdours, he shall shew the sherife of ỳ county therof, ỳ he may make distres vntil he find pledges. If ỳ Sherife do it not, the foster shal shew the same to ỳ Justices. No mower shal bring wō him a great mastyne, to dryue away the dœre of our lord ỳ king, but little dogges to loke to such things as lye open. Of these which claime to haue priuileges, as dogges wōut clawes, & greyhounds, within the bounds of the forrest, they shall haue nothinge to do without our Lord the kings warrant or his Justices. A wod remainnge in the hands of our lord the kinge by one yere & one day, it is in the kings pleasure, except it bee recouered by the iudgement of the Justices. All bounds of the whole forrest are the kinges. It is lawfull to the Abbot of the borough of Saint Peter, to hunt, and to take hares and fores wōin the boundes of the forrest, & to haue vnlawed dogges, because he hath sufficient warrant therunto. When verdours haue taken an Enquest, one shal set to his seale, & the other shal kepe ỳ rol, & so frō time to time vntil the cōming of the Justice, then the first day, he, & al the ministers shal preset the rolle, or els they shalbe amerced, and mainpernors ỳ day shalbe proferred for ỳ forest. A mā attached for cuttig of bows, that plea appertayneth to ỳ Swanimote before ỳ steward, & a man attached for felling of an oke in the demeanes of ỳ king, or of

Sell

Deere Dead Enquest

Pledges Spittlehouse

Poore folke Arrow

Enrolle Greyhound

Mastine

Pledges

Deere Arrest

Iudoers

Arrest Huy Amercement

Woodward

Dead beast

Wood

Woodward Pledges Wood

Hogge

Agistment

Pawnage Hogges Pigges

Beasts

Sherife

Mastine

Dogges

Woodes Yere & day

Bondes

Peterborough

Verderers Inquisition

Amercement

Cut Swanimot

Amercement

or of any other trē, it belōgeth to be tried before the Juſtice, & if he do it to any man in the night time, he ſhalbee impriſoned. A man arreſted to the Swanimot for grēne hugh, & not preſented at ỹ next, at an other time the preſentation ſhall not hurt him, but ſhalbe taken as a fault in ỹ foſter for the concealment, & be ỹ is attached ſhal go quite by aſſiſe. If a foſter do agrē vnto an offence in the demeane woodes of ỹ king, the king ſhal take from him his office.

Impriſon
Nert Swanimot
Foſter

22 ¶ Firſt wē haue decréd for our ſelues & our heires, ỹ of treſpaſſes hereafter to be don in our foreſts of grēne hugh & of hunting, the foſters wīn whoſe bailwickes ſuch treſpaſſes ſhal happen to bē cōmitted, ſhall preſent the ſame at ỹ nert Swanimot, before the foſters, verdours, regardors, Agiſtors, & other miniſters of the ſame foreſt, & vpon ſuch preſentations there before ỹ foſters, verdors, & al other miniſters aforeſaid, by ỹ othe, of as well knights, as of other honeſt & lawful men of the nēreſt parts, where ỹ treſpaſſe (ſo preſented) ſhalbee done, not ſuſpected, by whom the trueth of ỹ matter may be fully inquired of, & the trueth ſo enquired of, theſe preſentations ſhalbe ſolēpnely affirmed, & ſealed wt their ſeales by the cōmon agrēment & aſſent of al ỹ miniſters aforeſaid, & if ỹ iudgement be geuen otherwiſe, it ſhalbe vtterly void. And if it happē any of the foreſaid foſters, regardors, or other miniſters of ỹ ſame foreſts, to die, either by ſickneſs, or by any other meanes, by reaſon whereof he cannot be preſēt to ſuch Swanimotes: immediatly the Juſtice of the foreſt, or his lieutenant, ſhal put another in his place, ſo ỹ the indictment may be made by al, in forme aforeſaid, & that ỹ Officers, which are to be put out, bē put out, as hitherto it hath ben accuſtomed to be done: Sauing the verdors which ſhalbe appointed by election, & by our writ. And we will, ỹ none of the foreſaid miniſters hereafter, be put in any aſſiſes, iuries, or enqueſts, to be taken without the foreſt. And if any ſurcharge be found of ỹ foſters, or other, which haue to do as miniſters of the foreſt, ſuch ſurcharges ſhal be amoued, & ſhalbe impriſoned according to the diſcretion of the Juſtice of ỹ foreſt or his lieutenant. And they alſo, who ſurcharged, ſhalbe puniſhed likewiſe at our pleaſure. And at euery Swanimot, it ſhal be inquired of ỹ ſurcharge of the foſters, & other miniſters of ỹ foreſt, & of their oppreſſions, brought vpon our people, & they ſhal make thereof amends, & be puniſhed as is aboue erpreſſed. The wood which is cut & felled ſhalbe remoued, & ỹ wood ſtanding ſhal remain in ỹ foreſt, & if by chāce any ſuch wood yet ſtanding be ſold, it ſhal remaine in ỹ foreſt, & the ſeller ſhal ſatiſfie the buyer, according to the quantity of the porcion of the wood ſtanding in ỹ foreſt, & ſo of wood ſold in the meane time, & euen as he hath taken of the ſame buyer. We wil alſo, ỹ the Juſtice of our foreſt, or his lieutenāt, in ỹ preſēce of our Treaſorer, & by his aſſent, haue power to take fines & redemptions, of them whych are indicted of treſpaſſes, committed in ỹ foreſt, before this time not enquired of in ỹ Juſtices circuit. We wil more ouer, that they which haue had cōmon of paſture in the foreſt, before perambulation made, & they which afterwardes were denyed in the foreſt, & they which haue ben lettē of the ſaid common by ỹ perambulation aforeſaid, ſhal haue their cōmon of paſture from henceforth in ỹ foreſt as largely, & freely, as they were wont to haue, before the perambulation aforeſaid: ſauing our rents in forme aforeſaid &c. T. &c. Weſt. xxviij. day of May. An. 34. E. I.

Swanimot
Su. charge
Wood
Juſt. of foreſt
Fines Indictments
Common
Perambulation

23 ¶ That the great Charter of the liberties, & the Charter of the foreſt bē obſerued & kept in euery article. And that the old perābulations of ỹ foreſt, in time of king Edward, graund father to ỹ kyng that now is, be from hence forth holden in like forme, as it was thē riden & boūden. And thereupon a Charter to bee made to euery ſhire, where it was ridden & bounded, & in ſuch places wher it was not boūded, the kinge wil, ỹ it ſhalbee bounded by good men & lawfull, & that a Charter bē thereupon made, as afore is ſaid. An. I. E. 3. cap. 1. Stat' 2.

Charter
Bounded

24 ¶ Where as diuers people bē diſherited, raunſomed & vndone, by ỹ chiefe kēpers of the foreſts on this ſide Trent & beyond, & by other miniſters, againſt ỹ forme of ỹ ſtatut of the great Charter of the foreſt, & againſt the declaration made by king Edward, ſonne of king Henry in forme following, that is to ſay. We will and graunt, for vs & our heires, that for

Diſherited
Trent

Verderce Election
Iurour
Surcharge
Punishment

Treſpas Venison

any treſpas done in the foreſt of vert and venison: That the foreſters in whose bailiwicke ſuch treſpas ſhalbe cõmitted,

Present Swanimot

ſhal preſent the ſame treſpaſſes, at ẏ nert Swanimot, before the foreſters, verdors, regardors, agiſtors, & other miniſters of the ſame foreſt. And that ſuch preſentment be made, before the ſaid foreſtors, verdors, regardors, agiſtors, & other miniſters aforeſaid, as wel by the Othes of

Othes of knights

Knightes, as by other diſcrete & lawfull men & not ſuſpicious, of the parties ioyning nere, where ſuch offẽces ſhalbe preſented, & where the trueth may beſt and moſt clerely be knowen. And the trouth perfectly knowen, then ſuch preſentmẽts by the common aſſent & conſent of all the ſaid miniſters, ſhalbe ſolempnely written and with their ſeales enſealed. And if any

Sealed Indictment

indictment be in any other maner made,

Word

the ſame ſhalbe voide. And therefore, becauſe the chiefe Wardens of the foreſts hath not obſerued the ſame hetherto: It is agreed & ordeined, that frõ henceforth no man ſhalbe take nor impriſoned for vert nor venison, vnleſſe he be taken with the

Taken with the maner

maner, or els endicted after the fourme before ſpecified. And then the chiefe warden of ẏ foreſt ſhal let him to mainprize,

Chiefe Warden

til the eire of the foreſt, without any thyng taking for his deliuerance. And if the ſaid warden wil not ſo do, he ſhal haue a writ out of ẏ Chancerie, which hath ben in old time ordeined for ſuch perſons endicted to bee at mainprize, till the eire. And if ſuch

Mainprize

warden after he hath receiued the writ, do not incontinently deliuer ſuch perſons indicted to mainprize, without taking any thing: Then the plaintife ſhall haue a

Writ to the Sherife Attach

writ out of the Chaũcery to the ſherife, to attach the ſaid wardeine, to be before the king, at a certain day, to aunſwere where fore he hath not replevied him ẏ is ſo taken. And the ſherife (ẏ verdors being called to him) ſhal deliuer him that is ſo takẽ by good mainprize, in the preſence of the verdors, and ſhall deliuer the names of ẏ mainpernors of the ſame verdors, to aunſwere the eire of the Juſtices. And if the

Attaint

chiefe warden bee thereof attainted, the

3. Damages

plaintife ſhal recouer his treble damages, & the ſaid wardeine to be cõmitted to pri-

Imprison

ſon, & raunſomed at ẏ kinges will. And frõ henceforth it ſhalbe writtẽ to them as the chiefe wardens of the foreſt, becauſe they may not be Juſtices, nor to haue any record. An. 1. E. 3. cap. 8. Stat' 1.

Foreſter Keeper

25 ¶ No foreſter nor keeper of foreſt or chace, nor none other miniſter, ſhal make or gather ſuſtenance, nor none other gathering of bittails nor other thing, by colour of their office, againſt any mans will, wõ their bailywike nor wout, but that ẏ is due of old right. An. 25. E. 3. ca. 7. Stat' 5.

Imps

26 ¶ No maner of Jurie ſhalbe from henceforth cõpelled by any miniſter of ẏ foreſt, to trauell from place to place out of the places where their charge is geuen to them, againſt their græ, nor by malice,

Duresse

nor by manace, or other dureſſe conſtrained to ſay their verdict of a treſpas done in ẏ foreſt, otherwiſe then their conſcẽce wil clerely enforme them, but they ſhall

Verdict

ſay their verdicts vpon their charge, in the places where the charge is gẽuen thẽ, as aboue is ſaid. An. 7. R. 2. cap. 3.

Imprison

27 ¶ That no man be taken nor imprioned by any miniſter of the foreſt, wout

Indictment Treſpas

due indictment, or by minouery, or treſpaſſing in the foreſt, nor alſo ſhal not be

Obligation

conſtrayned to make any obligation or raunſome, to any miniſter of the foreſt by any maner, againſt their græ & the aſſiſe of the foreſt, & if any do againſt this

Attains

ordinãce in any point, & therof be attainted, he ſhal pay to ẏ party dãpnified their

2. Damages Fine

double damages, & fine & raunſome to the king for his offence. An. 7. R. 2. cap. 4.

Justices

¶ From henceforth al & euery ẏ Juſtice & Juſtices of the kings foreſts, parkes, & chaſes, within this Realme, which now be, or hereafter ſhalbe, by ẏ writing ſealed wõ the ſeale of their office, ſhall make, aſſigne, depute, & appoint, as many deputie

Deputie

or deputies, for ẏ exerciſing of ẏ ſame office of ẏ Juſtice or Juſtices of ẏ foreſts, as to ſuch Juſtices frõ time to time ſhalbe thought conuenient, which deputy and deputies ſo appointed, ſhal haue like power & auctority to do & execute all thinges concerning ẏ kings foreſts, parks, & chaſes, & al other things, concerning ẏ office & offices of the Juſtice of ẏ foreſts, to all intents & purpoſes, & in as large & ample maner & forme, as ẏ ſame Juſtice or Juſtices might, or may lawfully do or execut by the lawes of this realme, & as though ẏ ſãe Juſtice or Juſtices were there perſonally preſẽt in his or their owne perſon or perſons. An. 32. H. 8. cap. 35.

We

Lands
Conuict of felony
L. of the fee

WE shall not hold the lands of them ꝑ be conuict of felony, but one yere, & one day, & then these lãds shalbe deliuered to the lords of the fee. Mag.cha.ca.22.

2 ¶See Assise 6. of forfaiture of the statut of a particuler tenant by alienation.

3 ¶See contra formam Collationis 1. How Abbots & religious houses should forfait their lands by alienation.

Escheats
Archbishops
Bishops
Vacation
Felons

4 ¶The king shall haue Escheates of lands of the freeholders of Archbishops & Bishops, when such tenants be attainted for felony in time of vacatiõ, whiles their temporalties were in the kings hands, to geue at his pleasure: Sauing to such prelates the seruice that thereto is due & accustomed. 17.E.2.cap.14.

Seruice

Felons goods
Flie
Freehold

5 ¶The king shal haue al the goods of al felons attainted, or ꝑ run away where soeuer they be found. And if they haue free hold, then it shalbe forth wt taken into the kings hands. And ꝑ king shal haue al profits of the same by one yere & one day, & the land shalbe wasted & destroyed in the houses, woodes, gardeins, & in al maner of things belonging to ꝑ same lande, excepting men of certain places priuileged by the king. And after the king hath had the yere, day, & wast, then the land shalbe restored to the chiefe Lord of the same fee, vnles that he fine before wt the king for ꝑ yere & day, & the wast. Neuertheles it is vsed in ꝑ coũty of Glouceſter by custome, that after one yere & one day, the lands & tenements of felons, shal reuert & be restored to the next heire, to whom it ought to haue discẽded, if the felony had not ben done. And in Kent in Gauelkind: The father to the bough, the sonne to the plough, there al heires males shal deuide their inheritance, but women shal not make partition with men. And a woman after the death of her husband shalbe endowed of ꝑ moity. And if she cõmit fornication in her widowhead, or take an husbãd afterward she shal lese her dower. An.17.E.2.ca.16.

Yere & day
Wast
L. of the fee
Custome
Next heire
Gauel kind
Heires males
Women
Dower
Fornication
Losse of dower

6 ¶In the second volume of the olde Statuts is an ordinance, intituled Exilium Hugonis le dispenser patris & filij, whereby they two were disherited & banished, where is recited their il doing, and thẽ followed an act of pardon, of felonies & trespasses don in ꝑ persecuting of them, which is intituled, Ne quis occasionetur pro felonijs seu transgressionibus factis in persecutione H. le D. patris & filij, & then foloweth the forme of ꝑ pardon, intituled Forma cartarum persequentibus Hugh le Dispenser patrẽ & filium concessarum.

Pardon

7 ¶The king to the Sheriffe, & all other his faythful subiects greeting, Know you, ꝑ it is prouided in our Court before our Iustices, that hereafter no man, taken for the death of a man, or for other felony, for which he shalbe imprisoned, shalbe disseised of his lands & tenemẽts, or his cattailes, vntill such time as he shalbee conuicted of felony, whereof he shalbe arraigned, but as soone as he shalbe taken, his tenements & cattailes aforesaid, shalbe seene by the view of the keeper of ꝑ pleas of our Court, & by the view of ꝑ sheriffe, or other our Officers & lawful men, & shalbe written, & shalbe safely kept, by the bailifes of him that is taken, who shall find vs good suertie to aunswere our Iustices of ꝑ cattailes or the price, if they be demaunded of them: Sauing (not withstanding) thereof to him ꝑ is taken, & his household, his necessaries, as long as he shalbe in prison, & his reasonable estouer, that when he ꝑ is taken, shalbe conuicted before our Iustices of ꝑ felony, then the residue of his cattailes besides his estouer, remaine to vs, according to the custome of our Realme, wt the terme of one yere & one day of hys lands & tenements. And if he can defend him selfe before our Iustices of ꝑ felony laied against him, then his cattailes shall remaine to him quietly. And therfore we commaund you, ꝑ hereafter you cause it so to be done in your bailywickes, and wee straightly forbyd you, ꝑ for ꝑ cause aforesaid, you do not otherwise lay your hands on the lands, tenemẽts, or cattels of any man taken in forme aforesaid. Witnesse &c. De cattallis felonum.

Arrest
Felony
Lands
Kept
Suertie
Yere & day.

8 ¶If any man or towne, be charged at the Eschequer by estrets of ꝑ Iustices, of the cattels of ꝑ fugitiues & of felons, & wil allege in discharge of him, another which is chargeable, he shalbe heard, & right dõe to the other. An.33.E.3.cap.2.Stat 1.

Eschequer
Estreates
Iustices

9 ¶Where as the cõmons haue compleined them of Eschеators, which by colour of their office, haue seised much lands & tenements, as forfait to ꝑ king for treason surmised in dead persons, which were neuer attainted in their lives, ꝑ king there of hath good regarde, but because he & hys

Eschеators

progenitors haue ben seised of the forfaitures of wares of al times, ẏ king wil not extend him selfe of such right whereof he found his crowne seised, & his right wyll continue of such forfeitures fallen in hys time, & in the time of his father, in ẏ maner as hath ben vsed: neuertheles, of hys special grace, he wil & graunteth, ẏ of such forfeitures fallen in the time of his graūd father, & al his progenitors before: as sone as an enquest shalbee thereof returned in the chaūcery, by ẏ eschetor or other which haue power to enquire: ẏ the tenant shal not be out of his possessiō, but shalbe warned by Scire facias, to be at a certaine day, to answere to his Scire facias if he will. And if any such forfaitture be now, or shal be seised of the same time, ẏ the kings hād shalbe out thereof: so alwaies that in all other cases of forfaitture of treason of dead persons not atiainted or iudged in their liues, their heires nor their land tenaunts, shal not be impeached nor challenged, nor of none other forfaiture, except the forfeitures in old times iudged after the death, of the persons by presentment in Eier, or in the kings bēch, as of felons of him selfe & other. An. 34. E. 3. cap. 12.

Lands Goods Attaint

10 ¶ An. 11. R. 2. cap. 5. 6. Al the lāds & goods of certaine attainted in the Parliament, were giuen to the king, except the lands whereof they were seised to others vses, & except tailed lands or iointures.

Tayled lāds Iointures

11 ¶ An. 11. R. 2. cap. 7. It was enacted that al lands and profites that came to the king by forfaiture, should remaine in his hands during the warres, & ẏ none should aske any of thē: sauing that they that had right might sue &c. & that the king might sell part thereof.

12 ¶ An. 21. R. 2. cap. 10. & 11. Certaine lands of certaine persons attainted, were giuen to the king, but this parliamēt

Repealed

was repealed by 1. H. 4. cap. 3.

13 ¶ An. 2. H. 4. ca. 22. It was enacted ẏ none should be greued for suing cōtrary to ẏ statut of An. 11. R. 2. ca. Se the sta.

14 ¶ An. 5. H. 4. cap. 1. & An. 7. H. 4. cap. 12. It was enacted, that lāds whereof certain ther named attainted, were seised to others vses, should not be forfayted by their attainders, and graunts thereof made to bee voyde, but their owne lands, or whereof other were seised to their vses should bee forfayte.

15 ¶ No Sheriffe, Vndersheriffe, nor Escheto, bailife of fraunchise, nor any other person, take or seise the goodes of any person arrested or imprisoned, before the same person or persons so arrested & imprisoned, be conuict or attainted of such felony, according to ẏ law of England, or els ẏ same goods otherwise lawfully forfait, vpon paine to forfait the double value of the goods so taken to him or thē, that is or be thereby ē damaged, by action of debt in this behalf to be pursued by like proces, iudgement, & execution, as is accustomably vsed in other actions of debt pursued at ẏ cōmon law. And also ẏ no essoin nor protection be allowed in any such action. Nor that the defendant in any such action be in any wise admitted to wage or do his law. An. 1. R. 3. cap. 3.

Sheriffe Escheto Bailife

Conuict of felony

Forf.

Essoins

Wage law

16 ¶ No maner of person ne persons whatsoeuer he or they be, that attend vpon ẏ king, & soueraigne Lord of this land for the time being, in his person, & do him true & faythful seruice of allegeance in the same, or be in other places by his cōmādment in his warres, wīn this land or wout, that for the same dede & true seruice of allegeance, he or they be in no wise cōuict or attaint of high treason, ne of other offences, for that cause by act of parliamēt or otherwise, by any proces of law where by he or any of them shal now forfait life, lands, tenements, rents, possessions, hereditaments, goods, cattells, or any other things, but to be for the dede & seruice vterly discharged of any veration, trouble, or losse. And if any act or actes, or other proces of the law hereafter thereupon for the same happen to be made, contrary to this ordinance, ẏ then the act or actes, or other proces of the law, whatsoeuer they shalbe, stand & be vtterly voide. Prouided alway, ẏ no person or persons shal take any benefit or aduantage by this act which shal hereafter decline frō his or their said allegeance. An. 11. H. 7. cap. 1.

K. Seruants

Discharge

Voyde

17 ¶ For almuch as it hath ben in question & ambiguity, that if any euill disposed person or persons, do attempt feloniously to robbe or murder any person or persons in or nighe any common high way, cart way, horse way, or fote way, or in ther mansion, mesuages, or dwelling places, or ẏ feloniously do attempt to breake any dwelling house in the night time, should

Attempt to Murder

High way

Houses

happen

happen in his or their (being in their such
Slaine felonious intēt) to be slaine by him or thē,
whom the said evil doers should so attēpt
to robbe or murder, or by any person or
persons beinge in their dwelling house,
which ỹ same evill doers should attempt
Burglary burglarie to breake by night: if the sayd
person so happening in such cases to slea
any such person, so attempting to cōmyt
such murder or burglarie, should for the
death of the said evill disposed person, forfait or lose his goods & cattels for ỹ same,
as any other person should do ỹ by chance
medley should happen to kil or slea any other person in his or their defēce: For the
declaration of the which ambiguitie and
doubt: be it &c. & by auctho*r*ity, that if any
Indicted Appealed person or persons at any time hereafter,
be indicted or appealed, of, or for, ỹ death
of any such evill disposed person or persōs
attempting to murder, rob, or burglarie,
to breake mansion houses, as is afo*r*esaid,
that ỹ person or persons so indicted or appealed thereof, & of the same by verdict so
Verdict Shal not Forf. found & tried, shall not forfait or lose any
lands, tenements, goods, or cattels, for the
death of any such evill disposed person, in
such maner slaine, but shalbe therof & for
Acquited ỹ same, fully acquited & discharged, in like
maner, as the sāe person or persons should
be, if he or they were lawfully acquited of
the death of the said evil disposed person or
persons. An. 24. H. 8. cap. 5.

18 ¶See Treason 15. of forfaitures of
Traytors Lands Goods traytors lands & goods, to be in reall possession of the king, without Office found
thereof, where they be attainted by course
of the common law.

19 ¶See Warre 8. Of forfaitures of
fees, offices, & landes, geuen or graunted
by the kinge, and not being attendant on
him in his warres.

¶Forger of false deedes.

WHereas many of the kinges lyege
people, which haue manors, lands,
& tenements, by purchase, or by discent of
inheritance, or in any other maner, entēding to be in peace & rest, in their said tenures, as they were wont to bee, diuers
Conspiracie evil disposed persons, some of their owne
head, & some by false conspiracie & couyn,
subtilly imagine & forge of newe, diuers
false dedes & muniments, & thē do openly
to be pronounced, published, and read, to
trouble & change the lands of good people
of ỹ countrey, & to vndoe & trouble ỹ possessions & titles of ỹ said kings liege people, by the which imagination & falsitie,
many of the foresaid liege people be troubled & vexed, & at al times abidig in doubt
of their possessiōs & estate: Our soueraign
Lord the king, willing to pro*u*ide a remedy in this case, by ỹ aduice & assent afo*r*esaid, & at the request of the said commōs,
hath ordeined & established, that ỹ partie Action of the case
so greeued, shal haue his suit in that case, & Damages
recouer his damages, & the partie conuict
shal make fine & raunsome at the kinges Fine
pleasure. An. 1. H. 5. cap. 3. This Statut is Repealed
repealed by 5. Eliz. cap. 14. after 2.

2 ¶Be it enacted &c. that if any person
or persons whatsoeuer, after the first day
of June, now next comming, vpon his or
their owne head & imaginatiō, or by false
conspiracie & fraud wō others, shall wyt- Conspiracie
tingly, subtilly, & falsely forge or make, or
subtilly cause, or wittingly assent to bee
forged or made, any false deede, charter, Forge Charter
or writing sealed, court roll, or the will of Court roll
any person or persons in writing, to ỹ en- Testament
tent that the estate of freehold, or inheri- Inheritance
tance, of any person or persons, of, in, or
to any lands, tenemēts, or hereditamēts,
freehold, or copyhold, or the right, title, or Copyhold
interest, of any person or persons, of, in, or
to the same, or any of them, shal or may,
be molested, troubled, defeated, recouered,
or charged, or after the saide first day of
June, shall pronounce, publish, or shewe Shew in evidence
forth in euidence, any such false & forged
deede, charter, writing, court roll, or will,
as true, knowing the same to be false and Knowing the forgerie
forged, as is afo*r*esaid, to the intent aboue
remembred, & shalbee thereof conuicted, Conuict
either vpon any action or actions, of forger of false deedes, to be foūden vpon this
estatute, at the sute of the party greeued or
otherwise, according to the order & due
course of ỹ lawes of this realme, or vpon
bil or information to be exhibited in the
court of the Starre chamber, according to Starre Chamber
the order & vse of the court: shal pay vnto
the partie greeued, his double costes & dā- 2. Damages
mages, to be found or assessed in ỹ Court
where such conuiction shalbe, & also shalbe
set vpon the pillory, in some open market Pillorie
Towne, or other open place, and there to
haue both his eares cutt of, and also his Eares cut of

Noſtrils ſlit Seared

noſethrils to be ſlit and cut, & ſeared with an hot yron, ſo as they may remaine for a perpetual note or marke of his falſhod,

Forf. of Lands

& ſhal forfait to ỹ Quene our ſouereigne Lady, her heires & ſucceſſors, the whole iſſues & profits of his lands & tenemẽts, during his life, and alſo ſhal ſuffer & haue

Perpetual imprſonmẽt

perpetual imprſonment during his lyfe. The ſaid damages & coſtes to be recouered at the ſuit of the party greeued, as is aforeſaid, to be firſt paied & leuied of the goodes & cattels of the offendors, & of the iſſues and profits of the ſaid lands, tenements, and hereditaments, of ſuch partie cõuicted, or of one or both of them. (ỹ ſaid title of the ſaid ſouereigne lady ỹ Quẽne, her heires & ſucceſſors, to the ſame notwithſtanding.) And be it further enacted by the auctoritie aforeſaide, that if any perſon or perſons, after the firſt day of June, ỹõ his or their owne head or imagination, or by falſe cõſpiration or fraud, had with any other, ſhall wittingly, ſubtelly, & falſly forge, or make, or wittingly, ſubtelly, & falſely cauſe or aſſẽt to be made or forged, any falſe charter, deede, or writing, to ỹ entent that any perſon or perſõs ſhal or may haue or claime, any eſtate or intereſt, for terme of yeres, of, in, or to any manors, lands, tenements, or hereditaments, not being copyhold, or any annuitie, in fee ſimple, fee taile, for terme of life, liues, or yeres, or after the ſaid daye, ſhal as is aforeſaid, forge, make, or cauſe, or aſſent to be made or forged, any obligation, or bill obligatorie, or any acquitance, releaſe, or other diſcharge, of any debt, accompt, action, ſuit demaũd, or other thing perſonal, or if any perſon or perſons, after the ſaide firſt day of June, ſhall pronounce, publiſh, or geue in euidence, any ſuch falſe or forged charter, deede, writing, obligation, bill obligatorie, acquitance, releaſe, or diſcharge as true, knowing the ſame to be falſe and forged, & ſhalbe there of conuicted, by any the waies or meanes aforeſaid: that then he ſhall paye vnto the partie greeued, his double coſtes & damages, to be found & aſſeſſed in ſuch Court, where the ſaid conuiction ſhalbe had, and ſhalbe alſo ſet vpon the pillory, in ſome open market Towne, or other open place, and there to haue one of his eares cutt of, and alſo ſhal haue & ſuffer imprſonment by the ſpace of one whole yere, wõut baile or mainprize. And be it further enacted, by the auctoritie aforeſaid, that the party & parties greeued by reaſon of any of the offences aforeſaid, ſhall & may at his and their pleaſure, haue & ſue his action, of forger of falſe dedes, vpon this ſtatut, againſt any the offendors in the ſame, by original writ, out of the Quẽnes highnes Court of Chãcery, & ſhall & may haue, like proces vpon the ſame, as in caſes of treſpas at the common law, or may at his pleaſure take his ſuit, againſt any ſuch offendors in any ỹ premiſſes, by bil, before the Quẽnes highnes, her heires & ſucceſſors, in her court commonly called the Kings bench, or in the court of the Eſchequer, in which ſuits, no eſſoine, iniunction, or protection ſhalbe allowed for the partie defendant. And be it further enacted, by the auctoritie aforeſaid, ỹ if the party defendant ſhalbee conuicted for any ỹ offences aforeſaid, according to the order & forme aboue limitted, & ſhal haue receiued there upon puniſhment corporall, according to this act: that then he ſhal not eſſoines bee empeached for the ſame offence. And bee it further enacted by the auctority aforeſaid, ỹ although ỹ partie or parties plaintife, in any ſuch action or bil to be ſued, as is aforeſaid, ſhall after verdict paſſed againſt ỹ defendant or defendants, happen to releaſe or diſcharge ỹ iudgement or execution vpon the ſame, or otherwiſe ſuffer ỹ ſame to be diſcontinued: that yet neuertheles, ỹ ſame releaſe, diſcharge, or diſcõtinuance ſhal extẽd only to diſcharge ſuch coſtes & dãmages, as the ſame plaintyfes ſhould haue had againſt the defendant, & ỹ the Iudges before whom ỹ ſaid action or ſuit ſhalbe taken, ſhal & may procede to iudgement, of, & vpon the reſidue of ỹ ſaid penalties & forfaitures, & to cõmaund execution vpon ỹ ſame: the ſaid releaſe, diſcontinuãce, or other diſcharge, had, made, done or ſuffered, by ỹ party plaintife, in any wiſe notwithſtanding: this act or any thing therein contained, to ỹ contrary in any wiſe notwithſtanding. And be it further enacted, by the auctoritie aforeſaid, that if any perſon or perſons, being hereafter conuicted or condempned of any the offences aforeſaide, by any the waies or means aboue limitted, ſhal after any ſuch his or their conuiction or condempnation eſſoines commit or perpetrate any of the ſaid

Action of Forger

Original writ

Chauncery Proces

Bill

K. Bench Eſchequer

Comits

Releale

Diſcontinuance

Diſcharge of damages

Procede to iudgement

Forge

Aſſent

Annuitie
Fee ſimple
Fee taile
Lawes
yeres
Obligations
Acquitance

Releaſe

Geue in euidence

Knowing the forgerie
Comitt

2. Damages

Pillorie

One eare cutt of
Imprſon

said offences, in sourme aforesaid, ẏ then
ẏ offence Felony graunt
euery such second offence or offences, shal be adiudged felony, & the parties being cõuicted or attainted, according to the lawes of this Realme, shal suffer such paines of death, losse, & forfaiture of their goods, catels, lands, & tenements, as in cases of felonie by the common lawes of this Realme ought to bee lost or forfaited, wõut hauing any aduantage or benefit of Clergie or sanctuarie: Sauing to euery person & persons, bodies politike & corporat, their heires & successors, other then the said offendors, & such as claime to their vses, all such rights, titles, interestes, possession, liberties of distresses, leases, rents, reuersions, offices, & other profites & aduantages, which they or any of them shall haue at the time of such conuiction or attaynder, of, in, or to any the lands, tenements, or hereditaments, of any such person, so as is aforesaid, conuicted or attainted, or at any time before, in as large & ample maner, to al intents & purposes, as if this act had neuer bene had nor made.
Forf.
No Clergie

Prouided alwaies, & be it enacted by the authoritie aforesaid, that any such conuiction or attainder of felony, as is aforesaid or any forfaiture by reason of ẏ same, shal not in any wise extend to take away the dower of the wife of any such person attainted, nor to the corruption of bloud, or disherison of any the heire or heires of any such person or persons so attainted: this act or any thing therein contained, or any other statut, law, vsage, custome, or thing heretofore vsed, to the contrarie in any wise notwithstanding. Prouided also, & be it further enacted, by the authoritie aforesaid, that this act, or any thing therein conteined, shal not extende to charge any Ordinarie, or any their Commissaries, Officialls, Registers, or any other their officers or ministers, with any the offences aforesaid, for putting their seale of office to any will, to be exhibited vnto them not knowinge the same to be false or forged, or for writting of ẏ said wil or probat of the same: This act or any thing therin conteined, to the contrary not wtstanding.
Conuiction
Dower
Corruption of bloud Heires
Ordinaries Cõmissaries

And be it further enacted by the authoritie aforesaid, that al & euery Justices of Oier & determiner, & Justices of assise in their circuites, & euery of them, shall haue full power & authoritie, in euery of their open and generall Sessions, to enquire, heare, & determine, of al and euery the offences aforesaid, committed or done within the limitts of their commission, and to make proces for the execution of ẏ same, as they may do against any person being indicted before them of trespas, or lawfully conuicted thereof. And be it further enacted by the authoritie aforesaid, that al other statuts heretofore made & prouyded for forger of false deedes, charters, muniments, or writings, & al and euery penaltie appointed by the same, shal from & after the said first day of June, bee void and of none effect in the law: any such statute or thing therein contayned, to the contrarie in any wise notwithstanding. Prouided alwaies that this acte, or any thinge therein conteined, shal not extende or bee hurtful in any wise to any Proctour, aduocate, or register, of any Ecclesiasticall court within this realme, for the writing settinge forth, or pleading of any plorie made according to ẏ ecclesiastical lawes or customes, heretofore vsed & allowed by the ecclesiastical courts of this realme, for the apparance of any person or persõs, beinge cyted to appeare in any of the sayde Courts ecclesiastical, nor to any Archdeacon or Official, for putting their Autentique Seals, to the said plories or plorie, neither yet to any Judge ecclesiastical, for admitting of the same: But that they and euery of thẽ, may hereafter do in al points concerning ẏ same, as they & euery of thẽ might lawfully haue done, before the making of this act: any thing in this act to ẏ contrarie in any wise notwithstanding.
Proctor
Aduocate
Register
Plorie
Apparance
Archdeacon
Officiall
Autentique seale
Ecclesiastical
Judge

Prouided alwaies, & be it further enacted by ẏ authoritie aforesaid, that if any person or persons whatsoeuer, that hathe of his or their owne head, or by false conspiracie or fraud with any other, wittingly, subtilly, & falsly forged or made, or shal before the first day of June, forge & make any false dede, charter, or writing sealed, or the will of any person in writing, or any Court roll, to the intent that the state of freehold or inheritance, or the right, title, or interest, of inheritance of freehold, of any persons, of, in, or to any manors, lands, tenements, or hereditaments, being freehold or copyholde, or that by any such forged dede, charter, Court rolle, or writting, before the said first day of June,
Conspiracie
Forge
Charter
Testament
Court roll
Freehold
Copyhold

Just. of oier Just. of ass.

shal or may be molested, troubled, or defeated of any the said estates, of any lãds, tenements, or hereditaments, being frehold, or copyhold, or if any person or persons, haue heretofore published or shewed forth in euidence, or before ỳ said first day shall publish, or shew in euidence for the proofe of any title, any false & forged deede, charter, writing, will, or court rol, as true knowing ỳ same to be false & forged, as is aforesaid, to ỳ intent aboue remembred, & shalbe therof attainted or conuicted, according to the order of the lawes of this realme, either in an action of forger of false facts, or in an action vpon the case, at ỳ suit of the partie greeued, his heires, executors or assignes: that then the party so conuicted, shal pay & yeld dammages & costes of suit to the plaintife, as shalbe assessed, according to the order of the law of this realme, in any such like action or suit, & shal suffer imprisonment, & pay fine & raunsome at ỳ pleasure of the Quenes Maiestie, her heires & successors. And if any person or persons, shal after the said first day of June, pleade, publish, or shew forth in euidence or otherwise, for the proofe of any title, any false & forged deede, charter, writting, wil, or court roll (heretofore falsly made & forged, or to be falsely made & forged, before the said first day of June) as true, knowing the same to be false and forged, to ỳ intent to haue or claime therby, any estate of inheritance, frehold, or lease of peres, in or to any manors, lãds, tenements, or hereditaments, or any annuitie, rẽt, or profit, forth of any manors, lands, tenements, or hereditaments: or to the intent to alter, defeat, molest, trouble, charge, or recouer the estate of inheritance, frehold, or for peres of any person, in any manors, lands, tenements, rents, or hereditaments: That then euery person or persons that shal so offend, & shalbe therof conuicted, in forme first aboue remembred, shall pay vnto the partie greeued, double costes & dammages, and shall haue imprisonment, losse of eares, slitting and searing of nose, & forfaiture of lands, in the same maner & forme, as aboue is limited for any person that shal offend by forging, or publishing of any false deede or writing, as is aforesaid, after the sayd first day of June. Prouided alwayes, & be it enacted by the authoritie aforesaid, that this act, nor any paine, forfeiture, or thing therin conteined, shal extend to any atturney, lawyer, or counsailour, that shal for his client pleade, shew forth, or geeue in euidence, any false & forged deede, charter, will, court rolle, or other writing, for true, or being not partie and priuie to the forging of ỳ same, for the pleading, shewing forth, or geeuing in euidence of the same: any thing in this act to the contrarie notwithstanding. Prouided alwaies and be it enacted by the authority aforesaid, that this acte, or any thinge therein conteined, shal not extende to any person or persons, that shal plead or shew forth, any deede or writinge exemplified vnder the great seale of England, or vnder the great seale of any other Autentique court of this Realme. Nor shall extend to any Judge or Justice, or other persõ, that shal cause any seale of any Court to bee set to any such deede, charter, or writing enrolled, not knowing the same to be false and forged: any thing in this acte to the contrarie notwithstanding. Anno 5. Eliz. cap. 14.

Shew in euidence

Knowing the forgery

Attaint

Action of forgerie

Action on the case

Damages

Imprison

Fine

Knowing the forgery

Leases

Annuity

Conuict

1. Damages

Imprison.

Losse of eares

Slitting &

Searing

Fine.

Attorney

Lawer

Counsailer

Not priuy

Exemplification

Judge

Justice

¶ Forstallers, Regratours, & Ingrossers.

NO Forstaller, shalbe suffered to dwel in any towne, who manifestly is an oppressor of the poore, a publike enemie of whole communaltie & countrey, who meting graine, fish, herring, & other thinges comming by land or by water, to be sold, doth make hast to buy them before other, thrusting after wicked gaine, oppressyng the poore, & deceiuing the rich, and by that meanes, goeth about to sel the said things much deerer, thẽ he which brought them: who commeth about marchãt straungers comming with their marchandise, & offereth them hys helpe in the sale of their wares, & informeth them, that they may sell their ware deerer then they ment to haue done, & so ỳ town & coũtrey is deceiued by such subtiltie: He that is cõuict therof, the first time shalbe amerced, and shal leese the thing so bought, and that according to the custome and ordinaunce of the Towne: hee that is conuict the second tyme, shall haue the iudgement of the Pillorie: At the thirde tyme hee shall bee imprisoned and raunsomed: The fourth time hee shall abiure the Towne.

No Forstaller

Buy

Marchants

Conuict

First

Second

Third

Fourth

And

And this iudgement ſhalbe giuen vpon al maner of forſtallers, And likewiſe vpon them ẏ geue them coũcel helpe or fauour. An. 31. E. 1.

Councell

2 ¶The foreſtallers of wines & all other vitalles, wares & marchandiſes, that come to the good townes of Englande by land or by water, in damage of our ſoueraigne Lord the king and of his people, if they be thereof attainted at the ſuit of the king, or of the party, before Maior, bailife, or Juſtices therto aſſigned, or elſwher in the kings court, & if they be attainted at ẏ kings ſuit by endictment, or in other maner, the thinges forſtalled ſhalbe forfait to the kinge, if the buyer thereof hath made grée to the ſeller. And if he hath not made grée of all, but by arreſt, the buyer ſhal incurre the forfaiture of as much as the forſtalled goods forfaited, do amount to, after ẏ value as he bought thẽ if he haue whereof. And if he haue not whereof, then hée ſhal haue two yeres impriſonment and more, at the kinges will, wythout beinge let to mainprile or deliuered in other maner. And if he be attaynted at the ſuit of the party, the partie ſhall haue one halfe of ſuch thinges forſtalled & forfayt, or the price of the kings gift, and the king the other halfe. Anno 25. E. 3. cap. 3. Stat. 4.

☞ Wines

Attaint Maior Bailife Juſtice

Forf. Buyer

Impriſon

Moitie

3 ¶The ſtatut made in ẏ time of king Edwarde our graund father the 3rd. yere of his reigne (s. ca. 3. before 2.) for forſtallers of wines, vitailes, wares & marchãdiſes which come to the good towns wiñ the realme by lãd or by water, ſhalbe holden & firmely kept in al points, and put in due execution for the common profit of ẏ ſaid Realme. An. 2. R. 2. cap. 2.

☞

4 ¶Albeit diuers good ſtatuts heretofore haue bene made againſt forſtallers of marchaundiſes & victuals, yet for that good lawes againſt regrators & ingroſſers of the ſame haue not bene ſufficiently made. And for ẏ it hath not bene perfectly knowen, what perſon ſhoulde be taken for a forſtaller, regrator or engroſſer, the ſayd ſtatutes haue not taken good effect. Therefore be it enacted and declared &c. That whatſoeuer perſon or perſons that after the firſt day of May next comminge ſhall buy, or cauſe to be bought, any marchandiſe, victual, or any other thing whatſoeuer, comminge by lande or by water, toward any market or faire, to be ſolde in the ſame, or cõming towarde any Citie, port, hauen, creke or road of this realme, or Wales, from any parties beyonde the ſea to be ſold, or make any bargayne, cõtract, or promiſe for the hauing & buyinge of the ſame, or any part therof, ſo cõming, as is aforeſaid, before the ſaid marchaundiſe, victuals, or other thinge ſhalbe in the market, faire, Citie, Port, hauen, creke or roade, ready to be ſold: or ſhall make any motion by word, letter, meſſage, or otherwiſe to any perſon or perſonnes, for the enhauncinge of of the price, or derer ſellinge of any thinge or thinges aboue mencioned, or elſe diſſwade, moue, or ſtirre, any perſon or perſonnes, comming to the market or faire, to abſtaine, or forbeare, to bring or conueygh, any of the thynges aboue rehearſed, to any market, faire Citie, Port, hauen, creke or roade to be ſold, as is aforeſaid: ſhalbe deemed, taken, and adiudged for a forſtaller.

Forſtaller Merchandiſes Victaile

Word Letter Enhaunſing of prices

Diſwade

Further be it &c. that whatſoeuer perſon or persons that after the ſayd firſt day of May, ſhal by any meanes regrate, obteine or get into his or their hands, or poſſeſſion in any faire or market, any corne, wyne, fyſh, butter, cheſe, candels, tallow, ſhepe, lambes, calues, ſwine, pigges, geeſe, capons, hennes, chickings, pygions, cunnies, or other dead victual whatſoeuer, that ſhalbe brought to any faire or market wiñ this realme, or wales, to be ſold, and do ſel the ſame againe in any faire or market holden or kept in the ſame place, or in any other faire or market, wiñ fower miles thereof, ſhalbe accepted, reputed and takẽ for a regratour or regratours. And bee it &c. that whatſoeuer perſon or persons, that after ẏ ſaid firſt day of May, ſhal engroſſe or get into his or their hands by buyinge, contracting or promiſe taking (other then by demiſe, graunt or leaſe of land, or tith) any corne growynge in the fyeldes or any other corne or grayne, butter, cheſe, fiſh, or other dead victualles, whatſoeuer, within the realme of England, to the intent to ſel the ſame againe, ſhalbee accepted, reputed & taken vnlawful engroſſer or engroſſers. And if any perſon or perſons ſhal at any time, after ẏ ſaid firſt day May offend in any of the things before recited, & being thereof duely conuicted or attainted by ẏ lawes of this realme, or after the fourme hereafter mencioned: ſhal for his

Regratour

Faire Market Corne Wine Fiſh Victuails

Wales

fifti. miles

Engroſſer

Corne Victuals

Conuict Attaint

or

First offence Imprison

Forf.

ii. offence

Imprison

Forf.

iii. offence Comit

Pillorie

Forf.

Imprison Prouiso

Barley Otes Malt Otemeale

Fishmõgers Butcher Poulter

Retaile

Lease of victuals

Wine

Inholder Victualer

Salt fish

Badger

Licence 3. Iust. of p.

or their firſt offence, haue or ſuffer impriſonment by the ſpace of two monethes without baile or mainprize, & ſhal alſo loſe & forfait ỹ value of the goods, cattels, and victual, ſo by him or them bought or had. And if any perſon lawfully conuicted or attainted, of or for any ỹ offences aboueſaid, bothereof eftſones lawfully conuicted or attainted, that thẽ euery perſon or perſons ſo offending, ſhal haue & ſuffer for his ſaid ſeconde offence impriſonment by the ſpace of one halfe yere, without baile or mainprize, & ſhall loſe the double value of al the goods, cattails & victuall, ſo by him bought or had, as is aforeſayd. And if any perſon beinge lawfully twice conuicted or attainted, of or for any of the ſayd offences, ſhal eftſones offend the third tyme, & be therof lawfully conuicted or attainted, that then euery ſuch perſon for the ſayd third offence, ſhall be ſet on the pillory in the Citie, towne or place, where he ſhall then dwel & inhabit, & loſe and forfait all the goods & cattel, that he or they haue to their owne vſe, & alſo be committed to priſon, there to remaine during ỹ kings maieſties pleaſure. Prouided alwaies & it is &c. ỹ the buying of any ſuch barley, bigge, or otes, as any perſon or perſons (not forſtalling) ſhal buy to conuert into malt or otemeal, in his or their owen houſe or houſes, & ſo ſhalbe conuerted in deede, or the buying of any ſuch thing, by any ſuch fiſhmonger, butcher, or poulter, as concerne his or their owne facultie, craft or miſtery (otherwiſe then by forſtalling) which ſhal ſel the ſame againe vpõ reaſonable prices by retaile, or ỹ taking of any cattel, corne, graine, butter, cheeſe or any other thing aboue mentioned, reſerued without fraude or couin, vppon any leaſe for terme of life or liues, yere or yeres, heretofore made, or hereafter to be made: or the buying of any wyne, or other dead victuall mencioned, being apt & mete for mans ſuſtenance, by any Inholder or other victualler, to ſel the ſame by retaile within his houſe, or to any of his neighbors for their ſuſtenaunce, for reaſonable prises, or the buyinge of any dried or ſalted fiſh, herring or ſprates (not forſtalled) & ſold for reaſonable prices, or ỹ buying of any corne, fiſh, butter or cheeſe by any ſuch badger, loder, kydder, or carter, as ſhalbe aſſigned and allowed to the office or doyng, by three Iuſtices of peace of the countrie where the ſayd badger, lader, kidder, or carter ſhal dwel, which ſhal ſell or deliuer in open faire or market, or to any other victualler, or to any other perſon or perſons for ỹ proviſion of his or their houſe or houſes, ſuch corne, graine, butter and cheeſe, as any ſuch perſon ſhall buy or cauſe to bee bought (& that within one moneth next after he ſhall ſo buy any ſuch corne, graine, butter or cheeſe) ſo that the ſame ſhalbe bought without forſtallinge, or els that any common prouiſion made or hereafter to be made wont fraude or couin by any perſon or perſons, of any of the things aboueſaid, for any Citie borough, or towne corporate, or for prouiſion of victualling of any ſhip, caſtel or fort, within the kinges dominions, without forſtalling, which ſhalbe employed onely to that vſe & purpoſe. Or the buyinge and prouiſion of any of the victuals aboue mẽcioned, neceſſarie and requiſite for ỹ furniture and proviſion of the inhabitants of Calleys, Guynes, & other the marches of the ſame, or of the Towne of Warwike, Holy Iſeland, or the marches of Englãd againſt Scotland, which without fraude or couin ſhalbe tranſported & conueighed, aſſone as wind and weather, may ſerue to ſuch of the places aforeſayd, for the which the ſame ſhalbe ſo prouided: ſhal not be in any wiſe deemed, adiudged or taken any offence contrary to this act. And be it &c. that if any perſon or perſons after the ſaid firſt day of May next comming, hauinge ſufficient Corne and grayne for the prouiſion of his or their owne houſe or houſes, & ſowing of their groũds for one yere, do buy any corne at any faire or market, for the chaunge of his or their ſeede, and do not bringe to the ſame faire or market, ỹ ſame day ſo much Corne as he ſhall fortune to buy for his ſeede, & ſel the ſame if he can as the price of corne then goeth in the ſaid market or faire: that then euery ſuch perſon or perſons ſo buying corne for ſeede, ſhall forfaict and loſe the double value of the corne ſo bought. Or if any perſon or perſons after the ſayd firſt day of May ſhall buy any manner of Oxen, Kyne, Steres, Heifers, Calues, Sheepe, Lambes, Goates or Kiddes liuing, and ſell the ſame againe alive vnles he or they do kepe and feede the ſame by the ſpace of fiue weekes, in hys or their owne

Within one moneth

Common prouiſion

Victualing of ships Caſtel

Callice Barwike Marches

Buy ſeede corne

Forf.

Buy cattel

owne houſes, ground, ferme ground, or els in ſuch grounde or groundes where he or they haue the herbage, or common of paſture, by graunt or preſcription, ẏ thē euery perſon or perſons ſo buying and ſelling againe, ſhal loſe the double value of the cattell, or thinges ſo bought and ſold againe.

Forf. The moitie of all which forfaitures afore reherſed, ſhalbe to ẏ king, & the other moitie to him or them that will ſue &c. in the

Juſt. of peace which &c. Be it &c. that the Juſtices of the peace in euery county within this realme

Wales or Wales, at their quarter Seſſion, ſhal

Enquire Order &c. haue full power and aucthoritye by vertue of this act, to enquire, heare & determine, al & euery the defaults and offences perpetrated, committed or done, contrary to this act, within ẏ county were any ſuch ſeſſions ſhalbe kept, by inquiſition, preſentment, bill, or information before them exhibited, by examination of two lawfull

Witneſſes witneſſes, or by any of ẏ ſame wayes or meanes, by the diſcretion of the ſayd Juſtices, and to make proceſſe thereuppon, as

Proces though they were indicted before them by inquiſition, or by verdict of xij. men or more, & vpon the conuiction of the offendor, (by information or ſuit of any other thē the king,) to make extracts of the one

Extracts moity of the forfaitures to be leuied to the kings vſe, as they vſe to do of other fines, iſſues, and amerciaments, growen in the Seſſions of peace, & to a warde execution of the other moity for the complainat or enformer againſt the offendor, by Fieri facias & capias as ẏ kings Juſtices at weſtminſter may do, and vſe to do. And if any

Fieri fac. Capias

Conuiction void ſuch conuiction or attainder ſhal hereafter happen to be at the kinges ſuit onely, that then the whole forfaitures to be extracted and leuied to the kings vſe only. And it is &c. ẏ whatſoeuer perſon ſhal at any time hereafter be punished by vertue of thys act for any thinge mencioned in this act, that then the ſame perſon ſhall not otherwiſe be vexed, troubled ſued, or put to any paine or punishment for ẏ thinge, wherefore he or they ſhal haue bene ſo punished.

Proviſo Prouided alwaies, and it is enacted by ẏ auctority aforeſaid, that it ſhalbe lawfull to euery perſon or perſons which ſhalbee aſſigned and allowed by thre Juſtices of the peace of the Countye where he ſhall

Licence Juſt. of p. dwel, thereunto, to buy (otherwyſe then by foreſtalling) corne, grayne, or cattell, to be tranſported or caried by water from any port or place within this Realme, or Wales, vnto any other port or place wīn the ſayde Realme or dominions, yf he or they ſhal without fraude or coyn, ſhip or imbarke within forty dayes next after he or they ſhall haue bought the ſame, or taken couenaunt, or promiſe for the buying thereof, and with ſuch expedition and deligence, as wind and weather ſhal ſerue to cary & trāſport the ſame, to ſuch port or place, as his or their cockets ſhall declare, and there do diſbarke, vnlade, and ſell the ſame, and do bring a true certificat thereof, from one Juſtice of peace of the countie, or Maior, or baylife of the towne corporate, where the ſame ſhalbee vnladen, and alſo of ẏ cuſtomer of the port, where ſuch vnlading ſhalbe, of the place, & day, where the ſaid corne or cattel ſhalbe dyſbarked, vnladen & ſold, to be directed vnto the cuſtomer and comptroller of the port where the ſame was embarked: any thing mencioned in this act to the cōtrary notwythſtandinge. And ouer that, that at all tymes hereafter when wheate ſhall bee commonly at the price of vj. s. viij. d. the quarter, or vnder, malt and barley at iij. s. iiij. d. ẏ quarter, or vnder, Otes or Oates malted, at the price of ij. s. the quarter. Peaſe or Beanes at the price of iiij. s. the quarter, or vnder, and rye or meſcelin at the price of v. s. the quarter or vnder (all which quarters ſhalbee entended to be of London meaſure) that then it ſhalbe lawful to euery perſon and perſons (not forſtalling) to buy, engroſſe, & kepe in his or their graneres or houſes, ſuch corne of the kinds aforeſaid, as wout fraude or coyn ſhalbee bought, at or vnder the prices aforeexpreſſed, any thing in this act to ẏ cōtrary not wſtanding. Prouided alwaies & be it &c. ẏ this act or any thing therin cōteined, extend not to charge any perſon or perſōs for any thoffēces aboue mēcioned, vnles he or they be ſued for ẏ ſame wīn ij. yeres next after ſuch offēce done or cōmitted, this act to endure vntil thend of ẏ next parliamēt. Prouided alwaies & be it &c. ẏ it ſhalbe lawful to all & euery of ẏ kinges maieſties ſubiects, now dwelling & inhabiting or that hereafter ſhal dwel or inhabite, within one mile of the maine ſea, to buy al maner of fiſhe, freſh or ſalted (not forſtalling the ſame) and to ſell the ſame againe

Wales

Vnland Certificat Juſt. of p. Maior Bailife Cuſtomer

Wheat vj s. viij. d. the quarter Malt and barley at iij. s. iiij. d. Otes Peaſe Beanes Rye

London meaſure

ij. yeres

Proviſo

Maine ſea Fiſhe

againe at reaſonable prices, this act or any thing therin contained to the contrary in any wiſe notwithſtandinge. Prouided alſo & be it &c. that it ſhalbe lawful to all & euery perſon and perſones, knowen for a common drouer or drouers, beinge licenced, aucthoriſed, & allowed in writing, by thre Juſtices of peace, whereof one to be of the Quorum, of the Countie or cõuties where the ſame drouer or drouers ſhalbee moſt abyding and dwelling, to buy cattell in ſuch ſhires and counties, where drouers haue bene wont in tyme paſt accuſtomablie to buy cattell, at their free lybertie & pleaſure, & to ſel the ſame as is aforeſayd, at reaſonable priſes, in common faires & markets, diſtant from the place or places where he or they ſhal buy the ſame, forty miles at the leaſt, ſo that the ſame cattell be not bought by the way of forſtallinge: this act or any thing therein contained in any wiſe notwithſtanding. Prouided alwaies that ſuch lycence of the Juſtices of the peace ſhal not endure aboue one yere, vnleſſe the ſame bee yerely renued, by ſo many Juſtices as is aforeſayd. An. 5. E. 6. cap. 14.

Prouiſo
Drouer
Licenced
Juſt. of peace
One of the Quorum
Buy cattel
Faires
Markets
Licenced but one yere

☞ This ſtatut was continued vntil An. 8. El. And then vvas diſcontinued. But now it is reuiued againe, & made perpetual by An. 13. El. ca. 25. vvith theſe tvvo prouiſoes & alterations followving. Prouided alwaies &c. ỳ no perſon or perſons ſhalbe a buier, badger, hyder or carrier of corne, cattel, butter, chieſe & ſuch like kind of victual, in no other manner nor forme, nor ſhalbe any other waies admitted or licẽced to be a buyer, badger, hider, or carier as is aforeſaid, then is conteined mencioned and appointed, by a ſtatute made in ỳ fift yere of the raigne of our ſoueraigne lady Quẽne Elizab. (vvhich ſee Corne 7.) And prouided alway, ỳ ỳ ſaid act againſt regrators, forſtallers, & ingroſſers, is not ment to extende, nor ſhal extend, to any wines, oyles, ſugers, ſpices, corants, nor other forrayne victuals, brought, or to bee brought into this realme from beyond ỳ ſeas, fiſh & ſalt only excepted.

Buyer
Licence
Wines
Oyles
Sugers
Spices
Salt

¶ Fraunce & Frenchmen.

AS in the parliament holden at Weſt. in the time of king R. 2. the 13. yere of his raigne, it was ordeined that none Alien Frenchman, ſhoulde haue, nor enioy any benefice, vvithin this realme, for certein cauſes, which might come or happẽ, but that they ſhould bee delyuered & voided for euer out of the realme, before a certain time in the ſaid ordinaunce limitted, as in the ſame is plainlye conteyned. And ỳ at what time ỳ any Priories, aliens, cõuentuel, or any other benefice or office, due by the kings title, do voyd, by ỳ departing, or death of ỳ ſaid priors, & other occupiers, ỳ then there ſhould be during ỳ warres, honeſt Engliſh perſons put in their place to accompliſh ỳ deuine ſeruice, & none of the enemies aforeſaid. And notwithſtanding the ſaid ordinance, the ſaid aliens frenchmen, by euil imagination & bracage, to cõtinue there euil miſchiues, do purchaſe the kings letters patents, to be denizens and the kings leige people, & ſwere ỳ ſame to continue, to the entent to occupy & enioy the ſaid benefices, and ſo yet occupy many benefices againſt the ſayde ordinaunces, where by theſe alyens frenchmen bee encreaſed, in deſtructiõ of the kings leige people, & beare away out of ỳ realme great treaſure of the kings & of the realmes, & ỳ kinges counſel diſcloſe to the enemies of Fraũce to ỳ great damage of ỳ king & his Realme. Our ſoueraigne lord ỳ king cõſidering the ſaid miſchiefe, wil ỳ the ſaid ordinances be firmely holden & kept, & put in due execution, except ỳ priors aliens cõuentual, & alſo all other priors which haue inſtitution & induction, ſo ỳ they be catholike, & that they ſhal find ſurety, not to diſcloſe nor cauſe to be diſcloſed ỳ coũſell nor the ſecrets of the realme, An. 1. H. 5. c. 7. Note vvel that the ſaid ſtat. of 13. R. 2. is not in the printed books of ſtatuts.

Alien Benefice
Priories
Warres
Denizens
L. patents
Benefices Aliens
Priors Catholike
Suerte
Church

¶ Fraunchiſe & Liberties.

WE haue graunted to God, & by this our preſent charter haue confirmed, for vs & our heires, for euermore that the church of England ſhalbe free, & ſhal haue al her holy rights and liberties inuiolable, Magna carta cap. 1.

2 ¶ The citie of London ſhall haue all the old liberties & cuſtomes which it hath bene vſed to haue. Moreouer we will and grant ỳ al other cities, boroughs, townes and the barons of the v. portes, and all other portes haue al their liberties and free cuſtomes

Free
London
Townes
Barons of v. portes,

cuſtomes. Magna carta ca. 9.

Archbiſhops Biſhops Spirituall perſons Temporall perſons

3 ¶ Reſeruing to al Archbiſhops, biſhops, abbots, priors, Templers, Hoſpitlers, Earles, barons, and al perſons aſwel ſpiritual as temporall, all their liberties & frée cuſtoms, which they haue had in time paſt. And all theſe cuſtomes & liberties aforeſayd which we haue graunted to bée holdē within this our realme as much as appertaineth to vs & our heires, wée ſhall obſerue. And al men of this our realme as wel ſpiritual as temporal (as much as in them is) ſhal like wiſe obſerue the ſame, againſt al perſons. And we haue graunted vnto them on the other part, that neither we nor our heires ſhall procure or do any thing wherby the liberties in this charter ſhalbee infringed or broken. And yf any thing be procured by any perſon contrary to ỳ premiſſes, it ſhalbe holden of no force ne effect. Mag. carta. cap. 37.

Quo warranto

4 ¶ For aſmuch as writs of Quo warranto, & iudgement geuen vppon pleas of the ſame, were greatly delayed, becauſe ỳ iuſtices in géeuinge iudgement were not certified of the kings pleaſure therin. Our ſoueraigne lord the king, at his parliamēt holden at Weſtminſter after the feaſt of Eaſter the xviii. yere of his raigne, of hys ſpecial grace, & for the ſinguler affection ỳ he beareth vnto his prelats, Earles, & barons, and other of his realme: hath graūted that al, vnder his allegeamce, as wel ſpirituall as other, which can proue & verifie by enqueſt in the entre, or other wyſe that they and their anneſtors or predeceſſors, haue vſed any maner liberttes, wherof they were impleded by the ſayd writs before the time of king Richard our coſin, or in our time, and haue continued hitherto (ſo that they haue not miſuſed ſuch liberties) that the parties ſhalbe adiourned further vnto a certaine day reaſonable before the ſame Iuſtices, within the which they may go to our ſoueraigne Lord the kinge with the Record of the Iuſtices ſigned wỏ his ſeale, and alſo returne. And the kinge by his letters patents ſhal confirme their eſtate. And they that can not proue ỳ ſeyſon of their anneſtors, in ſuch maner as is before declared, ſhalbee ordred and iudged after the law and cuſtome of the Realme, and ſuch as haue ỳ kings chartors, ſhalbe iudged according to their chartors. Moreouer ỳ king of his ſpecial grace hath graunted that al iudgementes that are to be geuen in pleas of Quo warranto, by his iuſtices at weſtminſter, after the foreſaid Eaſter, for the king him ſelfe, yf the parties grœued will come agayne before the king, he of his grace ſhal geue thē ſuch remedy, as before is mencyoned. Alſo our ſoueraigne Lord hath graunted, for ſparing the coſts and expences of his people, that pleas of Quo warranto, from henceforth ſhalbée pleaded & determined in the circuit of the Iuſtices, and that all pleas now depending ſhalbe adiourned into the ſhires vntil the cōming of ỳ Iuſtices into thoſe parties. An. 18. E. 1.

Proue Enqueſt

Diorned

L. patentes

Iudgement

Remedy

5 ¶ Where as prelates, Earles, Barons, & other of our realme, that claime to haue diuers liberties, which to examine & iudge, ỳ king had prefired a day to ſuch prelats, Earles, barons & other. It is prouided, agréed, & ordeined, ỳ the ſaid prelats, Earles, barōs & other, ſhal vſe ſuch maner of liberties, after the forme of ỳ writ here following. Rex vic. ſalutē. Cum nuper in parliamento noſtro apud Weſt. per nos et conſiliū noſtrum prouiſū ſit et proclamatū, qd' prelati, comites, barons, et alij de regno noſtro, qui diuerſas libertates per cartas progenitorū noſtrorū regū Anglię habere clamant, Ad quas examinandas & iudicandas diē pfixerimus in eodem parliamento, libertatibus illis taliter vterentur qd' nihil ſibi per vſurpationē ſeu occupationē accreſſerent, nec aliquid ſup nos occuparent. Tibi precipimus, qd' omnes illos de cōm tuo libertatibus ſuis quibus hucuſque rationabiliter vſi ſunt, vti et gaudere permittas in forma prędicta, vſque ad pximū aduentū noſtrum per comitatum prędictum, vel vſque ad proximū aduentum iuſticiariorū itinerantium ad omnia placita in comitatu, vel donec aliud inde preceperimus, ſaluo ſemp iure noſtro, cum inde loqui voluerimus. Teſte. &c. In like maner, & in the ſame forme writs ſhalbée directed to Sheriffes & other bailifs for euery demaundant, & the forme ſhalbe changed after ỳ diuerſity of the liberty which any man claimeth to haue in thys wyſe. Rex vic. ſalutem. Prēcipimus tibi, qd' per totā balliuā tuā, videlicet tā in ciuitatibus quā in burgis, et aſijs villis mercatoris et alibi, publice proclamari facias qd' omnes illi qui aliquas libertates per cartas progenitorum noſtrum regum Angliæ, vel alio modo

Prelates

Earles Barons

Sheriffes

modo habere clamant, ſint coram iuſticiarijs noſtris ad primâ aſſiſam, ad oſtendendum cuiuſmodi libertatis habere clamãt, et quo warranto, et tu ipſe ſis ibidẽ perſonaliter cum balliuis et miniſtris, ad certificãdum ipſos iuſticiarios ſuper his et alijs negocijs illud tangentib⁹. This clauſe of liberties ẏ beginneth in this wiſe. Pręcipim⁹ tibi qd' publice proclamari facias &c. is put in the writ of cõmon ſomons of the Iuſtices in eire, & ſhal haue a præmonitiõ or warnig before, by ẏ ſpace of xl. dayes as ẏ cõmon ſummons hath, ſo ẏ if any party that claimeth to haue libertie, be afore the king, it ſhall not bée in default before any Iuſtices in their circuites: for the kinge of his ſpecial grace hath graũted, that he wil ſaue ẏ partie harmeles as concerning the ordinance. And if the ſame partie bee impleded vpõ ſuch maner of libertes before one or two of the forſaid Iuſtices, ẏ ſame Iuſtices, before whom ẏ party is impleaded ſhal ſaue him harmeles before ẏ other Iuſtices. And if the forſaid partie bee afore the kinge ſo that he cannot be ẏ ſame day afore ẏ ſaid Iuſtices in their circuits, the king ſhal ſaue that partie harmles before the forſaid Iuſtices in their circuits for the day, where as hee was before the king. And if he do not come in at the ſame day then thoſe liberties ſhalbe taken into the kings hands, in name of diſtreſſe, by the ſherife of the place, ſo ẏ they ſhall not vſe them vntill they come to aunſwer before ẏ Iuſtices. And when they do come in by diſtres, their liberties ſhalbe repleuiſhed (if they demaund thẽ) in ẏ which rep'euins they ſhal aũſwer immediatly after the forme of the writ aforeſaid: and if perchaſe they wil challenge & ſay that they are not bounden to aunſwere in the original writ, then if it may appeare by any meane, that they haue vſurped any liberties vpon the king or his predeceſſours, of their own head or preſumption, they ſhal be commaunded to aunſwer incontinent without writ. And moreouer they ſhall haue ſuch iudgement, as the court of our ſouereigne lord the king wil award. And if they will ſay further, that their auncẽſtours died ſeiled therof, they ſhalbe heard: & the truith ſhalbe inquired incontinent, & according to that, iudgement ſhalbe geuẽ. And if it appeare, that their auncẽſtours dyed ſeyled therof, then the kinge ſhall haue a writ out of the Chauncery in this fourme. Rex vicec. ſalutem. Sum̃ per bonos ſummoñ talẽ, quod ſit coram nobis apud talem locũ in proximo aduentu noſtro in comitatu prædicto, vel coram iuſticiarijs noſtris ad proximam aſſiſam, cum in partes illas venerint, oſtenſurus quo warranto tenet viſũ frãcipleg. in manerio ſuo de N. Vel ſic: quo warranto tenet hũdredũ de S. in comitatu p̃dicto, vel quo warranto clamat haber' theloniũ pro ſe et heredibus ſuis, per totũ regnum noſtrum. Et habeas ibi hoc breue, Teſte &c. And yf they come in at the ſame day, they ſhall aunſwer, & if they do not come, nor be eſſoined before the king, & the kinge do tary longer in the ſame ſhire, ſuch order ſhalbe taken as is in the circuit of Iuſtices. And if the kinge depart from the ſame ſhire, they ſhalbee adiourned vnto ſhort dayes and ſhall haue reaſonable delayes, according to the diſcretyon of the Iuſtices, as it is vſed in perſonall actions. Alſo the iuſtices errant in their circuit, ſhal do according to the forſaid ordinance, & according as ſuch manner of pleas ought to be ordred in ẏ circuit. Concerning cõplaints made and to be made of the kings baliffes & of other, it ſhalbe done accordinge to the ordinance made before, & therupon according to the enqueſts taken therupon heretofore, & the clauſe ſubſcribed ſhalbe put in a writ of comon cũmons in the circuit of the Iuſtices aſſigned to cõmon pleas directed to the ſherife &c. & that ſhalbe ſuch. Rex vicecomiti ſalutem. Precipimus tibi, quod publice proclamari facias, quod õnes conquerentes ſeu conqueri volentes, tam de miniſtris et alijs balliuis noſtris qui buſcunque, quã de miniſtris et balliuis aliorum quorumcunque & allijs, veniant coram iuſticiarijs noſtris ad primam aſſiſã, ad quaſcunque quẽrimonias ſuas ibidem oſtendendas, ad cõpetentes emendas inde recipiendas ſecundũ legẽ et conſuetudinem regni noſtri, et iuxta ordinationem per nos inde factã, et iuxta tenorem ſtatutorum, et iuxta articulos eijſdem iuſticiarijs noſtris inde traditos, put prędicti iuſticiarij tibi ſcire faciant ex parte noſtra, teſte me ipſo, &c. decimo die Septembris Anno regni noſtri trigeſimo. An. 30. E. 1.

6 ¶ Concerning the writ which is called Quo warranto, it was eſtabliſhed by our Lord the king, vpon the feaſt of Pen-

Sommons

xl. dates

Iuſtices

Diſtres
Sherife

Replevin

Vſurpe

Iudgement

Auncẽſtors

Dayes

Iuſtices errant

Complaints

Quo warranto

tecoſt

tercost in the xviij. yere of his raigne, that al thole which claimed to haue quiet libertie and fraunchise, before the time of king Richarde without interruption, and can she we the same by lawfull enquest, shall well enioy their possession, & in case that such possession be demaũded for cause reasonable, the king shal confirme it by tittle. And these that haue old charters of fraunchise, shal haue the same charters allowed accordinge to the tenour and fourme of them, & these that haue lost their liberties sithence Easter last past, by the forelayd writ, accordinge to the course of pleading in the same writ heretofore vsed, shall haue restitution of their fraunchises lost. And from hencefoorth they shal haue according to the nature of this present constitution. An. 18. E. 1. stat. de Quo warrãto nouum.

Confirme

Restitution

7 ¶ Wee will & graunt, for vs and our heires, that al clerkes and lay men of our land, shal haue there lawes, liberties, and frée customes, as largely & wholy as they haue vsed to haue ẏ same at any time whẽ they had them best. And if any statutes haue ben made by vs or our auncestors, or any customes brought in, contrary to thẽ, or any maner article cõtained in this present charter, we will & graunt ẏ such maner of statuts & customes shalbe void and frustrate for euermore. statut de tallagio non concedendo.

Clerkes Lay men

Void

8 ¶ The cities, boroughs, & franchised townes, shal enioy their franchise custõs & vsages as they ought & were wont to do An. 1. E. 3. ca. 9.

Cities Townes

9 ¶ Holy church shal haue her liberties in quietnes, without interruption or dysturbance. And that ẏ great charter & the charter of the forest be holden in al points. And ẏ the Citie of London & al other cyties & boroughs of the realme of Englãd haue al their franchises & customes, which they haue reasonably had & vsed in tymes past. An. 14. E. 3. ca. 1.

Church

London Cities

10 ¶ That all priuiledges & fraunchises graunted heretofore to ẏ Clergy, be cõfirmed & holden in al pointes. An. 25. E. 3. ca. 1. sta. 3.

Clergie Confirme

11 ¶ The church of England shal haue al her liberties whole & vnhurt, & ẏ same fully enioy & vse. An. 6. R. 2. ca. 1. et An. 6. R. 2. sta. 2. ca. 1.

Church

12 ¶ Holy church shall haue & enioy all her liberties & franchises, as wholy as she hath had & enioyed thẽ in the tyme of our noble progenitors. An. 7. R. 2. ca. 1. An. 3. R. 2. ca. 1. An. 2. R. 2. sta. cap. 1.

Church

13 ¶ Holy church shal haue & enioye al her libertie & frãchises wholy. An. 5. R. 2. ca. 1. An. 8. R. 2. ca. 1. An. 12. R. 2. ca. 1.

14 ¶ An. 21. R. 2. ca. 1. all liberties and franchises were confirmed, but this parliament was repealed by 1. H. 4. ca. 3.

Repealed Church

15 ¶ Holy church shal haue and enioye all ryghtes lyberties and fraunchises entierly, and without emblemishinge. An. 1. H. 4. cap. 1. An. 1. R. 2. cap. 1. An. 5. E. 3. cap. 2.

Church

16 ¶ That holy church haue her ryght and liberties, and ẏ al the lords spiritual & temporal, & al the Cities, Boroughs, and townes enfranchised, haue & enioy al their liberties & fraunchises, whych they haue duely vsed, & which they haue of his noble progenitors & predecessors kings of Englande. An 2. H. 4. cap. 1. An. 1. H. 4. cap. 1. An. 7. H. 4. cap. 1.

Church Lordes

Cities Townes

17 ¶ That holy Church haue all her liberties & fraunchises, & that al the Lordes spiritual and temporall, & other the kings leige people, hauing liberties and franchises, & al cities, & boroughs of this realme, haue and enioy al their lyberties & fraunchises, which they haue of the grauntes of the progenitors of our soueraigne Lord ẏ kinge, and of his owne graunt or confirmation, except the fraunchise nowe late graunted to the Scholliers of the Vniuersitie of Oxford. An. 9. H. 4. ca. 1. & An. 13. H. 4. cap. 1.

Church Lordes

Cities Boroughs

18 ¶ That holy Church haue all her liberties & fraunchises, and that the lords spirituall and temporal, and other ẏ kings leyge people haunge lyberties and franchises, and al the Cities and Boroughes of the Realme, haue and enioy all their liberties and franchises, which they haue had of the grauntes of the kings progenitors, and of the confimation of the same our soueraigne lord the king, or his owne graunt: Except alwayes those fraunchises and liberties, which bee repealed in this present Parlyament, and those that be repealed by the common lawe. An. 3. H. 5. ca. 1.

Church Lordes

Leige people

Cities

Repealed

19 ¶ Holy church, and al the lords spirituall and temporal, and al other the kings people hauing liberties & fraunchises, and also al the Cities, & boroughes shall haue and

Church Lords

Cities Boroughs

and enioy all their liberties, & fraunchises well vsed, & not repealed nor by ỳ cõmon law repealable. An. 2. H. 6. ca. 1.

☞ 20 ¶ Where diuers of the most auncięt prerogatiues & auctho:itie of iustice, appertainynge to the imperiall crowne of this realme, haue bene seuered & taken frõ the same, by sundry gifts of ỳ kings most noble progenito:s kings of this Realme to the great deminution & detriment of ỳ royal estate of the same, & to the hinderãce & great delay of Justice. For reformation wherof be it it &c. that no person or persõs, of what estate or degrẽ soeuer they be of, from the first day of July which shall be in the yere of our lord God 1536. shall haue any power or auctho:ity, to pardon or remit, any treasõ, murders, manslaughters, or any kinds of felonies whatsoeuer they be, nor any accessaries to any treasons, murders, manslaughters, or any vtlaries, for any such offences afo:esaid, cõmitted, perpetrated, done or deuulged, or hereafter to be committed, don, & deuulged, by or against, any person or persõs in any parties of this realme, Wales, or ỳ marches of ỳ sãe: but ỳ the kings highnes, his heires & succesſo:s kinges of this realme, shal haue the whole & sole power & auctho:itie therof, vnited & knit to ỳ imperiall crowne of this realme, as of good right & equitie it appertaineth, any grãts, blages, pre:scription, act or acts of parlyament, or any other thing to the contrarye hereof notwithstanding. And be it &c. that no person or persons of what estate degrẽ, or condition, soeuer they be, from ỳ said first day of July, shal haue any power or auctho:ity to make any Justice of Eire Justices of assise, Justices of peace, or Justices of gaole delyuery, but that al such officers & ministers shalbe made by letters patents vnder the kings great seale, in ỳ name & by auctho:itie of the kings highnes, and his heires kings of this Realme in al shires, coũtyes Palantine, and other places, of this realme, Wales, & marches of ỳ same, or in any other his dominions, at their pleasures & wils, in such maner & fourme, as Justices of eire, Justices of assise, Justices of peace, & Justices of gaole delyuery, be cõmonly made in euery shire of this Realme, any graunts, blages, pre:scriptions, allowãces, act or acts of parliament, or any other thing or things, to the contrary therof notwithstanding. And be it &c. that al original writs & iudiciall writs, & al manner of indictmentes of treason, of felony & trespas, & al manner of prꝛces to be made vpon the same in euery countye Palantine of Englande, Wales, & marches of the same, shall from the sayd first day of July, be made only in the name of our said soueraigne Lord the kinge, & hys heires kings of England. And that euery person or persons hauing such coũtie Palantine, or any other such libertie to make such originals, iudicials, or other prꝛces of Justice, shal make the Teste, in the sayde original writs & iudicial, in the name of ỳ same person or personnes that haue such countie palantine, or libertie. And ỳ in euery writt & indictment, ỳ shalbee made within any such countie Palantine or liberte, after the said first day of July nert comming, wherby it shalbe supposed any thing to be done against the kinges peace: shalbe made & supposed to be done only against the kings peace, his heires & succesſo:s: & not against the peace of any other person or persõs whatsoeuer they be, any act of parliamẽt, graunt, customes, blage, or allowance, in eire before this time had, graunted, or vsed, to the contrary notwithstanding. Prouided alwaies ỳ Justices of of assise, Justices of gaole deliuery, & Justices of peace to be made & assigned by the kings highnes, within the countie Palantine of Lancaster, shalbe made and ordeined by cõmission vnder the kinges vsuall seale of Lancaster, in manner & forme as hath bene accustomed: any thing in thys act to the cõtrary notwithstanding. Prouided also that al cities, boroughs & towns corporat, within this realme, which haue libertie power and auctho:itie to haue Justices of peace, or Justices of gaole deliuerie, shal still haue & enioy their liberties & auctho:ities in that behalfe, after such like maner as they haue bene accustomed, wõ, out any alteration by occasion of this act, any thinge in this acte, or in any artycle therin contained, to the contrary thereof notwithstanding. And it is &c. that al stewardes, bailifes, or other ministers of any liberties or frãchises, which in time passed haue vsed or ought to haue tended, vpon ỳ Justices of assise, Justices of gaole deliuerie, and Justices of peace, at large in any county, shalbe attendant to ỳ Justices of assise,

Pardon Treasons Murders Felonies

Wales

king

Crowne

Make any Justices

L. patentes

County pa.

Crimal Writs Indictments Prꝛces

Teste Name

Indictment

Kings peace

Just. of assi. Just. of gaole Just. of peace

Cõmission Seale of Lanc.

Cities Boroughs

Stewardes Bailifes Officers

Juſtices Juſt. of p.

Execute Proces

Baſtike Deputie Sheriffe

Citie Townes

King

Fines Iſſues

Stewards Baillifes

Proces

Contempt

Amerciamẽts

Pumeyors

Victuales

Cõmiſſions

aſſiſe, Juſtices of gaole delinerie, & Juſtices of peace of the ſame ſhire, wherein ſuch liberties & franchiſes be, & make due execution of al proces to thẽ to be directed for miniſtration of Juſtice, wõin ſuch liberties or franchiſes. And that alſo al ſuch Bailifes or their deputies or deputy, ſhal gæue their attendance & aſſiſtance vpon the ſherife, together with ẏ ſherifes bailifes, at al courts of gaole delinery, frõ time to time, for execution of priſoners, according to Juſtice. Prouided alway, ẏ the article next aboue reherſed, ſhal not in any wiſe be preiudicial to any ſtewardes or bailifes of any cities, boroughs, or townes corporat, let in any ſhire of this realme, which haue priuiledge ẏ they ſhould not be compelled to attẽd or appeare out of ſuch cities, boroughs, or towns wherin they inhabit, but that euery ſuch citie, borough, & towne corporat, ſhall vſe their ſayd priuileges & liberties, as heretofore hath bẽ accuſtomed: any thing in any of ẏ articles aboue reherſed, to ẏ contrarie therof notwithſtanding. And it is &c. ẏ the king our ſoueraigne lord, his heires & ſucceſſors, kings of this realme, from the ſaid firſt day of July next cõming, ſhal haue al maner fines, iſſues, amerciamẽts, & forfaitures ẏ ſhalbe loſt, forf. or aſſeſſed, by, or vpon any ſtewards, bailifes, or other miniſters, or officers of any franchiſes or liberties, for non execution, or miſexecution, or inſufficient returnes of ſuch writs, warrãts, precepts, or other proces, which to them or any of them, or to any their deputie or deputies, ſhalbe directed, or for any contẽpt or other miſdemenor what ſoeuer it be, cõcerning their offices, in, & for ẏ due execution or adminiſtration of iuſtice: any grant or allowance, or other thing to ẏ contrarie hereof notwithſtanding. And that ẏ amerciaments for inſufficient returnes of writs, or other proces made by ẏ ſtewards or bailifes of liberties or franchiſes, having returne of writs & execution of ẏ ſame, ſhal be put & ſet vpon ẏ heads of ſuch ſtewards, or bailifs, & not vpon ẏ ſhiriffes. And further more it is enacted by &c. ẏ purueiors aſſigned by ẏ kings cõmiſſion, for prouiſions for his grace, the Quẽne, & their children, ſhall & may prouide al vittels, corne, & other kind of things what ſoeuer it be, according to their commiſſions, aſwell wõin liberties & franchiſes, as without, any grãts, allowances, or other thing to the contrarie or let thereof notwithſtanding. Prouided alwaies, that ſuch purueiors ſhall obſerue the ſtatutes for them prouided in euery behalfe. And ouer this it is &c. ẏ in al ſuch places, wher ſoeuer the kings highnes in his owne moſt royall perſon, ſhall come to reſt, tarry, abide, or make his repoſe, wõin this realm, or any his dominions, wõin the libertie or wont, there & wõin the verge limitted & accuſtomed to his graces Court, during the time of his abode, his grace, his ſteward, Marſhal, Coroner, & al other his miniſters, ſhall & may kæpe their courts for Juſtice, & exerciſe their offices, as ſhal appertaine to thẽ, according to ẏ lawes, cuſtomes, & ſtatuts of this Realme, aſwel wõin liberties as without. And that his graces Clerks of ẏ Market, & none other during the ſame time, aſwel wythin liberties as wont, ſhall exerciſe the office of a clerk of the market: any priuiledge, graũt, allowãce, or other thing to ẏ contrary hereof notwithſtanding. Prouided alway, ẏ thys article nert afore reherſed, or any thyng ther in contained, be not in any wiſe preiudiciall to ẏ city of London, but ẏ the ſame city ſhal haue & vſe ſuch liberties, as they mought, if theſe articles had neuer ben made. And be it &c. ẏ al & euery ſtatut, act, & acts, heretofore made & being in force againſt ſheriffs, their vnderſheriffes, bailifs, or other miniſters, of making or returnyng of panels or iuries, for due executiõ & ſeruing of any writs or other proces, or for taking of fees, or for reformation of extortions, or for any other thing or things concerning their offices, & all penalties cõtained in euery ſuch ſtatut, ſhal from henceforth be extended to al ſtewards, bayliffs, & other miniſters & officers of liberties & fraunchiſes, having returnes of writs and executions thereof, in like maner forme & condicion, as they extende to ſheriffes, their vnderſheriffes, bailifes, & other miniſters, & as if the ſaid ſtewards, bailifes, & other miniſters, or officers, of liberties & franchiſes had ben ſpecially & particulerly named & reherſed in ſuch ſtatuts. Prouided alway, that this article nert aboue reherſed, ſhal not bee preiudicial to any Steward, Bailifs of frãchiſes, or to their deputies, or their clerkes, for exerciſing & occupying their office ouer & aboue one yeare: but that they & euery of them may kæpe & occupie their ſaid office, for ſo long time, as they be, or hereafter ſhal be gæuen to them, as if this article nert afore reherſed had neuer ben made, any of ẏ ſaid actes, to be expounded & taken againſt them, or any of thẽ, to the contrarie thereof notwithſtanding. And it is &c. that all ſuch

Kk A.j. Juſtices

Kẽ. perſon

Verge

Steward Marſhal Coroner Courts

Clerkes of the Market

London

Sheriffs

Returning of Iuries

Fees

Penalties

Steward Bailife

and enioy all their liberties, & fraunchises well vsed, & not repealed nor by ỳ cõmon law repealable. An. 2. H. 6. ca. 1.

☞ 20 ¶ Where diuers of the most auncient prerogatiues & authorities of iustice, appertainynge to the imperiall crowne of this realme, haue bene seuered & taken frõ the same, by sundry gifts of ỳ kings most noble progenitors kings of this Realme to the great deminution & detriment of ỳ royal estate of the same, & to the hinderãce & great delay of Justice. For reformation wherof be it it &c. that no person or persõs, of what estate or degrẽ soeuer they be of, from the first day of July which shall be in the yere of our lord God 1536. shall haue any power or authority, to pardon or remit any treasõ, murders, manslaughters, or any kinds of felonies whatsoeuer they be, nor any accessaries to any treasons, murders, manslaughters, or any vtlaries, for any such offences aforesaid, cõmitted, perpetrated, done or demuged, or hereafter to be committed, don, or demuged, by or against, any person or persõs in any parties of this realme, Wales, or ỳ marches of ỳ sãe: but ỳ the kings highnes, his heires & successors kinges of this realme, shal haue the whole & sole power & authoritie therof, vnited & knit to ỳ imperiall crowne of this realme, as of good right & equitie it appertaineth, any grãts, vsages, prescription, act or acts of parlyament, or any other thing to the contrarye hereof notwithstanding. And be it &c. that no person or persons of what estate degrẽ, or condition, soeuer they be, from ỳ said first day of July, shal haue any power or authority to make any Justice of Eire Justices of assise, Justices of peace, or Justices of gaole delyuery, but that al such officers & ministers shalbe made by letters patents vnder the kings great seale, in ỳ name & by authoritie of the kings highnes, and his heires kings of this Realme in al shires, cõtyes Palantine, and other places, of this realme, Wales, & marches of ỳ same, or in any other his dominions, at their pleasures & wils, in such maner & fourme, as Justices of eire, Justices of assise, Justices of peace, & Justices of gaole delyuery, be cõmonly made in euery shire of this Realme, any graunts, vsages, prescriptions, allowãces, act or acts of parliament, or any other thing or things, to the contrary therof notwithstanding. And be it &c. that al original writs & iudicial writs, & al manner of indictmentes of treason, of felony & trespas, & al manner of proces to be made vpon the same in euery countye Palantine of Englande, Wales, & marches of the same, shall from the sayd first day of July, be made only in the name of our said soueraigne Lord the kinge, & hys heires kings of England. And that euery person or persons hauing such cõtie Palantine, or any other such libertie to make such originals, iudicials, or other proces of Justice, shal make the Teste, in the sayde original writs & iudicial, in the name of ỳ same person or personnes that haue such countie palantine, or libertie. And ỳ in euery writt & indictment, ỳ shalbee made within any such countie Palantine or lybertie, after the said first day of July next comming, wherby it shalbe supposed any thing to be done against the kinges peace: shalbe made & supposed to be done only against the kings peace, his heires & successors: & not against the peace of any other person or persõs whatsoeuer they be, any act of parliamẽt, graunt, customes, vsage, or allowance, in eire before this time had, graunted, or vsed, to the contrary notwithstanding. Prouided alwaies ỳ Justices of of assise, Justices of gaole delyuery, & Justices of peace to be made & assigned by the kings highnes, within the countie Palantine of Lancaster, shalbe made and ordeined by cõmission vnder the kinges vsuall seale of Lancaster, in manner & forme as hath bene accustomed: any thing in thys act to the cõtrary notwithstanding. Prouided also that al cities, boroughs & towns corporat, within this realme, which haue libertie power and authoritie to haue Justices of peace, or Justices of gaole delyuerie, shal still haue & enioy their liberties & authorities in that behalfe, after such like maner as they haue bene accustomed, wõ, out any alteration by occasion of this act, any thinge in this acte, or in any article therin contained, to the contrary thereof notwithstanding. And it is &c. that al Stewardes, bailifes, or other ministers of any liberties or frãchises, which in time passed haue vsed or ought to haue tended, vpon ỳ Justices of assise, Justices of gaole delyuerie, and Justices of peace, at large in any county, shalbe attendant to ỳ Justices of assise,

Pardon Treasons Murders Felonies

Wales

King

Crowne

Make any Justices

L. patentes

County pa.

Kings name

Teste Name

Indictment

Kings peace

Iust. of all. Iust. of gaole Iust. of peace

Cõmission Seale of Lanc.

Cities Boroughs

Stewardes Bailifes Officers

Original Writs Indictments Proces

Juſtices Juſt. of p.

Execute Proces

Bailifs Deputie Sherife

Citie Townes

King

Fines Iſſues

Stewards Bailifes

Proces

Contempt

Amerciaments

Purueyors

Victuales

Cõmiſſions

aſſiſe, Juſtices of gaole delinerie, & Juſtices of peace of the ſame ſhire, wherein ſuch liberties & franchiſes be, & make due execution of al proces to thẽ to be directed for miniſtration of Juſtice, wõin ſuch liberties or franchiſes. And that alſo al ſuch Bailifes or their deputies or deputy, ſhal gæue their attendance & aſſiſtance vpon the ſherife, together with ỳ ſherifes bailifes, at al courts of gaole delinery, frõ time to time, for execution of priſoners, according to Juſtice. Prouided alway, ỳ the article next aboue reherſed, ſhal not in any wiſe be preiudicial to any ſtealwardes or bailifes of any cities, boroughs, or townes corporat, let in any ſhire of this realme, which haue priuiledge ỳ they ſhould not be compelled to attẽd or appeare out of ſuch cities, boroughs, or towns wherin they inhabit, but that euery ſuch citie, borough, & towne corporat, ſhall vſe their ſayd priuileges & liberties, as heretofore hath bẽ accuſtomed: any thing in any of ỳ articles aboue reherſed, to ỳ contrarie therof notwithſtanding. And it is &c. ỳ the king our ſouereigne lord, his heires & ſucceſſors, kings of this realme, from the ſaid firſt day of July next cõming, ſhal haue al maner fines, iſſues, amerciamẽts, & forfaitures ỳ ſhalbe loſt, forf. or alſeſſed, by, or vpon any ſtewards, bailifes, or other miniſters, or officers of any franchiſes or liberties, for non execution, or miſexecution, or inſufficient returnes of ſuch writs, warrãts, precepts, or other proces, which to them or any of them, or to any their deputie or deputies, ſhalbe directed, or for any contẽpt or other miſdemenor what ſoeuer it be, cõcerning their offices, in, & for ỳ due execution or adminiſtration of Iuſtice: any grant or allowance, or other thing to ỳ contrarie hereof notwithſtanding. And that ỳ amerciaments for inſufficient returnes of writs, or other proces made by ỳ ſtewards or bailifes of liberties or franchiſes, hauing returne of writs & execution of ỳ ſame, ſhal be put & ſet vpon ỳ heads of ſuch ſtewards, or bailifs, & not vpon ỳ ſhiriſes. And further more it is enacted by &c. ỳ purueiors aſſigned by ỳ kings cõmiſſion, for prouiſions for his grace, the Quéene, & their children, ſhall & may prouide al vittels, corne, & other kind of things what ſoeuer it be, according to their commiſſions, aſwell wõin liberties & fraunchiſes, as without, any grãts, allowances, or other thing to the contrarie or let thereof notwithſtanding. Prouided alwaies, that ſuch purueiors ſhall obſerue the ſtatutes for them prouided in euery behalfe. And ouer this it is &c. ỳ in al ſuch places, wher ſoeuer the kings highnes in his owne moſt royall perſon, ſhall come to reſt, tarry, abide, or make his repoſe, wõin this realm, or any his dominions, wõin the libertie or wont, there & wõin the verge limitted & accuſtomed to his graces Court, during the time of his abode, his grace, his ſteward, Marſhal, Coroner, & al other his miniſters, ſhall & may kæpe their courts for Juſtice, & exerciſe their offices, as ſhal appertaine to thẽ, according to ỳ lawes, cuſtomes, & ſtatuts of this Realme, aſwel wõin liberties as without. And that his graces Clerks of ỳ Market, & none other during the ſame time, aſwel wythin liberties as wont, ſhall exerciſe the office of a clerk of the market: any priuiledge, graũt, allowãce, or other thing to ỳ contrary hereof notwithſtanding. Prouided alway, ỳ thys article nert afore reherſed, or any thing ther in contained, be not in any wiſe preiudiciall to ỳ city of London, but ỳ the ſame city ſhal haue & vſe ſuch liberties, as they mought, if theſe articles had neuer ben made. And be it &c. ỳ al & euery ſtatut, act, & acts, heretofore made & being in force againſt ſheriks, their vnderſheriſes, bailifs, or other miniſters, of making or returning of panels or iuries, for due execution & ſeruing of any writs or other proces, or for taking of fees, or for reformation of extortions, or for any other thing or things concerning their offices, & all penalties cõtained in euery ſuch ſtatut, ſhal from henceforth be extended to al ſtewards, bayliſs, & other miniſters & officers of liberties & fraunchiſes, hauing returnes of writs and executions thereof, in like maner forme & condition, as they extende to ſheriſes, their vnderſheriſes, bailifes, & other miniſters, & as if the ſaid ſtewards, bailifes, & other miniſters, or officers, of liberties & franchiſes had ben ſpecially & particulerly named & reherſed in ſuch ſtatuts. Prouided alway, that this article nert aboue reherſed, ſhal not be preiudicial to any Steward, Bailifs of frãchiſes, or to their deputies, or their clerkes, for exerciſing & occupying their office ouer & aboue one yeare: but that they & euery of them may kæpe & occupie their ſaid office, for ſo long time, as they be, or hereafter ſhal be gæuen to them, as if this article nert afore reherſed had neuer ben made, any of ỳ ſaid actes, to be expounded & taken againſt them, or any of thẽ, to the contrarie thereof notwithſtanding. And it is &c. that all ſuch

R. perſon

Verge

Steward Marſhal Coroner Courts

Clerkes of the Market

London

Sheriffs

Returning of Iuries

Fees

Penalties

Steward Bailife

Juſtices

Juſtices to be made, as is afore rehearſed in this act, ſhal haue auctho:ity & power, to

Seſſions of peace Gaoles

kæpe & hold their Seſſions of peace, & to deliuer ẏ ſame gaoles from time to time only

Juſt. of p.

wiñ the ſame liberties & franchiſes, and in ſuch places, & in none other place, by reaſon & auctho:itie of ẏ commiſſion: & to do & execute al other things within the ſame, in as ample and large maner, as any other Juſtices of peace, & gaole deliuerie, in any ſhire within this realme may do, & haue auctho:ity to do: any act, graunt, vſe, cuſtome, and allowance heretofo:e had, made, o:, vſed, o: any article in thys p:eſent acte made to the contrarie notwithſtanding. P:ouided alwaies, that all and ſinguler Juſtice of the peace, gaole deliuerie, and aſſiſe hereafter to be made, named and appointed by the

Juſt. of p.

kings highnes, his heires and ſucceſſo:s, wi in any libertie, where any ſuch Juſtice of

Juſtices

peace, gaole deliuerie, o: aſſiſe, o: any of thẽ haue bẽ made by any perſon o: perſons, by

L. patents

ver tue o: auctho:itie of any letters patents, of the gift o: graunt of our ſoueraigne Lo:d ẏ king, o: his moſt noble p:ogenito:s kings of this realme, o: other wiſe, ſhall ſit & kæpe

Seſſions

their Seſſions, gaole deliueries, and aſſiſes, only in ſuch place & places, as the Juſtices of the ſaid liberties lately haue commonly vſed within the ſaid liberties. And that no perſon o: perſons, within the ſaid liberties, o: any of them, ſhalbe hereafter in no wiſe compelled by auctho:itie of this acte, to appeare out of the ſaid liberties befo:e any o-

Juſt. of aſſ. Juſt. of g. Juſt. of p.

ther Juſtices of aſſiſe, gaole deliuery, o: of ẏ peace: then befo:e ſuch Juſtices, as ſhalbe named & aſſigned to ſit, & be by the kinges highnes, his heires & ſucceſſo:s, within the ſaid liberties, in fo:me aboueſaid. And that this act ſhal not extend o: be expounded o: taken to any other libertie, p:iuilege, o: franchiſe, graunted, vſed, o: had to any perſon o: perſons, other then befo:e in this p:eſent act is exp:eſſed, & plainly declared, and rehearſed: any thing in this acte to the contrarie notwithſtandinge, and as if thys Act had neuer bene made. P:ouyded alwaies, that this acte, no: any thing therein

Sir Tho. Englefield

contained, be in any wiſe hurtful o: p:eiudicial vnto Sir Thomas Engleſield knight, Juſtice of the county palantine of Cheſter and Flint, no: to his deputie o: deputies, no: to any of them, of, fo:, o: concerning ẏ office of Juſtice o: Juſtices of the ſaid counti palantine and Flint, no: fo:, o: concerning any

Fees

fees, p:ofits, o: aduantages, to the ſame office in any maner wiſe appertaining o: belonging: but that the ſaide Sir Thomas, his deputie o: deputies, & euery of thẽ, may lawfully haue, occupie, & exercile ẏ ſaid office, & alſo receiue and take to their owne vſe, al maner of p:ofits, commodities, & aduantages, to the ſaid office belonging o: appertaining, acco:ding to the teno:, purpo:t, & effect of ſuch letters patẽts, as befo:e this

L. patents

time were vnto ẏ ſame Sir Thomas made, vnder the ſeal of the ſaid countie palantine, o: vnder any other ſeale, by our ſaid ſoueraigne Lo:d the king that now is, of, fo:, o: concerning the ſaid office, & other the p:emiſſes, o: any parcel thereof: in as ample maner, as though this act had neuer bẽ had ne made: any thing in this act conteyned, to ẏ contrary in any wiſe notwithſtanding. P:ouided alway, ẏ this act, no: any thing therin contained, be in any wiſe p:eiudicial

Cittie Bo:ough

o: hurtfull, to any citie, bo:ough, o: towne co:po:at, by what name o: names ſoeuer they, o: any of them be inco:po:at, & theyr ſucceſſo:s, & the ſucceſſo:s of euery of them, of, o: fo: any maner of liberties, p:iuileges, cuſtomes, & auncient vſages frãchiſes. And

Fines Illues

alſo of al maner of fines, ſſues, & amerciaments, & fo:faitures, which they o: any of thẽ, haue of ẏ graunt o: graunts of our ſaid ſoueraigne lo:d the king, o: of any of his noble p:ogenito:s, kinges of this Realme of England: but that the ſaid cities, bo:oughs, & townes co:po:at, & euery of them, & their ſucceſſo:s may haue, take, leuy, & enioy all and euery ſuch lawfull liberties, p:iuiledges, franchiſes, cuſtomes, & vſages, in as ample & large maner, & in like fo:me & condicion, as they & euery of them haue lawfully take, vſed, and had the ſame, befo:e the making of this act: any thing in this act to the contrary notwithſtanding, & as if this act had neuer ben had ne made. P:euided alway, & be it enacted, that Thomas now Biſhop of

B. of Ely

Ely, & his ſucceſſo:s Biſhops of Ely, and their tempo:al Steward of the Iſle of Ely,

Steward

fo: the time being, & euery of them, ſhal frõ hencefo:th, be Juſtices of peace wiñ the ſaid Iſle, and ſhal vſe and exercile all maner of things within the ſame Iſle, that appertaineth o: belongeth to any Juſtices of peace,

Juſt. of p.

within any countie of this realme of England, to doe, exercile, and vſe, by ver tue and auctho:itie that they be Juſtices of peace, in as ample & large maner, as any other Juſtices of peace in any coũty wiñ this realm, haue o: might do, exercile, o: vſe, any thing

o:

or things in this acte contained, to the contrary notwithstanding. Prouided alway & be it enacted, that Cuthbert now Bishop of Durham, & his successors Bishops of Durham, & their temporal Chauncelor of ẏ cõty Palantine of Durham, for the time being, & euery of them, shall from hencefoorth be Justice of peace within the same countie palantine of Durham, & shall exercise & vse al maner thinges within the same countie palantine, that appertaineth or belõgeth to any Justice of peace, within any countie of this realme of England, to do, exercise, and vse, by vertue & auctority that they be Justices of peace, in as ample & large maner, as any other Justices of peace in any countie within this realme, haue or might do, exercise, or vse any thing or things in this act conteined, to the contrary notwithstãding. Prouided alwaies, & be it enacted, that Edward now Archbishop of Yorke, & his successors, Archbishops of Yorke, & their temporal Chauncelor of the shire, & lybertie of Heram, otherwise called Hertoldsham, for the time being, & euery of them, shall from hencefoorth be Justice of peace within ẏ said shire & libertie of Heram, otherwise called Hertoldsham, & shal exercise & vse al maner thinges within the said shire & libertie, that appertaineth or belongeth to any Justice of peace within any countie of this realme of England to do, exercise & vse, by vertue and auctoritie that they be Justices of peace, in as large & ample maner, as any other Justice of peace in any countie within this Realme, haue, or might do, exercise, or vse any thing or things in this act conteyned to the contrary notwithstanding. An. 27. H. 8. ca. 24.

Bishop of Durham Chauncelor

Just. of p.

Archbishop of Yorke Chauncelor Heram

Just. of p.

* 21 ¶ Where diuers & sundry sites, circuits, & precints of late monasteries, abbathies, priories, nunries, colledges, hospitals, & other ecclesiasticall & religious houses and places, & diuers honours, castels, manors, measuages, lands, tenements, liberties, priuiledges, & frãchises, & other hereditamẽts, by diuers & sundry statuts heretofore made, ben assigned, limitted and appointed, to the order, rule, suruey, & gouernance of ẏ Court of our soueraigne Lord the king, called the Court of Augmentations of the reuenues of his crowne, & of the chauncelor, officers, & ministers of the same, by the which statuts it is not fully, plainely, or expressely declared or rehearsed, how & in what wise, & by what special officers & ministers the lyberties, priuiledges, and franchises, whych the late owners of the same sites, circuites, precinctes, honors, castels, manors, meluages, lands, tenemẽts, & other the premisses, had, vsed, exercised, & put in execution. Be it therfore enacted &c. that al & singuler ẏ same liberties, franchises, priuiledges, & temporal iurisdictions, which ẏ said late owners had vsed or exercised lawfully, by thẽ selues, or by their officers, or ministers, or might haue vsed or exercised, wtin vj. moneths next before that the said sites, circuites, precincts, honors, castels, manors, meſuages, landes, tenements, & other the premisses, came to ẏ possession of the kinges highnes: shalbe by vertue of this present acte reuiued, & be really, & actually in the kings highnes, his heirs and successors, and shalbe in the rule, order, suruey, & gouernance of the kings said court of Augmentations of the reuenues of hys crowne, & the Chauncelor, officers, & ministers of the same. And that the same liberties, franchises, priuiledges, & temporal iurisdictions, & al maner fines, issues, amerciaments, & other profits & commodities, of what kinds or natures soeuer they be, coming, growing, or rysing, by reason & occasion of them, or of any of them, shalbe vsed, exercised, & occupied, to al intents, purposes, conditions, & respects, & shalbe claimed, leuied, collected, and taken by such stewards, bailifes, & other officers and ministers, as shal please the kings highnes to name & appoint, in like maner & forme, fashion, & condition, as they or any of them were lawfully vsed, exercised, executed, claimed, kuyed, collected & taken, before that they came to ẏ hands & possession of our said soueraigne Lord: & that the same stewardes, bailifes, officers, & ministers, shalbe accomptant for the issues & reuenues, of their baily wikes & offices, and shalbe compelled to accompt in the said court of Augmentations, like as the kings receiuors, or other officers, accomptants in that Court heretofore haue done, or ought to do. And where also sundry sites, circuits, & precinctes, of late monasteries, abbies, priories, nunries, colledges, hospitals, & other ecclesiastical & religious houses and places, and also diuers honors, castels, manors, measuages, lands, tenements, lyberties, priuiledges, franchises, & other hereditaments, which ben comen to ẏ kinges hands by attaindor or attaindors of hyghe Treason, ben assigned, limitted, & appointed to the order, rule, suruey, and gouernãce of the kings general surueyors. And for as

Monasteries

Owners

Lands

Rule Surney Augmentation

Chauncelor

Fines Issues Amerciamẽts

Leuied Stewards

Bailifes Officers Accomptent

Sites

Attaindor

much as it is not fully, plainly, nor expreſſly knowen or declared, how & in what wiſe, & by what ſpeciall officers and miniſters, the temporal liberties, priuiledges, franchyſes, and temporal iuriſdictions, which the late owners of the ſaid ſites, circuits, precincts, honors, caſtels, manors, meſuages, landes, tenements, & other the premiſſes, had, vſed, & exerciſed, ſhould be ordred, vſed, & put in execution. Be it therefore enacted &c. that al & ſinguler the ſame liberties, franchiſes, priuiledges, & temporal iuriſdictions, which ỹ the late owners of the ſaid ſites, circuites, precinctes, honors, caſtels, manors, & other the premiſſes, which ben comen to ỹ kinges handes by attainders, as is aforeſaid, lawfully had, vſed and exerciſed by them ſelues, or by their officers, or miniſters, or whych they might haue vſed or exerciſed, wythin iij. moneths next before that the ſame ſites, circuites, precinctes, honors, caſtels, manors, and other the premiſſes, came to the poſſeſſion of the kinges highneſſe: ſhall by vertue of this act be reuiued, & be really, and actually in the kinges highnes, his heires & ſucceſſors, and ſhalbe in the rule, order, ſtrney, & gouernance of the kings ſaid general ſurueyors, and of the officers, & miniſters of the ſame. And that the ſame liberties, fraunchiſes, priuiledges, and temporall iuriſdictions, & al maner fines, iſſues, & amerciaments, & other profits & commodities, of what kinds or natures ſoeuer they be, coming, growing, or ryſing, by any reaſon or occaſion of thē, or any of them: ſhalbe vſed, exerciſed, & executed, to al intents, purpoſes, condicions, & reſpects, & ſhalbe claimed, leuied, collected, and taken by ſuch ſtewards, bailifes, & other officers and miniſters, as ſhal pleaſe the kings highnes to name & appoint for the ſame, in like maner, forme, faſhion, & condicion, as they, or any of them were vſed, exerciſed, executed, claimed, leuied, collected & taken, before they came to the handes & poſſeſſion of our ſaid ſoueraigne Lord, by attaindor, as is aforeſaid. And that the ſaid ſtewardes, bailifes, officers, & miniſters thereof, ſhalbe accomptant for the iſſues & reuenues, of their Bailywikes and offices, & ſhalbee compelled to accompt before the ſaid generall Surueyors, as other officers, accomptants in that Court heretofore haue done, or owe to do. And be it enacted &c. that the ſaid Stewards, Bailifs, and other officers & miniſters ſhalbe attendant and obeydient to all other the kynges Courts, aſwell for al executions & returnes of writs, warrants, & precepts, as for theyr perſonall apparances, and other duties of their offices, lyke as the officers & miniſters of the ſaid late owners did, & ought to do, or ſhould haue done, by reaſon of theyr ſaid ſeueral offices, before that the ſame lyberties, priuiledges, and temporal iuriſdictions did come to the poſſeſſions of our ſaid ſoueraigne Lord, and that to be done & obſerued vpon all paine and penalties, by the lawes of this Realme, limitted & ordeined for any offence or default in the ſame. And that no Sherife, vnder ſherife, nor other officer or miniſter, of any ſheryfe, or other forein officer or miniſter, ſhal in any wyſe intromit or meddle in, with or vpon, any of the premiſſes, otherwiſe, or in any other maner, nor for any other cauſe, then they or any of them lawfully might haue done, before the ſame premiſſes dyd come to the poſſeſſion of our ſayd ſoueraigne Lorde.

Prouided alway & be it enacted, that all & ſinguler perſons, and bodies politique, & the heires, ſucceſſors, & aſſignes of euery of thē, ſhall haue, hold, vſe, execute, and exerciſe, as wel by them ſelues, their officers, ſeruants, & miniſters, as by and for their tenaunts, fermors, and reſtants, al and ſinguler liberties, priuiledges, & franchiſes, which they, or any of them nowe haue, by, or from the kinges Pacelle, by any letters Patents, indentures, or writings vnder any his highnes ſeals, or by auctoritie of Parliaments or otherwiſe, or by the lawfull graunt or leaſe, of any perſon or perſons, or by any other meanes, or lawful title, in as large, ample, and beneficial maner, to al intents, reſpectes, and purpoſes, as they, or any of them now haue, or of righ ought to haue, the ſaid lyberties, franchiſes, & priuiledges, or any of them, and as thought this act had neuer bene had ne made: any thinge aboue written notwithſtanding (The priuiledges of Sanctuaries, Church, Church yards, or Cemitories, for tuicion of tranſgreſſors & offendors onely excepted) Sauing to al and ſinguler perſons, & bodies politique, and the heires, ſucceſſors, and aſſignes, of euery of them, al ſuch office & offices, fees, annuities, profits & commodities, which they or any of them now haue, or of right ought to haue in, or vpon, or by reaſon of the ſaid ſites, circuits, precinctes, caſtels, honours, manors, meſuages, landes, tenementes, liberties, franchiſes, priuiledges, & other ỹ premiſſes, or in

Temporal Iuriſdictions

Reuiued

Surueyr

Fines Iſſues Amerciaments

Collected & rewards Bailifes

Office & Attendant

Executions Returnes of writes

Sherife

L. patents Indentures

Sanctuaries Church Churchyardes

Offices Fees Annuities

Sites

parcell of them in as large and ample manner, fourme, fathion, and condition, to all reſpects and purpoſes, as if this act had neuer been had nor made: any thinge in this acte to the contrarie thereof notwithſtanding. And furthermore be it enacted &c. that the Chauncelor of the ſaid Court of Augmentations, now being, & euery of his ſucceſſors, being Chauncelors of ỳ ſame court, & the kings general Atturney, & his graces Atturney of the ſaid court of Augmentation for the time being, & euery of them, and their ſucceſſors, and the ſucceſſors of euery of them, ſhall haue full power & auctharity by vertue of this act, to take to the vſe of the king our ſouereigne Lord, his heires & ſucceſſors, knowledges of all maner of concordes for fines therupon to be had and recorded in the Court of our ſouereigne Lord the king, and of his heires and ſucceſſours, commonly called the common place, of and vpon, al and ſinguler manors, lordſhippes, lands, tenements, & other hereditaments, being, & which by reaſon of thoſe fines, or otherwiſe, ſhalbe vnder the order, rule, or ſurney, of the ſaid court of Augmentation, wt̃out any fine or fee to be paied for the ſame. And that the Iudges & Iuſtices for ỳ tyme being of the ſaid court, called the common place, & their ſucceſſors, ſhal accept, receiue, & allow, al the ſaid knowledges of concords by the ſaid Chauncelor & atturneis, or any of them, to be certified or deliuered into the ſaid Court, called the common place. And the ſame to be as effectual in the law to al intents & purpoſes, as if the ſame knowledges of concordes had bene made, taken or knowledged before the chiefe Iudge of the ſaid common place out of the ſame Courts or openly in that court. And alſo that ỳ ſayd Chauncelor & atturneis for the time being, & euery of them, & the ſucceſſors of euery of them, ſhal haue full power & auctharitie to take knowledge for inrolments of al dedes made, or to be made to the vſe of the kinge our ſouereigne Lord, his heirs & ſucceſſors, of any manors, lands, and tenements, and of al obligations to be made to the king, his heires and ſucceſſors, or to other perſon or perſons to the vſe of the king, his heirs and ſucceſſors, for any matter or cauſe concerning the ſaid court of Augmentations, or concerning the ſaid manors, lands, & tenements, without any fee, gift, or reward by them, or any of them to be taken therefore. And the ſame deede ſo knowledged, to bee inrolled or regiſtred in the ſaide Court of Augmentation, & ſo being there inrolled & regiſtred amongſt other records there remayning, & the inrolments & regiſtrings of the ſame: to ſtãd & be of record, & of as good ſtrength & effect, as if the ſame were or had ben knowledged before any other Iudge or Iuſtices of record, & inrolled in any other court of record. Prouided alway, & be it &c. ỳ in al ſuch of the ſaid liberties, franchiſes, & places priuiledged, & in euery of thẽ limited to the ſaid court of augmentations, & to the ſurueyors Court, wherſoeuer ỳ kings highnes in his owne moſt rotal perſon ſhal come to reſt, tarry, abyde, or make his repoſe within this his realme, or any of hys dominions, within liberty or without: there & wõn the verge limitted & accuſtomed to his graces court, during ỳ time of his abode, the ſteward or great Maſter of his graces houſhold, ỳ Marſhal, Coroner, Clerk of the market, & all other his miniſters, ſhal and may kepe their courts for Iuſtice, & exerciſe their office & offices, as ſhall appertaine to them, according to the lawes, cuſtomes, & ſtatuts of this realme, aſwel wõin libertyes & franchiſes as without. And ỳ his graces Clerkes of the market & none other during the ſame time, aſwel wõin the ſaid libertyes & franchiſes, as without, ſhal exercyſe ỳ office of clerkes of the market wõin the ſayde verge: any priuiledge or graunt, allowance, or other thing, to the contrarie thereof notwithſtanding. Prouyded alwaie, that this article next before rehearſed, or any thinge therin contained, be not in any wiſe hurtful to the city of London, but ỳ the ſãe city ſhal haue & vſe ſuch liberties, as they mought, if this article had neuer ben had ne made. And where alſo the ſites, circuits, & precincts of the late monaſterie of Furnes, & of the late monaſteries & priories of Cortmey, Conniſhed, Burſtough, & Holland, & alſo diuers honors, caſtels, manors, meſſuages, lands, tenements, liberties, priuiledges, franchyſes, & other hereditamentes, late parcel and appertayning to the ſaid late monaſteryes, & priories, or to any of them, which ben comen into the kings hands, ben aſſigned, limitted, & appointed, to ỳ order, rule, ſurney, & gouernãce of ỳ Chãcelors, officers, & miniſters of ỳ county palantine & duchy of Lãcaſter. And for aſmuch as it is not fully, plainly, nor expreſſely knowen or declared how & in what wiſe, & by what eſpecial officers & miniſters, the tempꝛall liberties,

Chauncelor of Augmen.
R. Atturney
Fines
Common place
Iudges
Inrolments of dedes
Obligations
Surueyors Court
King
Verge
Steward
Great Maſter
Marſhal
Coroner
Clerke of the Market
Courts
London
Sites
Monaſteries
Chauncelor
County
Duchy of
Lancaſter

priuiledges, franchyſes, and temporal iuriſ-
dictions, which the late owners of the ſaid
ſites, circuits, precincts, honors, caſtels, ma-
nors, meſſuages, landes, tenements, & other
the premiſſes, had, vſed, or exerciſed, ſhould
be ordred, vſed, & put in execution. Be it ther
fore enacted by the aucthority aforeſaid, ỹ al
& ſinguler the ſame liberties, franchiſes, pri-
uiledges, & temporal iuriſdictions, which ỹ
late owners of the ſaid ſites, circuites, pre-
cincts, honors, caſtels, manors, & other the
premiſſes, lawfully had, vſed & exerciſed by
thẽ ſelues, or by their officers, or miniſters,
or which they might haue vſed or exerciſed,
wtin iij. moneths next before the ſame ſites,
circuits, precincts, honors, caſtels, manors,
& other the premiſſes, came to the poſſeſſion
of ỹ kings highnes: ſhalbe by vertue of this
act reuiued, and be really, & actually in the
kings highnes, his heirs & ſucceſſors, & ſhal
be for euer in ỹ rule, order, ſurvey, & gouer-
nance of the kings ſaid Chaũcelor, officers,
& miniſters of the ſaid county Palantine, &
Duchy of Lancaſter. And that the ſame li-
berties, franchiſes, priuiledges, & temporal
iuriſdictions, & all maner fines, iſſues, & a-
merciaments, & other profits & cõmodities,
of what kinds or natures ſoeuer they be, cõ-
ming, growing, or ryſing, by reaſon or oc-
caſion of thẽ, or of any of them: ſhalbe vſed,
exerciſed, & executed, to al purpoſes, intents,
cõditions, & reſpects, & ſhalbe claimed, leuied,
collected, & takẽ, by ſuch ſtewards, bailifs
& other officers & miniſters, as ſhal pleaſe ỹ
kings highnes to name & appoint for ỹ ſãe,
in like maner, forme, & condicion, as they, or
any of them were vſed, exerciſed, executed,
claimed, leuied, collected & takẽ, before they
came to ỹ hands & poſſeſſions of our ſaid ſo-
ueraigne lord. And ỹ the ſaid ſtewards, bai-
lifes, officers, & miniſters, ſhalbe compelled
to accompt for the ſãe, before ỹ ſaid Chãce-
lor, officers, & miniſters of the ſaid countie
Palantine, & duchy of Lancaſter, as other
officers, & accomptants in the Court of the
ſaid Duchy heretofore haue done, or owe to
do. And be it &c. ỹ the ſaid Stewards, Bai-
lifes, & other officers & miniſters ſhalbe at-
tendant and obeydient to al other the kings
Courts, aſwell for al executions & returnes
of writts, warrants, and preceptes, as for
perſonall apparances, and other duties of
their offices, lyke as the officers & miniſ-
ters of the ſaid late owners did, & ought to
do, or ſhould haue don, by reaſon of their ſaid
ſeuerall offices, before ỹ the ſame liberties,
priuiledges, & tẽporal iuriſdictions did come
to ỹ poſſeſſions of our ſaid ſoueraigne Lord,
& that to be done & obſerued vpon al pains &
penalties, by ỹ lawes of this realme, limit-
ted & ordeined for any offẽce or default in ỹ
ſame. And ỹ no ſherife, vnder ſherif, or other
officer or miniſter, of any ſherỹſe, or other
forreine officer or miniſter, ſhal in any wyſe
intromit or meddle, in, wõ or vpon, any of ỹ
premiſſes, otherwiſe, or in any other maner
or for any other cauſe, thẽ they or any of thẽ
lawfully might haue done, before the ſame
premiſſes did come to ỹ poſſeſſiõ of our ſaid
ſoueraigne Lord. Prouided alwayes, ỹ this
act nor any thing therin contayned, ſhal in
any wiſe extẽd to abrogate, annul diminiſh,
nor to take away any liberties, franchiſes,
priuiledges, iuriſdictiõs, roialties, or any o-
ther profits, cõmodities, & auãtages, what
ſoeuer they be, belõging, or in any wiſe ap-
pertainig to any ỹ kigs caſtels, honors, ma-
nors, lands, tenemẽts, or other his poſſeſ-
ſiõs of his ſaid coũty palantin of Lancaſt. &
duchy of Lãcaſter, or of either of thẽ, but ỹ
al ſuch liberties, frãchiſes, priuiledges, iuriſ-
dictions, roialties, & al other ſuch profits, cõ-
modities, & auãtages whatſoeuer they bee,
ſhalbe receiued, takẽ & aũſwered to ỹ kings
highnes, his heires & ſucceſſors, by ỹ Chaũ-
celor, officer, & miniſter, of ỹ ſaid county pa-
lantine of Lancaſter, & duchy of Lancaſter,
& either of them, as heretofore hath bẽ vſed
& don, at any time before ỹ iiij. day of Feb.
in the 27. yere of his moſt noble raigne: any
thing, matter, or clauſe in this act contained
to ỹ contrary hereof in any wiſe notwſtan-
ding. Prouided alwaies, ỹ this act, or any
thing therin contained, do not extend to diſ-
anul, or be hurtfull to any of ỹ liberties or
priuiledges of ỹ v. Ports, or ỹ members of
the ſame: but ỹ they & euery of thẽ ſhal cõy
poſſeſſe, & haue all & ſinguler liberties, cuſ-
tomes, & graũts, to thẽ grãted heretofore,
by ỹ moſt famous prince of memorie king
E. 4. & other his noble progenitors, confir-
med by our ſoueraign lord ỹ kings Maieſty
ỹ now is, in like maner & forme, as though
this act had neuer ben had ne made. An. 32.
H. 8. cap. 20. This act is confirmed by An.
33. H. 8. cap. 39.

Owners

ỹ. Moneths

Fines
Iſſues
Amerciamẽts

Steward
Bailife
Office &
Accompt
Chaunceloz

Duchy

Steward
Bailife

Executions
Returnes

Sherife

Caſtels
Honors
Manors

Lancaſter

Chaunceloz

v. Ports

¶ Fraudulent deedes, giftes, grauntes, alienations &c.

FOr ỹ auoiding & aboliſhing of fained, cõ-
uenous, & fraudulẽt feffmẽts, giftes, gràts,
alienations, cõuiãces, bõds, ſuits, iudgmẽts
and

and executions, alwel of lands, & tenemēts, as of goods & cattells moze commonly vsed & practised in these daies, thē hath ben sene, oz hard of heretofoze: which feoffements, giftes, graunts, alienations, conueyances, bonds, suits, iudgements, & executions, haue ben & are deuised & cōtriued of malice, fraud, couin, collusion, oz guile, to ỹ end, purpose, & entent, to delay, hinder, oz defraud, creditoꝛs & others, of their iust & lawful actions, suits, debtes, accompts, damages, penalties, foꝛfaitures, heriots, moꝛtuaries, & reliefes, not onely to the let oz hinderance of ỹ due course & execution of law & Iustice, but also to the ouerthꝛow of al true & plaine dealing, bargaining, & cheuisance betwene man & man, without the which no cōmon wealth oz ciuil societie, can be mainteined oz continued. Be it therfoꝛe declared, oꝛdeined, & enacted, by auctheꝛitie of this pꝛesent Parliament, that al & euery feoffement, gift, graunt, alienation, bargaine, & conueyance of landes, tenements, hereditaments, goods, & cattels, oz of any of them, oz of any lease, rent, oz common, oz other pꝛofit oz charge, out of ỹ same lāds, tenemēts, hereditaments, goods & cattells, oz any of them, by writing oz otherwise: and all & euery bond, suit, iudgement, & execution, at any time had oz made sithence the beginning of the Quēenes maiesties raigne ỹ now is, oz at any time here after to be had oz made, to oz foꝛ any intent oz purpose before declared & expꝛessed: shal be from henceforth dēmed & taken (onely as against that person oz persōs, his oz their heirs, successoꝛs, executoꝛs, administratoꝛs, & assignes, & euery of them, whose actyons, suits, debts, accompts, damages, penalties, foꝛfeitures, heriots, moꝛtuaries, & reliefes, by such guilefu̇l, couenous, oz fraudulent deuises, and pꝛactises, as is aforesaid, are, shal oz mought be in any wise disturbed, hindꝛed, delayed, oz defrauded) to be clearely & vtterly voide, frustrate, & of none effect: any pꝛetence, colour, fayned consideration, expꝛessing of vse, oz any other matter oz thing, to the contrarie notwithstanding. And bee it further enacted by thauctheꝛitie aforesaid, ỹ all & euery the parties to such fayned, couenous, oz fraudulēt feoffement, gift, grāt, alienation, bargaine, conueyance, bondes, suits, iudgemēts, executions, & other things before expꝛessed, oz being pꝛiuy & knowyng of the same, oz any of them, which at any time after ỹ .x. day of June next comming, shal wittingly & willingly put in vre, auow, maintaine, iustifie, oz defend the same, oz any of them, as true, simple, & done, had, oz made, bona fide, & vpon good consideration: oz shal alien oz assigne any the lands, tenements, goods, leases, oz other things before mencioned, to him oz them conueied, as is aforesaid, oz any part thereof: shall incurre the penaltie & foꝛfaiture of one yeres value of ỹ said lands, tenements, & hereditamēts, leases, rēts, commōs, oz other pꝛofits, of, oz out of ỹ same, & the whole value of the sayd goods & cattels, & also so much money, as are oz shalbe conteined in any such couenous & fayned bonde: The one moitie whereof to be to the Quēenes maiestie, her heires and successoꝛs, & the other moitie to the party oz parties greeued by such fayned & fraudulent feoffement, gift, graūt, alienation, bargain, conueyance, bonds, suits, iudgements, executions, leases, rents, cōmons, pꝛofits, charges, & other things aforesaid, to bee recouered in any of the Quēenes courts of recoꝛd, by action of debt, bil, plaint, oz infoꝛmation, wherein none essoine, pꝛotection, oz wager of law shalbe admitted foꝛ the defendant oz defendants. And also being thereof lawfully conuicted, shall suffer impꝛisonment foꝛ one halfe yere, without bayle oz mainpꝛise. Pꝛouided alwayes, & be it further enacted by the auctheꝛity aforesaid, ỹ where as sundꝛy cōmon recoueries of lands, tenemēts, & hereditaments, haue heretofoze ben had, & hereafter may be had, against tenaunt in taile, oz other tenant of freehold, the reuersion oz remainder, oz the right of reuersion oz remaynder, then beinge in any other person oz persons, that euery suche common recouery heretofoze had, & hereafter to be had, of any lands, tenements, oz hereditaments, shal as touching such person and persons, which then had any remainder oz reuersion, oz ryght of remaynder oz reuersion, and against the heires of euery of them, stand, remaine, & be of such like foꝛce & effect, & of none other, as the same should haue ben, if this act had neuer beene had ne made. Pꝛouided alwayes, & be it further enacted by thauctheꝛity aforesaid, that this act, oz any thing therein conteined, shal not extend to make void, any estate oz conueyance, by reason whereof any person oz persons shal vse any voucher in any wꝛytte of Formedon, now depending, oz hereafter to be depending: but that al & euery such vouchers in any wꝛit of Formedon, shal stande and be in like foꝛce and effect, as if this act

Feoffement Gift Graunt Lands Goodes Leas

Bond Suit Iudgement Executions

Voyde

Vse

Parties

Pꝛiuie

Iustices

Alien

Foꝛf.

Goods Money

Moitie

Action Bill

Imprison

Recoueries

T. in taile & freehold

Voucher Formedon

had neuer bene had nor made: any thynge before in this act contained, to the contrarie notwithstanding. Prouyded also, and be it enacted by the auctoritie aforesaid, that this act, or any thing therin contained, shal not extend to any estate or interest, in lãds, tenements, hereditamentes, leases, rents, commons, profits, goodes, or cattels, had, made, conueyed, or assured, or hereafter to be had, made, conueied, or assured, which estate or interest, is or shalbe vpon good consideration, & bona fide, lawfully conueyed or assured, to any person or persons, or bodyes politike or corporat, not hauing at the time of such conueiance or assurãce to them made, any maner of notice or knowledge of such couin, fraude, or collusion, as is aforesaid: any thing before mẽcioned, to the contrarie hereof notwithstanding. This act to endure vnto the end of the first session of the next Parliament. An. 13. Eliz. cap. 5. An. 14. Eliz. cap. 11. It is continued to the end of the next Parliament.

Bona fide

2 ¶ For asmuch as the said pretended fraudulent estates (of the Rebels late in the North) & conueyances are yet kept secret, and not openly published, & in time to come may be very daungerous, & lykely to tend to disinherite the Quẽnes Maiestie & her assignes, of their estate & interest, in such lands, tenements, & hereditaments, as her Maiestie & her assignes now haue, by reasõ of ỹ said attaindors, vnlesse some prouision be made, ỹ such secreat estates, conueiãces, & assurances, may in due & conuenient time be openly punished & brought to light. For remedy whereof, be it enacted &c. that euery person & persons, their heires or assignes, which haue, hath, or claimeth to haue, any estate of inheritãce, lease, or rent, not alredy entred of record, or certified in the Quẽns Maiesties Court of Exchequer, of, in, or to any manors, lands, tenements, or hereditaments, by any graunt, assurances, or conueiãces whatsoeuer, had, made, or done, by any of the said rebelles & persons attainted, named in ỹ said act or statut, or in any of ỹ records of their seuerall attaindors, at any time wtin ij. yeres next before the vij. day of Nouember, in the xj. yere of the Quẽns Maiesties raigne, shal wtin the space of one yere next ensuing the first day of May next cõming, openly shew & bring forth, or cause to be shewed & brought forth into ỹ Quẽns Maiesties said Court of Exchequer, ỹ same his or their graunt, conueyance, & assurãce, which he or they haue, or hath, or pretendeth to haue, of, in, or to any ỹ said manors, lands, tenements, or hereditamẽts, & there in the terme time shall offer & exhibite the same grãt, conueiance, & assurance, to be entred & inrolled of record, or els euery such graunt, conueiance, & assurance, so had and made by any of the said rebels & persons attainted, before in ỹ said act of Confirmation, & other the records of their attaindors seuerally named, & not so brought into the said court of Exchequer, & there exhibited wt in the yere aforesaid: shalbe vtterly voyde & of none effect, to all intentes and purposes: any thing in the same conueyance conteyned to the contrarie notwithstanding. And be it further enacted, by the auctority aforesaid, that the Treasorer, Chauncelor, & Barons of the said Court of the Exchequer, or any of thẽ, vpon euery such offering, & exhibiting of any such graunt, conueyance, or assurance hereafter in fourme aforesaide to be made: shall forthwith cause the same offer to be entred of record, and shall likewise cause ỹ said conueiãce & assurance in ỹ same court to be entred and inrolled of record, wout any fee or reward to be taken or had of the partie for the doing thereof, & after such offer made and recorded, it shal and may be lawful for euery persõ which hereafter shal so exhibite and offer any such graunt, conueyance, & assurance into the said court of ỹ Exchequer, at his libertie and pleasure at al times within one yere then next following, to produce & bring such testimonis, prowfes, & witnesses into the said court of Thexchequer, there to be examined, as he can, for the better prowfe of his said graunt and assurãce to be made bona fide, & without any fraude or couin. And yet neuertheless, if at any time after, vpõ any information vpon that case, or other information to be preferred & exhibited into the said court of the Exchequer, for & on the behalfe of our said Soueraigne Lady ỹ Quẽne, or vpon any action vpon the case, or suit to be prosecuted by any the patentees of the Quẽnes Maiesty, her heires, or successors, or by any the heires or assignes of any of the same patẽtees, it shall happen to bee sufficiently tried and proued, by verdict of xij. men, according to the common course of the lawes of this Realme, that any of the said estates, assurances, and conueyances made by any of the sayde rebelles and persons attaynted, was made vppon any fraude or couyne, to the intent thereby

Acts indors

Record Exchequer

Graunt

One yere

Shew Exchequer

Lands

Terme time

Inrolled

Voyde

Treasorer Chauncelor Bar. of the Exchequer

Fee

Bona fide

Witnesses

Action on the case

Patentees

Verdict

Couyn

Defraud

thereby to defraud the Quéns maiestie of such forfaiture, as myght haue growen or common to her highnes by reason of any ỹ said attaindors: that then euery such estate, conueyance, & assurance, so tried & sufficiẽtly proued as aforesaid, to be had & made by & vpon such fraude or couin, shalbe vtterly void & of none effect, to al intents, constructions, and purposes, vntil such time as such trial by verdict shalbe lawfully vndone by attaint or otherwise: any thing in the said conueiances to the contrary thereof in any wise notwithstanding. Prouided alwaies, & be it enacted by thauctority aforesaid, ỹ this act, or any thing therin contained, shal not in any wise extend to any bargaine and sale by déde indéted & inrolled, of any lãds tenements, & hereditamentes, made vppon good & true considerations, without fraude or couin, by any of ỹ said persons so attainted, at any time before ỹ day of his or their said seueral treasons cõmitted, wher of they stand now attainted: but ỹ euery such bargaine & sale shal stande, & be in as good force & effect, as the same was or were before the making of this act: any thinge herein contained to the contrary thereof in any wise, notwithstanding. And sauinge to all and euery person & persons, & bodies politique & corporate, their heires and successors, and to the heires and successors of euery of them, other then such persons and their heires as be or haue bene parties or priuie to any estates or conueiances, made by fraude or couin, as is aforesaid, and other then such as shal not exhibite offer and shew forth their said graunts, conueiances, and assurances, in the said court of the Exchequer, within the time to them before in this act limtted, all such estate, right, title, and interest, as they or any of them haue, of, in, or to any of the said mannours landes, tenementes, & hereditaments, or any parcell thereof, in as large and ample maner and fourme, to al intentes and purposes, as they or any of them had before the making of this act: any thinge in this act contained to the contrary thereof, notwithstandinge. Prouided alwaies that this act or any thinge therein contained, shall not extende to any lease of lands, tenements or hereditaments, most commonly vsed to bee letten to ferme for yeres or liues, within the space of xx. yeres before the makinge of the same lease, and not exceédinge the terme of xxj. yeres or three liues, from the tyme of the makinge of the said lease, and wherevppon the vsual accustomed yerely rent or more is reserued, nor to any estate by copy, of any lands, or tenemẽts, made according to ỹ custome of any manor, whereof the same is parcell. An. 18. El. ca. 4.

Good force

Bodies politique

Priuie

Shew forth

Leases

xxi. yeres in Liues

Copihold

¶Freeholde.

NOne from henceforth may distrayne his freeholders to answere for their freeholdes nor for any thinges touchinge their freeholde without the kinges writte, nor shall cause his freeholders to sweare against their wils: for no man may do that without the kings cõmaundement. Marlb. An. 52. H. 3. cap. 22.

Distreine Freeholders

Sweare

2 ¶None of the kings subiects be compelled, neither by no way constrayned, to come ne appeare before the coũsell of any lord or lady, to answer for his freehold, ne for any thing touching his freehold: nor for any other thing real nor personall, that belongeth to the law of the land in any manner. And if any finde them selfe grieued in time to come, contrary to this ordinance & agreement, he may complaine to the chaũcelour for ỹ tyme being. An. 15. R. 2. ca. 12.

Compelled to Appeare

Complaine Chauncelor

3 ¶The said statut of An. 15. R. 2. cap. 12. before 2. shalbe firmely holdẽ and kept, & if any Lord or Lady or other of the kings leige people, do to the contrary, they shall incurre the payne of xx. li. to the kinge. An. 16. R. 2. cap. 2.

Forf.

¶Friers.

AN. 4. H. 4. cap. 17. An act was made against Friers, for takinge & keping of children, which act is perpetual.

¶Fuell.

ANno 34. H. 8. cap. 2. An act was made for assise of fuel, but that assise was altered by 7. Ed. 6. cap. 7. vvhich followeth here 2.

2 ¶That there may be a conuenient assise of fuell kept, both in respect of scarsity of wood of late time happened, & in mitegaciõ of thassise set downe in former lawes, & that the seller, maker, and marker, of wood may be punished as wel as the buyer. Be it &c. That no person or personnes shall sustaine any losse, payne, or penaltie, for buying or selling of any tal wood, billet, or fagot now

Tal wood Billet Fagot

now cut, and made, although the same bee not of the assise contained in the said act. (s. of 24. H. 8. cap. 3. before 1.) any thing contained in the same act notwithstãding. And ẏ al tall wood, billet, fagot, and coles to be made, & put to sale in the Cities of London or Westminster, or in the suburbes of the same, after the last day of September next comminge, shall kẽpe the assises hereafter exprẽssed. That is to weete, that every sack of coales contayne fower bushels of good & cleane coales. And that every tall shide conteine in length fower foote besides ẏ carte. And every tall shide named one, to contain in greatnes wõin a foote of the middest xxj. inches about. And euery tale shide named of two, to cõtaine in greatnes within a foote of ẏ middest, xxiij inches about. And euery tal shide named of three, containe in greatnes, wõin a foote of the middest, xxviii. inches about. And euery tal shide named of fower to containe in greatnes within a foote of ẏ middest xxxij. ynches about. And euery tall shide named of v. to containe in greatnesse within a foote of ẏ middest xxxviij. inches about. And euery billet to containe in length three footes and iiij. inches. And euery billet named a single to containe vii. inches di about. And euery billet named to be a cast, to containe x. inches about. And euery billet named of two cast, to containe xiij. inches about. And euery faggot bend to conteine in length three foote. And the bond of euery such faggot to be of xxiii. inches about besides ẏ knot: which assises are litle lesse thẽ the assises contayned in ẏ sayd former act, & also are much greater then any assise that now is, or of long time hath ben commonlye kept. And be it further enacted that it shalbee lawfull from henceforth, for euery owner without daunger of any forfaiture to make billets of two casts. And that all billets of two casts from henceforth to bee made & put to sale shalbe of the assise herein compriſed or more, & shalbe marked onely wõin xj. ynches of the middest thereof. And ẏ euery billet of one cast from henceforth to be made, & put to sale, shalbe onely marked within iiij. inches of the end thereof, vppon paine that euery marker, & euery seller that shal make any such fuel, or coales, & put the same to sale, to forfait for euery shide of tall wood, billet, faggot or sacke of coales, from henceforth put to sale lacking of the assise aforesayd iij. s. iiij. d. And that thys present statute onely, and no other statute of assise of fuel or coals shal from henceforth stand in force ne take place. And for as much as by the greedy appetite, and couetousnes of diuers persons, fuell, coales and wood runneth many tymes through fower or fiue seuerall handes or moe, before it commeth to the hands of them that for their necessitie do burne or retaile the same: Be it further enacted that from the first day of May next comminge, no person or persons shall buy any such wood, coales or fuell, but onely such as will burne and consume ẏ same, or such persons as shall sell the same againe by retaile to such as shal burne, or consume the same for their owne occupyinge, without fraude or couyn, or wharfyngers or bargemen, vpon paine to forfayt the treable value of all such wood, coales and fuell, as shalbee otherwise bought for any lucre or gaine. And that no person or personnes shall alter any marke or assise of any of the sayd fuell marked, or eysed, according to thys statute, in payne of lyke forfaiture, as is aforesayde, the one halfe of all which forfaitures herein contayned shalbe to the kinge our Soueraigne Lord, and the other halfe to him or them that will sue for the same by action of Det, bill, plaint or information, in any the kings courts of record wherein &c.

Prouided alwaies & be it &c. that no person or persons shal yelde ne forfait any penalty herein contained, vnlesse action or suit bee commenced for the same within one whole yere next after the offence thereof committed or don. And that if any cutter, or marker, as is aforesaid, or other that shal forfait any summes herein contained, shal not bee able to yeld such forfaiture or summes as is aforesaid, that then such person thereof cõuicted by witnesses or otherwise, to bee set on the pillory, in the next market towne to the place where he shal so offend, by a Iustice of the peace or any other the kinges officers, at a rt. of the cloche vpon the market day with a billet or fagot bounden to some part of his body. And so to be discharged of the said forfaiture. Prouided also & be it enacted that it shalbe lawfull to euery person & persons, to buy, sell, marke & cut billets for the only seruing of the Towne of Callice, & the marches of the same, so that they cõteigne in length xxx. ynches at the least as it hath bene there most accustomed forty yeres last past wout forfaiture of any penaltie herein contayned, any thinge herein contai-

Coles London Westminst.

Sacke of coles

Tal wood

Billet

Fagot

Owner

Marke

Marke Seller Put to sale Forf.

Buy wood

Retaile

Wharfingers Bargemen Forf.

Alter marke Forf.

Moitie

Within one yere

Marker

Pillory

Iust. of peace

Callice

ned to the contrary in any wise notwithstanding. An. 7. Ed. 6. cap. 7.

¶ Fugitiues ouer the sea.

BE it enacted that al & euery person and persons, of what estate, degree, or condition they be, being ỳ natural borne subiects of or in this Realme of Englande, or other dominions being vnder ỳ obeisaunce of the Quéene, her heirs or successors, or being free denizens of this Realme, the which at any time sithence the first day of the raygne of our said soueraigne lady ỳ Quéene (whom almighty God longe preserue) hath passed, or hereafter during her maiesties life, shall passe out of this realme of Englande, or of Ireland, or any other the dominions of the same, at any place whatsoeuer, into any ỳ Realmes, dominions or countries, of any forayne prince, potentate or gouernour, by whatsoeuer name or names they be called or knowen, without the special licence of our said soueraigne lady by writting, vnder the great seale of England priuie seale, or priuie signet: that then euery such persō or persōs which hath departed, or hereafter shal so depart out of this Realme or the realme of Ireland, or any the dominions of the same, without such licēce, as is aforesaid, & shal not returne into ỳ same realme of Englande, and there yeld & render his or their bodies to ỳ custody & ward of the sherife of the county where such person or persons shal so arriue, or to some of ỳ most honorable priuy counsel of our said soueraigne lady, within ỳ space of vi. moneths next after proclamation made by our sayde soueraigne Lady the Quéene, vnder the great seale of England, for the returne & yelding of the body of such person or persons, so as is afore said departing without licence: shal forfait and lose to our said soueraigne Lady the Quéene, the whole profits (See 4. Eliz. cap. 6. after 2. of all their manners, landes, tenements, & hereditaments, during their liues, wherof they were seised of any estate of freeholde, or inheritaunce, in their owne right, or in the right of their wiues: And also shal forfait vnto the same our soueraigne Lady the Quéene, her heires, & successours for euer, all their goods & cattailes whatsoeuer. And that all & euery the benefices, prebendes & other ecclesiasticall promotions & dignities whatsoeuer, of euery spirituall and ecclesiasticall person so offending in departing the realme, as is aforesaid, and not returning & yelding their bodies in foorme aboue limitted, shalbe vtterly void to all intents & purposes, as though the incumbent were dead: & that the patron and Donor of euery such benefice, prebende, spirituall promotion & dignity, shal & may lawfully present to the same, or geue ỳ same in such maner & forme, as if the said incumbent were dead. And be it further enacted by the authoritie aforesaid, that al & euery person and persons being naturall borne subiects, as is aforesaid, and also al and euery denizen and Denizens, which at any tyme sithence the first day of the raigne of our said soueraigne Lady the Quéene, haue departed, or hereafter during her Maiesties lyfe shall depart out of this Realme, or the Realme of Ireland, or any the dominions of the same, by lycence of our sayd soueraigne Lady, vnder any the seales aforesayde, into any forreine Realmes, Countries, or dominions, béeing not vnder the obeysaunce of her highnesse, and shall not retourne into this Realme, and there yeld his or their bodyes, as is aboue declared within the space of sixe monethes, next after the expiringe of the time appointed by or in such licence for his aboad in such forayne Realme, Dominions, and countries, if their lycence shal expire hereafter, but if their lycence bée expired already, then within eight monethes after ỳ end of this session of Parliament, if hée or they shalbe at their owne libertie, & not restrained or compelled against their will, not to depart out of, or from such forreine realme, dominion or countrey, or not further licenced, as is aforesaid, for a further terme: that then al & euery such person & persons, shall forfait & lose to our said soueraigne Lady ỳ Quéene, during their liues, ỳ whole profits of al the manors, landes tenemēts, & hereditaments, whereof they shalbe seised, of any estate of freeholde, or inheritaunce, in their owne right, or in the right of their wife or wiues, & also al their goods & cattels whatsoeuer: & that the benefice, prebends, and other ecclesiasticall promotions & dignities whatsoeuer, of euery spirituall and ecclesiasticall person so offending, shalbe vtterly void to all intents and purposes as though the incumbēt were dead, & that the patrons & donours of euery such benefice, prebende, spiritual promotion, and dignitye, shall and may lawfully present to the same, or geue the same, as ỳ the incumbent were dead.

And

Subiects
Denizens
Without licence
Departinge out of this realme Ireland
Returne Render his body Sherife
Priuie counsaile 6. monethes Proclamatiō
Forf.
Lands For life
Freehold
Forf.
Goods Benefices Prebendes
Borne subiects & Denizen
With licence
Returne
vi. moneths
Licence expire vnit. moneths
Libertie
Forf.
For life Lands
Free hold
Wiues Goods Benefice
Lord Patrons

And forasmuch as diuers of ẏ said persons, after they haue determined to passe out of this realme, or the Realme of Ireland, or ẏ dominions of any of the same, wout licẽce, or hauing licence, determine not to returne into the same, according to their licence: do most commonly by couin & fraude, make, cause, or suffer to be made & had, recoueries, estates, graunts, leases, & other cõueiances of their manors, lands, tenements, & hereditaments: & also do by couin & fraud make gifts & graũts, & other deuises of their goods & cattails, to the intent & vpon priuie confidence that the profits of the same may bee imployed & bestowed in such fourme, and to such secret purposes and vses, as they do, or shal limit & appoint, and be agreed vpon. Be it therefore further enacted and ordeyned by the auctority aforesaid, that al and euery such estates, graunts, leases, gifts, deuises, & conueiaunces whatsoeuer, & euery of them, being found by office to be made and had by fraude or couin, as is aforesaid, shall be as touching such interest, as by this act is appointed, to our Soueraigne Lady the Quẽnes highnes nowe beinge, her heires and successors, as is aforesayd, & as against the same our soueraigne Lady the Quẽne, for and concerning the same interest, vtterly void and of none effect or vadilitie in the lawe: and that our sayde soueraygne Lady the Quẽne, shall haue and enioy the same so couenously conueied, as if ẏ partie so offending, were thereof actually seised or possessed: such recoueries, estats, leases, grãts, or conueiances, suffred, had, or made, or any lawe, statute, vsage, custome, or other thinge to the contrary notwithstandinge. And be it further enãcted by the auctority aforesayd, that the Lorde Chauncelour of Englande, or the kẽper of the great Seale for the tyme being, shal haue ful power and auctoritie during the Quẽnes Maiesties life, by vertue of this act, wout other warrant, to make and awarde out vnder the great Seale of England, cõmissions from time to time, to such person & persons, as by the wisedome and discretion of the sayde Lorde Chauncelour, or kẽper of the great seale shalbe named & appointed, to enquire by the othes of twelue lawful mẽ at ẏ least what person or persons haue departed out of this Realme, or other the dominions of the same, wout licence, or by licence, & not returned into the same, & vpon their bodies in such maner & forme as is aboue declared & what manors, lands, tenementes, hereditamentes, goods, and cattailes, they or any of them were seised or possessed of, at any time within the space of two yeres next before their said departing, or after, & what estates or conueiances, they or any of them haue made, and when, & whether the same were made vpon couin as is aboue expressed, and what person and persons bene the terretenaunts of the same manors, lands, tenements, & hereditamentes, or occupiers and possessours, or takers or receiuers of ẏ profits of the same, and of the sayde goodes and cattelles, and by what title they holde and possesse the same, and to whose or what vse or vses, and of the verely rents and values thereof: The which inquisition thereupon taken shalbe made in writing indented, betwene such of the Commissioners as shall execute the same, interchangeably sealed with their Seales, and the seales of the Iurours, by whom the same inquisityon shalbe founde: and that the same part so sealed by the Iurours, shalbee deliuered vnto the sayde Commissioners, and the other part thereof sealed by the Commissioners, shalbee deliuered, and remayne wyth the Foreman of the Jury, by whom the same inquisityon shalbee founde: and that the Commissioners, within the space of two moneths next after such inquisition founde and Sealed, shal certifie and deliuer ẏ same commission, with the counterpaine of the same sealed by the Iurours, as is aforesaid, in ẏ court of the Exchequer of our said soueraygne Lady ẏ Quẽne, there to remayne of record. See. 14. El. ca. 6. after 2.

And be it further enacted by the auctoritie aforesaid, that all and euery the sayde, matters and thinges beinge truely founde vpon any the sayd commissioners by inquisition, as is aforesayde, shalbee good and auailable in the lawe, to all intentes & purposes, vntil the same shalbe vndone by lawfull trauerse, which the partie greeued shall haue at his will and pleasure. And that the Barons of the sayd Exchequer shall & may thereupon from time to time, take such order for the true answeringe of the rentes, reuenues, issues, and profits of the said manours, landes, tenements, hereditaments, goods, and cattels, to the vse of our said Soueraigne Lady the Quẽne, as vnto them and the sayd Court of the Exchequer shall seeme most expedyent. See 14. Eliz. cap. 6. after 2.

And

Ireland

Fraude Recoueries Graunts Leale

Fraudulent gifts Goods.

Voyde

Lchancelor Lkeeper Great seale

Cõmissions

Enquire

Without licence With licence

Lands Goods

14. yeres

Couin

Terretenants Occupiers

Goods

Rents

Inquisition Indented

Seale Iurors

Foreman

Cõmissioners 14. moneths Certifie

Exchequer

Auailable

Trauers

Ba. of the Exchequer Order Rents

And be it further enacted by auctho̅rytie afo̅resaid, ꝑ̄ if any person o̅r persons to whō any estate, graunt lease, o̅r other conueiāce, is, o̅r hereafter shalbe made, o̅r had, by any such person o̅r persons which haue departed o̅r hereafter shall, in fourme afo̅resaid, depart into any fo̅rayne Realme, countrie, o̅r dominion, by o̅r wout licence, as is afo̅resaid, of any their, manors, lands, tenemēts, hereditamentes, gwdes, o̅r cattailes, do not within the space of iij. moneths nert after proclamation made in the name of our said soueraigne Lady the Quéene vnder ꝑ̄ great Seale of Englande, within any Countrey where the same manors, lands, tenemēts, & hereditaments shal lye, truely declare vpon their othes, either before the sayd commissioners, o̅r before the barons of the Eschequer, o̅r some of them, to what vse & intent such estates, graūtes & conueyaunces were made, according vnto the very truth, without any concealement o̅r colour: that then euery such person & persons to whom such estate o̅r cōueyance is o̅r shalbe made: shall forfait & lose vnto our said soueraygne Lady, the summe of xx li. of lawfull money of Englande, and shal also suffer imprisonment, during the pleasure of the same our soueraigne Lady. And further that the said Commissioners, and so many of them as shal take vppon them the execution of the sayd commission, and also the barons of the Eschequer, after the retourne and certificat of the same commission before them, shall haue ful power and auctho̅rytie by vertue of this act, by all such meanes and waies as to them shal séeme most expedient, to send for al and euery such person and persons, as shal haue any estate, interest, possession, occupation, o̅r medling, with ꝑ̄ sayd manors, lands, tenements, gwds, o̅r cattels, o̅r any other, and thē, & euery of them to examine vpon their corporall othes, to open and declare plainely & truely to what & whose vse, profit, and commoditie they haue o̅r holde the same manors, lands, tenements, gwds and cattelles, and howe, and to what, and whose vse the rentes, reuenues, issues, and profits of the same, ben and hath bene conuerted and imployed, and how longe time: and to vse all such other wayes, meanes, and circumstaunces for the knowledge of the trueth in the premisses, as to them shal séeme méete and conuenient. And if any person o̅r persons, being sent for, to bée examyned, as is afo̅resayde, shall not appeare at the day and place to them appointed, and hauing no lawful excuse for the contrarye: o̅r after appearaunce, shall depart without licence of such as shall haue power to examine them as is afo̅resayde, o̅r shall refuse to answere to such interogatories as shall be ministred vnto them touchinge the premisses, and the circumstances & dependances of the same: that then euery person and persons afo̅resaid so offending shal pay and lose vnto the Quéene our Soueraigne Lady, such fine and fines for the said cōtempt, as shalbe assessed by such, as before whom the said examinations shoulde be made, as is afo̅resaid, for the knowledge of the truith in the premisses. Sauinge to euery person & persons, bodyes politike and corporat, their heires & successors, other then the sayd person & persons so departing by licence, o̅r wout licence, as is afo̅resaid, & other then such person and personnes to whom any of the sayd assurannces, conueyances, o̅r deuises, be o̅r shalbee made, as is afo̅resayd, and other then al and euery such person and persons which haue o̅r shall haue, o̅r clayme any thing, of, in, o̅r to, any such mannours, landes, tenementes, gwds, and cattels, by o̅r from any person o̅r persons, to whome any such assurannce, deuise, o̅r conueyaunce shalbe made as is afo̅resaid: al such rightes, titles, interestes, possessions, leases, rentes, reuersions, remainders, seruices, offices & other profits and commodities, which they o̅r any of them without fraud o̅r coūn shall haue in the same, before such the departinge of any such personne o̅r personnes, and not retourninge, as is afo̅resayde, in as large and ample maner and forme, as ꝑ̄ this acte had neuer béene hadde nor made.

Prouided alwayes, that this act o̅r any thinge therein contayned, shall not in any wyse extende to any knowen Marchaunt of this Realme of Englande, o̅r of the Realme of Irelande, o̅r any the dominions of ꝑ̄ same, o̅r to any of their knowen seruāts apprentices, o̅r factours, o̅r to any knowen masters of ships, Mariners, saylers, o̅r gunners of any shippe, for & concerninge his o̅r their departing out of the same without licence into any forayne realme, countrey, o̅r dominion for his o̅r their only trad of marchandise: so that such marchaunt o̅r marchaunts, seruauntes, apprentices, factours, maisters of shippes, o̅r mariners, shal not attempt o̅r do, nor shall haue attempted o̅r

Estate

Without lycence

Refuse to answere

Without licence

3. moneths Proclamatiō from seale

Declare

Fine

Contempt

Forf.

Imprison

Claime

Commissio: ners

Bar. of the Eschequer

Without fraude

Examine

Merchants Ireland

Seruants

Mariners

Not appeare

Trade of marchandise

or done any act or thinge whatsoeuer contrary to the dutie of his allegeance, or to ẏ preiudice or peril of our said soueraigne Lady the Quéene, or ẏ estate of this realme of England or Ireland, or any the dominiõs of the same, & shal returne into this realme, & there yeld his body vpõ proclamation for his returne, as is aforesayd: this act or any thinge therein contayned to the contrary notwithstãding. Prouided also, that if any person by reason of his blind zeale & conscience onely, depart beyond the seas without licence, as is aforesaid: or hauinge licence, doth for the same cause onely, tary there after the time appointed by proclamation be expired, & do not in the time he is beyond ẏ seas, or dyd not before hée departed out of Englande conspire, compasse, or imagine, & by word, writting, or any other open act declare any euil mind to the Quéenes maiestie, or her estate, or quiet gouernment of her Maiesties Realme: that then and in such case, the Lord Chauncelour, or the lord képer vppon petition to be made, shall by authority of this act, without any other warrant, limit and appoint, for the maintenãce & education of his desolate wife & children, or any of them, & allot vnto them one reasonable portion of the reuennes of the landes of such fugitiue person, not vnder ẏ fowerth parte, nor aboue a third part of the value of such lands as by this act shalbe forfaited to her Maiestie, to be taken of them duringe the natural life & absence of the said fugitiue person, so ẏ the said person before his departure shal not haue made otherwise sufficiẽt conueiance & prouision for them, by ẏ reasonable iudgement of the said lord Chauncelour, or the lord képer of the great seale. Prouided also, ẏ if any person offending cõtrary to this statute aboue sayd, shall at any time after that by this act he hath forfeited the profits of his manors, landes, tenemẽts, or hereditamentes, as is aforesaid, repent him of his offence & vndeutiful doing, will acknowledge ẏ great grace of God, returne againe into England, yeld him selfe to the Sherife of the Shire, as is aforesaid, or to any one of the Quéenes maiesties priue counsel, acknowledginge his fault, submitting him selfe to the Quéenes maiesties obeisance, and fully reconcile himselfe to the true Religion established by order of lawe within this Realme, declaring that his reconciliation to the bishop of the dioces, and shewing the same openly by comming to the reuine seruice by order of this realme appointed, and receiuing the holy cõmunion: that then after one yere expired euery such person, bringing to the lord Chauncelor, or keper of the great Seale, a certificat from the Bishop of the Dioces, & the curat of his Parishe, of his true & vnfaygned reconciliation: shalbe restored to al his landes, and the profits thereof, which before was forfaited by vertue of this act, from thencefoorth to be due, and them to repossede from thencefoorth in as ample maner as they had neuer bene forfaited. Prouided alwaies, ẏ this act or any thing in the same contained, shal in no maner of wise extend, or be deemed, or taken hereafter to extend to ẏ right honorable ẏ Lady Jane, duches of Feris, now being in Spoine, daughter vnto Sir Willia Dormer knight, nor vnto ẏ Lady Jane Dormer widow, graũdmother vnto ẏ said Duches: any thing in this act to ẏ contrary in any wise notwithstandinge. Prouided also that this act, or any thing therein contained, shall not continue or be in force or strength any longer then durynge the natural lyfe of the Quéens most excellent Maiestie.

Prouided also, & be it further enacted by ẏ authoritie aforesaid, that if it fortune any noble man, being a Péere of this Realme, at any tyme hereafter to depart this Realme, whose departure shall not be contrary to the lawes & statuts of this realme: That then no such noble man, so departing, shal incurre any paines or forfaitures prouided by this act, vnles such noble man bée cõmaunded by the letters of our soueraign lady the Quéene, vnder her graces priuye seale or signet to make his returne & repaire into this Realme, and after such warninge do not repaire into this realme, accordinge to the tenour of the same letters, within the space of eight monethes next after the deliuerie of such letters of our sayd soueraygne lady the Quéene vnto any such noble man, as is aboue mẽcioned: or if such letters shall not be to him deliuered, so as he may well returne within eight moneths after the séding thereof, then vnles such noble mã shal not returne wythin other eight monethes next after proclamation to bée made as is aboue appointed: any thinge before in this act contained or expressed to the contrarye notwithstandinge. Prouided also, that if any noble mã being a Péere of this realme, which at any time hereafter shal fortune to depart

Blind zeale Without licence

Conspire

L. chaũcelor L. keeper

Wife and children

4. parte of Lands

After fourt. Repent

Repent Yeld himselfe Sherife

Priuie counsel

Reconcile

Bishop

Commaũdeth After one yere

Certificat

Restored Landes

Duches of Feris

Lady Dormer

Queenes life

Peere of the Realme

Queenes letters Priuy seale Returne

8. monethes

Not returne Proclamation

Peere of the realme

depart

depart out of this realme, in such sort as by the lawes of this realme he may, and who hath not at any tyme before his departure, nor shal at any time during his aboad out of this Realme, practise or deuise any matter or thing against the royal perso of our sayd Soueraigne Lady the Quæne, or the quiet estate of this realme, or any other her highnes dominions being vnder her obeisance, do returne into this Realme, & do yeld him selfe to two of her maiesties priuie counsel, acknowledging his offence done contrary to this act: that then euery such noble man shal from thencefoorth be restored to all the rent, reuennes, issues and profits, of all his lands, tenements, & hereditaments, which from thencefoorth should or might grow due vnto our said soueraigne Lady the Quæne by reason of this act: & that then and from thencefoorth the Quænes highnes title, in & to the rents, reuennes, issues, & profits, of al and singuler his lands, tenements, and hereditaments, by vertue only of this act, shal cease, end, and determine: anything in this act contained to the contrary notwithstanding. An. 13. El. ca. 3.

deuise no vnlawfull practise

Returne yeld

Restored

Quenes title

Cease

2 ¶ Whereas in the statut against fugitiues departing out of this realme made in the last parliament. (s. 13. El. ca. 3. before 1.) amongst other things it is ordeined, ỹ the offendors against that statut, shal forfayt & lose to our soueraigne Lady the Quæne, ỹ whole profits of al their manors, lands, tenements, and hereditaments during their liues, sithens which time some doubt and question vpon the said words hath risen, & bene moued. Whether her Maiestie, her heires and successors, may let & set ỹ same lands, or make graunts by copies of Court roll thereof, and vsual woodsales, or els shal onely take the ordinary profits as they rise, as vesturam terræ, and not otherwise. And whereas in the sayd statut, one braunch or clause is contained for the making voyd of fraudulent cõueiances by the said fugitiues, of their lands & goods, made to thintent and vpon priuy confidence, that the profits may be ꝑfited as they should limit & agree: vpõ the words of which clause, some doubt and question hath also risen, & ben moued, whether the conueyance (to thintent aforesaid) made by such fugities as depart out of the realme hauing licence, & do not returne into this realme according to their licence, & intent of the said statut, shalbe within ỹ prouision of the said statut, vnles their determination of not returninge according to their licence, be proued to be before the making of the sayd fraudulent conueyance, as a thing material, before the making of the said conueyance, or whether the same determination of not returning according to the sayd licence, be not so material, but that the same shal by the subsequent act (that is to say) by the not returning of the said partie according to the sayd licence, be sufficiẽtly proued without any further matter. For auoyding of which doubts, be it declared, & explained, and ordeined by authority of this Parliament, that during so long time as her maiestie, her heires or successors, shalbe entituled to haue the said profits by vertue of the said statute, shee & they may let and set, & make graunts by copie of Court rolle, & vsual wood sales & other things, to all intents and purposes, as a tenaunt pur terme dauter vie lawfully may do. And further, that the sayd determination, which is but a secrete thought of the fugitiue, whatsoeuer his wordes of speach be, is not material, but that the act and dead subsequent, vz. the not returning of euery such fugitiue, according to his licence, and not hauing such let or excuse, as by the said statut is allowed (without any further matter) was, is, and shalbe taken and deemed a sufficyent proofe of the precedent determination of the same party not to returne according to hys licence: any thinge to the contrarye hereof in anywise notwithstandinge. And be it further enacted by the authoritie aforesayd, that al such rentes, reuennes, issues, profittes, and other thinges, as all ready bee commen or growen, or hereafter shal come or grow to the Quænes Maiestie, for any the causes of forfeiture mencyoned or expressed in the sayd former act and statute, or declared by this act, shalbe aunswered yerely vnto the Quæns maiestie in ỹ court of Exchequer, & shalbe in ỹ order, survey & rule of ỹ same court: and that the treasorer, chauncelor, & barons of the said court, or the more part of them for the time being, whereof the treasourer, or chauncellour to be one, shal & may do, and cause to be done, all & euery such act and thinge, as they shall thinke mete and conuenient to be had, made, or done, for the demising, custody, receiuing ordering, & better aunswering to her maiesties cõmodity & profit, of al such rẽts, reuennes, issues, profits, & other things as now be commen or growẽ, or hereafter shal come or grow to her maiestie,

Copie Woodsales

Exposition

Non returning

Proofe

Rents Profits

Exchequer

Treasourer Chauncellour

By forf. maiestie, for any the causes of forfaiture aforesaid, according to the true meaning of ỹ said former act, & of this present statute of explanation and declaration. Prouided alwaies, & be it further enacted by ỹ authoritie aforesaid, ỹ all lands, tenements, rents, reuersions, seruices, & leases, being at thys time parcel of ỹ possessions of the duchye of Lancaster, or deriued out of ỹ same, whereunto, or to the profits wherof, the Quenes maiesty, her heires or successors in any wise is, or hereafter shalbe intituled, eyther by authority of the said former statut of fugitiues, or by this statut, shalbe from hencefoorth vnder the survey, demising, & order of ỹ court of the said duchy of Lancaster, in such maner & fourme, as other ỹ premisses be assigned or appointed by authoritye of this act, or by ỹ sayd former act to be in the survey, demising, & order of ỹ said court of Exchequer: & ỹ the transcript of al offices and inquisitions concerning the premisses, to be within the survey demisinge, and order of the Duchy of Lancaster, shalbee certified & recorded in the sayd court of the duchy of Lancaster: any thing either in the said former act, or in this act to the contrary, notwithstanding. An. 14. El. ca. 6.

Lands

Duchy of Lancaster

Survey Court of duchy

Transcript Offices

¶Fustians.

Iron instruments

NO Iron Instruments, nor any other vntrue subtill meane or slight be from hencefoorth vsed vpon any fustian vnwin thys realme, but onely by the broad shere, vpon forfaiture of xx. s. to be leuied for euery default of euery such person or persons hereafter offendinge & vsinge any such deceiuable instruments or sleights as afore is said, the one halfe of the said forfaitures to be to the king our soueraigne Lord, & the other halfe to him or them that wil sue for ỹ same forfaitures, by action of debt, bill, plaint or information in any of ỹ kings courtes of record, where ỹ same may be determined after the course of the common law, and that the defendant in such behalfe in no wise bee admitted to wage his law, nor that any protection or essoign be in the same allowable. And ouer this be it ordeined by ỹ sayd authority, that the Maior & wardens of shermen of the citie of London, for the time being haue authoritie to enter and search the workmanship of al maner persons occupying the broad shire, aswel Fustians, as cloth and the execution of thys present act to bee as well of the denyzens, as of forreins and straungers. Anno 11. H. 7. capitulo 27. Norwich 4.

Shereres Forf.

Moitie

Action of debt

Waze lawe

Maior Wardens of London Search

Denizens

Forreins

¶Gauges.

ANno. 1. H. 6. cap. 5. an act was made for redemption of Iewels & such things as as Henry the 5. had layd to gage.

Iewels

¶Gauging.

THe statuts thereupon made (as it is said) be holden, kept, & put in due execution. And moreouer we declare & of the assent aforesaid will & graūt, ỹ as wel al maner vessels of swéete wines, of the Rine, & of other wine, as other vessels of vinegre, oyle, hony & of all other lycours gaugeable, which frō hencefoorth shal come within this realme of Englande, or within our lands of Wales and Ireland, shalbe wel & lawfully gauged, by our gaugeours thereto assigned or their deputies. And if any set debat or disturbāce, & wil not suffer the wynes or other lycours aforesayd to be gauged, he shall incurre the peine ordeined by ỹ said other statuts. And in the same maner ỹ gaugeours shal incurre the peine cōprised in the same statuts, if default be from hencefoorth founde in them or in their deputies in this behalfe. Anno 4. R. 2. cap. 1.

Swete Wines Vinegre Oyle Hony Wales Ireland

Refuse

Paine

2 ¶The peny which is called the gauge peny, shal not be payd to the gaugeour, nor to any other in his name, till he or his deputies haue gauged the wines, & then he to take & receiue his peny for the same in gre without more encrease or auantage for that to claime. And also that he or his deputy be ready to do the office of the gaugeour, in al places, when he to that, by the partie shalbe required, & that to be obserued throughout al ỹ realme of England, vpon the paine cōprised in the statut made the xxbij. yere of the noble king Edward the 3. of the gaugeinge of red wine, & white wine, duly to be executed. An. 23. H. 6. cap. 16.

Gauge peny

Gaugeour

¶Giggemilles.

NO maner of person or persons, after ỹ first day of May next cōming, shal vse or occupy, any of ỹ said gigge milles, for the worhinge of any woollen cloth or clothes, made or to be made within this realme, vpon payne of forfeyture for euery cloth so wrought

Woollen cloth

Forf.

wrought in, or by, any of the ſayd mylles called Gigge mils, v.li. the one moity &c. to the king, the other moity to him that wyll ſue &c. wherein &c. An. 5. E. 6. cap. 22.

Moity

¶Girdlers.

The Girdlers of the realme, that worke girdels garnyſhed with white mettall, may worke, die, & continue their ſaid craft, that is to ſay, to garnith the girdels wyth white mettal, as of old times it hath beene vſed, notwithſtanding any charters or patents made or graunted to ỳ contrarie. And if any charters or patents bee made to the cõtrary, that they ſhalbe voyd & of no force. An. 15. R. 2. cap. 11.

Whit mettal

Patents

Voide

¶Glouceſter.

ANno 33. H. 8. cap. 35. An acte is made concerninge Conduites in Glouceſter. See before in Prerogatiua Regis, of the cuſtome of Glouceſter for forfaiture.

¶Gold, Siluer, and Goldſmithes.

NO Goldſmith of Englande, nor none other within the kings dominion, ſhall from henceforth gilde, nor cauſe to bee gilded, no maner of Veſſell, Jewel, or any other thing of golde or ſiluer, except it be of the very beſt allay, & ſiluer of the ſterlynge allay, or of better, at the pleaſure of hym to whom the gold belongeth, & that none gild worſe ſiluer then ſterling. And that he ſuffer no maner of veſſel of gold or ſiluer to depart out of his hands, vntil it be aſſaied by the wardens of the craft. And further that it be marked with the Libardes head. And that they worke no worſe gold, then of the touch of Paris. And that the Wardens of the craft, ſhal go from ſhop to ſhop among the Goldſmiths, to allay if their gold bee of the touch ỳ is ſpoken of before. And if they finde any other then of the touch aforeſaid, the gold ſhalbe forfait to the king. And that none ſhal make ringes, croſſes, nor lockes. And that none ſhal ſet any ſtone in gold, except it be natural. And that grauers or cutters of ſtones & of ſeales, ſhall geue to eche their weight of ſiluer (as neere as they can) vpon their fidelitie. And the Jewels of baſe gold which they haue in their handes, they ſhal vtter as faſt as they can. And frõ hẽceforth if they buy any of ỳ ſame worke, they ſhal buy it for to worke vpon, & not to ſel agayne. And that al the good townes of England, where any goldſmithes be dwelling, ſhalbe ordred according to this eſtatute, as they of London be. And ỳ one ſhall come from euery good towne for al ỳ reſtoue that he dwelling in the ſame, vnto London, for to be aſcertained of their touche. And if any goldſmith be attainted hereafter, becauſe ỳ he hath done otherwiſe then before is ordeined, he ſhalbe puniſhed by impriſonment, & ſhal make fine at the kings pleaſure. And notwithſtanding all theſe things before mentioned, or any point of them, both the king & his counſel, and all they ỳ were preſent at the making of this ordinance, will & intend, that the right & prerogatiue of his Crowne ſhalbe ſaued to him in all thinges. Articuli ſuper Cartas. An. 28. E. 1. cap. 20.

Ill ſild

Beſt allay Sterling allay

Allayed Wardens Marked Paris touch Wardens Search

Foyl.

Ringes

Natural Stones Stone cutters

London

Attainted

Impriſon Fine

2 ¶All Marchants prymy & ſtraungers, may ſafely cary & bring wyn our ſaid realm & lands, plate of ſiluer, & billets of golde, & al other maner gold, & all money of gold & ſiluer, to our bullion, or to our eſchãges, which we ſhal do ordeine, at our ſaid ſtaples, and els where, taking their money of our coine of gold & ſiluer conenably to the valure. And if any will take good money of gold & ſiluer of other come, then of ours in payment, he ſhal take the ſame wout impeachment, ſo that none be thereunto compelled, if he wil not take it of his good will. Prouided alwaies, ỳ no money haue cõmon courſe wyn our ſaid realme & lands, but the money of gold & ſiluer of our coine. And that none cary out of our ſaid realme & lands, ỳ old ſterling, nor other money, but our new money of gold & ſiluer, except the marchants ſtrãgers, ỳ bring to our ſaid realme & lands any maner of money, & there will employ thys money wyn our realme & lands, whom we wil that they may recarry into their countrey all this money, or almuch as ſhall remaine therof not employed, wout impeachment: So alwayes that good & lawful ſerch be therof made in the portes & other places where any arrival is. And that all the money, that euery marchant ſtraunger ſhall bring within our ſaid realme & lands, ſhalbe put in writting by the ſearchors, to the intent that no marchant ſhall carry more beyond the ſea, then he brought into the ſame realme & lands. Prouided alwayes, that no miniſter nor other, by colour of ſuch ſearch, ſhall make impeachment or diſturbance to any marchant ſtraunger to greeue him vn-

Marchants

Billets of gold

Money

Serech in Portes

Falle money

duely. And that al the falle money that may be found by search, or in other maner espied within the same our Realme & lands, in deceipt of our good money, shalbe forfaited to vs, according to the ordinãces another time thereof made. An. 27. E. 3. cap. 14.

Forf.

3 ¶ Goldsmithes aswell in London as els where within the realme, shal make al maner of vessell & other worke of siluer, wel & lawfully of the allay of good sterling. And euery master goldsmith, shal haue a marke by him selfe, & the same marke shalbe knowen by them which shalbe assigned by the king, to survey their worke & allay. And that the said goldsmithes set not their marke vpon their workes, til the said surueiors haue made their allay, as shalbe ordeyned by the king & hys counsell, & after the allay made, the surueyors shal set their marke, & afterward the goldsmith his marke, for which he wil answere. And that no goldsmith take for vessel white & full for ỳ weight of a pound that is to say, of the price of two markes of Paris weyght, but xviij. s. as they doe at Paris. And ỳ no goldsmith making whyt vessel, shall medle with gilding: nor they ỳ do gild, shal not meddle to make white vessel. And they which shalbe so assigned in euery towne, shal make their searches as oftentimes as shalbe ordeined. And for that ỳ shalbe in ỳ default of the goldsmiths, they shal incurre the paine of forfaiture to ỳ king the valour of the mettal which shalbe found in default. An. 37. E. 3. cap. 7.

Vessel Sterling allay

Marke

Allay

Whit vessel

Gilding

Fault Forf.

4 ¶ No artificer nor other man what so euer he be, from henceforth, shal gilt nor siluer, any such lockes, rungs, beades, candelsticks, harneys for girdels, chalices, hiltes, nor pomels of swords, powder bores, nor couers for cuppes, made of copper or laten, vpon paine to forfait to the king C. s. at euery time that he shalbe founde giltie, & to make grãe to the partie grieued for his dãmages: but that (chalices alwaies excepted) the said artificers may worke, or do to be wrought ornaments for the Church of copper & laten, & the same gilt or siluer, so ỳ alwaies in the note, or in some other part of euery such ornament so to be made, ỳ copper & the laten shalbe plaine, to ỳ intẽt that a man may see whereof the thing is made, for to eschew the disceipt aforesaid. An. 5. H. 4. cap. 13.

Artificer Gilt

Copper Laten Forf.

Church ornaments

5 ¶ That al the goldsmithes of England shal gilt no siluer wares, then of the allay of the English sterlinge, & that they take for the pound of Troy gilt but xlvi. s. viij. d. at the most, & of greater wright & lesse, according to ỳ quantitie & rate of the same sume. And that which shalbe by thẽ gilt frõ hence forth, be of a reasonable price & not excessiue, & if any goldsmith do cõtrary to this statut, he shall forfait to the king the valour of the thing so sold. An. 2. H. 5. cap. 4. Stat. 2.

Gilt siluer English Sterling

Troy Weight

Forf.

6 ¶ None from henceforth shal gilt any sheathes, nor mettal, but siluer, & the ornaments of the holy Churche: nor shal siluer no mettal but knights spurres, & al the apparel that pertayneth to a Baron, & aboue ỳ estate, vpon paine to forfaiture to ỳ king, x. times almuch as the thing so gilt is of valour, & shall haue also one yeares imprisonment. And the Justices of peace shall haue power to enquire therof, & that to determin. And he that wil sue for ỳ king in this party shal haue the third part of the said pecuniar paine. Prouided that this last ordinãce shal begin to holde place, at the feast of Easter next comming. An. 8. H. 5. cap. 3.

Gilt

Spurres

Forf.

Imprison Just. of p.

*

7 ¶ For the increase of white money, that no man, of what estate or condicion ỳ he be, within this realme, shal buy or sel, no siluer in plate, peece, nor in masse, being as good of allay as the sterling, aboue xxx. s. the pounde of Troy ouer the fashion, vpon the pain of forfeiture of the double valour of as much, as he buyeth or selleth, contrarie to this ordinaunce. And that the one halfe bee forfait to the kings vse, & thother halfe to ỳ vse of him that wil sue & proue the same forfaiture. Prouided alwaies, that they which go to the coine, haue & take of the Maisters of the same coine, according as is lawfully conteyned in the indentures thereof made betweene the king & him. And also the Maister of the said mint, for the time being, may take & deliuer, as is contayned in ỳ sayd indentures, wont taking more for the ease & profit of the cõmon people. An. 2. H. 6. ca. 13.

Whit money

Siluer plate

Forf.

Mynt

Mint maister

8 ¶ No goldsmith nor worker of siluer within the citie of London, sell no worke, manship of siluer, vnles it be as fine as the sterling, except the same neede souder in the making, which shalbe allowed, according as the solder is necessarie to bee wrought in the same. And that no Goldsmith nor Ieweller, nor none other that worketh harneis of siluer, shal set any of ỳ same to sel wt in the citie, before that it be touched wt the touch, & also wt a marke or signe of ỳ workman of the same, vpon paine of forfaiture of the double, as afore is said. And that the marke

London Sterling Solder

Touched

Marke Forf.

marke & ſigne of euery goldſmith be knowen to the wardēs of the craft. And if it may be found, that the ſaid keeper of the touche, touch any ſuch harneis with the Leopardes head, except it be as fine in allay as ẏ ſterling, that then the keeper of the touch for euery thing ſo proued, not as good in allay as the ſaid ſterling, ſhall forfait the double valour to the king, & to the partie, as is aboue recited. And alſo it is likewiſe ordeyned in the city of Yorke, New caſtel vpon Tyne, Lincolne, Norwich, Briſtow, Salisbury, & Couentry, ẏ euery of them ſhal haue diuers touches, according to the ordinance of the Maiors, Bailifes, or gouernors of the ſame townes. And that no goldſmithes nor other worker of ſiluer, nor keepers of the ſaid touches within the ſame towns, ſhal ſet to ſale nor touch any ſiluer in other maner then is ordeyned before wīn the Citie of London, vpon paine of the ſaid forfeiture.

keeper of touch

Fork.

Yorke

Maiors Bailifes

London

☞ And moreouer, that no goldſmith nor other worker of ſiluer wīn ẏ realme of England, where no touch is ordeined, as afore is ſaid, ſhal work any ſiluer, except it be as fine in allay, as the ſterlinge. (See after 12. that ſterling is now xj. ounces two peny weight) & that the goldſmith or worker of the ſame ſiluer, ſet vpon the ſame, his marke or ſigne before he ſet it to ſale. And if it be found, ẏ it is not as fine as the ſterling, that then the worker of the ſame ſhall forfait the double valour in maner & fourme, as before is recited within the city of London. And the Juſtices of peace, Maiors, & bailifes, & all other hauinge power as Juſtices of peace, ſhall heare, inquire, & determine, by bill, playnt, or in other maner, all that do contrary to ẏ ſaid ordinances, & thereof to make due execution by their diſcretion.

Marke

Foyl.

Juſt. of p. Maior Bailie Oier & ter.

Execution

Prouided alwaies, that if the Maiſter of the Mint that now is, or which for ẏ time ſhall be, offend or haue offended in his office of ẏ ſaid mint, that then he be corrected & iuſtified, according to the fourme of the ſayd indentures An. 2. H. 6. cap. 14.

Mint maiſter

Offend

9 ¶ That no finour of golde & ſiluer, nor parter of the ſame by fier or water, from henceforth allay no fine ſiluer nor gold, nor none ſel in any other wiſe, ne to any perſon or perſons, but onely to officers of Mints, changes, & goldſmithes within this realme for ẏ augmentation & amending of coine & plate, as is aforeſaid. And that the Maiſters of Mints, changes, & goldſmithes, for al ſuch fine gold or ſiluer cōming to them, to aunſwere the valour, as it is worth, according as it is now & hath ben of auncient time accuſtomed after the rate of fine. Ne that no finor nor finors, parter nor parters, ſel to no perſon, neither to one ne to other, any maner of ſiluer in maſſe molton & alaied, vpon paine of forfeiture of ẏ ſame, the king there of to haue the one half, & the finder that can proue, & will ſue it in ẏ kings Eſchequer, the other halfe. And if any finor or finors, parter or parters of gold & ſiluer, either by fier or water, alay or ſel any fine ſiluer or gold, otherwiſe then is ordeined in this laſt acte, he or they to loſe ẏ valour of the ſame golde or ſiluer ſo alaied or ſold. The king thereof to haue the one halfe, & the finder that can proue it, & wil ſue it in the kings Eſchequer ẏ other halfe. Alſo al ſuch fine ſiluer as ſhal be parted & fined, as is aforeſaid, that it be made ſo fine, ẏ it may be two peny weight of allay in a poūd weight, & yet it be as good as ſterling, & rather better then worſe. And that euery finor put his ſeuerall marke vpon ſuch fine ſiluer, to beare witnes to the ſame to be true, as is aforeſaid, vpon the paine of the valour found contrarie to be forfait, the king therof to haue the one halfe, & ẏ finder that can proue it, & will ſue it in the Eſchequer the other halfe. And ẏ no goldſmithes wīn this realme, melt or allay any fine ſiluer, to, ne for, any workers, of other intent but onely for making of amelles for dyuers workes of goldſmithrie. And for amending of plate to make it as good as ſterlinge or better for ẏ cōmon weale of this realme. Nor that they ſell no fine ſiluer, nor other ſiluer allayed moltē into maſſe, to any perſō or perſōs whatſoeuer they be, nor one goldſmith to another: This ordinānce to be kept by ẏ goldſmithes in euery point, vpon pain of forfaiture of the ſāe ſiluer or valure therof. The king therof to haue the one halfe, & the finder ẏ can proue it, & will ſue it in the kings Eſchequer ẏ other halfe. Alſo it is ordeined by the ſame auctho'itie, ẏ all letters patents & graunts of offices, belonging or appertayning to ẏ Mint of our ſouerayne Lord the king, exerciſed in the ſame to fees & wages therto belonging, be frō henceforth void & of none effect. An. 4. H. 7. cap. 2.

Gold finor

Allay

Sell

Mint maſters

Sell

Siluer alaied

Fork.

Moitie

Allay

Fork.

Moitie

Moitie

Amells

Fine ſiluer

Fork.

Moitie

L. patents Offices Mint

Voyde

10 ¶ No perſon dwelling or inhabityng within this realme from the ſaid feaſt of ẏ Purification (5. An. 1489.) pay or delyuer wittingly by way of exchāge, or otherwiſe, to any marchaunt or other perſon, borne out of the kinges obeyſance, for any merchandiſe

May Eſchange Marchant Straunger

chandise or wares or in any other wise, any maner peces of gold coined in this realme, or any other realme, or any plate, vessells, masse, bullion, ne iewels of gold, wrought, or vnwrought, to forfaite & lose the double summe, or double value of al such money of gold, coyned plate, vessel, masse, bullion, or iewels of gold or siluer, payed, deliuered, or eschanged, contrarie to this act, the one half of the same forfeitures to the king our soueraigne Lord, & the other half to any of hys subiects that wil seise it, or sue for any such payment, deliuerance, or eschange made, or to be made, contrarie to this act. And that it be lawful to the kinges subiectes in thys cause, to sue for the said forfaiture, by action of debt, by writ at the common law, by bill or plaint, after the custome of the city, port, or towne, where it shal happen any forfaiture to fal & be, or by informatiō to be made in the kings Eschequer, & that no protection nor essoines be allowable in any such action or information. An. 4. H. 7. cap. 23.

Gold coined
Plate
Bullion
Forf.
Moitie

11 ¶ An. 17. E. 4. cap. An acte was made, to endure for vij. yeres against goldsmithes, & selling of gold & siluer.

12 ¶ No goldsmith, from the xx. day of April next cōming, shal worke, sel, exchāge, or cause to be wrought, sold, or exchanged, any plate, or other Goldsmithes wares of gold, lesse in finesse then ỳ of xxij. Carrots, & that he vse no sother, amel, nor other stuffings whatsoeuer, in any of their workes, more then is necessarie for the finishing of the same, & that they take not aboue ỳ rate of xij. ð. for the ounce of gold (besides ỳ fashion) more then the buyer shall or may bee allowed for the same, at the Quenes exchange or mint, vpon paine to forfait ỳ value of the thing so sold or exchanged: & that from the said xx. day of April, no goldsmith shal make, sel, or exchange, in any place wtin this Realme, any plate or goldsmithes wares of siluer, lesse in finesse, then that of xj. ounces two peny weight, nor take aboue the rate of xij. ð. for euery pound weight of plate or wares of siluer, besides the fashion, more then the buier shal or may be allowed for the same, at the Quenes eschaunge or mint: nor put to sale, exchange, or sell, any plate or goldsmithes worke of siluer, before he hath set his owne mark to so much there of, as conueniently may beare the same, vpon paine to forfait the valne of the thinge so sold or exchanged. And if any goldsmith shal make any goldsmiths worke or plate, & the same after the said xx. day of April shalbe touched, marked, & allowed for good, by the Wardens or Maisters of that mistery, & in the same there shalbe found any falsehood or deceipt: then the wardens & corporation of that mistery, for the time being, shal forfait & pay the value of the thing so exchanged or sold: The one moity of al which forfaitures, shalbe to the vse of the Quenes Maiestie, & the other moitie to ỳ vse of such party greeued, & sustayning losse thereby, as will sue for the same in any Court of record, by action, bill, plaint, information, or otherwise, wherein no essoine, protection, or wager of law, shalbe admitted for the defendant. An. 18. Eliz. cap. 15.

Worke
Sell
Exchange
Plate
22. Carrots
Sother
Amel
xij. ð. the ounce of gold
Forf.
Siluer wares
Finesse xij. ð the pound
Marke
Forf.
Goldsmithes worke
Marked for good Wardens
Deceipt
Forf.
Moitie

¶ Grauntes.

ANno 1. R. 2. cap. 2. It was enacted, that graunts made by certaine attaynted persons, attainted of Treason should be voyd. But this Parliament was repealed by An. 1. H. 4. cap. 3.

2 ¶ Where the right noble & famous king of ful worthy memorie, king H. 8. father to our most dread, & now natural soueraigne liege Lord, sithence the 4. day of Feb. in the 27. yere of his late raigne, & also the kyngs most excellent Maiestie, by their seueral letters patents, haue geuen, graunted, bargained, sold, or exchanged, to & with diuers and sundry the subiects of this Realme, bodies politike & corporate, in fee simple, fee taile, for terme of life, or yeares, diuers honours, castels, manors, lands, tenements, & other hereditamēts & offices. After, & since which graunts, bargaines, sales, & exchanges, dyuers of ỳ said patentees, their heirs & successors, or assignes, haue bargained, solde, geuen, exchāged, or demised, parcels of ỳ sāe, so to them geuen or graunted, which haue ben in times past, & in time to come are like to be disherited, or in daūger of losse of their interest, in, or to the same, to their no little hinderance & perill. For remedy whereof, be it &c. that all & euery person or persons, bodies politike or corporat, which lawfully shal or may claime, by force of any patent or patents, made sithence the said 4. day of Februarie, or hereafter to be made by the kings Maiesty, his heirs or successors kings of this realme, or by any of them, & al other that now haue, or hereafter shal happen to haue, any good or lawfull estate, right, title, rent, profit, interest, or possession, of, in, to, or

L. patents
Fee simple
Fee taile
Life
Yeres
Sales
Exchanges
Patents
Solde
Claime
Right

or out of any honors, manors, lands, tenements, hereditamẽts, or offices, or of other things, to any of the premisses: diuers particuler partes, parcels, or portions, of ỹ said honors, castels, manors, lands, tenements, hereditamẽts, & offices, or other thinges, thereunto appertayning or belonging to other person or persons, bodyes politike or corporate, that is to say, to some of them in fee simple, to some other in fee tayle, for terme of life, or yeares, or otherwise. And after the same patentees, for consideratiõs them moving, haue surrendred & geuen vp, their said letters patents, vnto the Chauncery, or other wise, the same letters patents hath ben forfaited by attainder, lost, cancelled, imbesilled, or by other waies or meanis haue come to the hãds of the kings Maiestie his late father. And thereupon oftẽtimes ỹ inrolment of the same hath ben made void & frustrate, sometime in part, & sometime in the whole, by reason whereof such persõs bodies politike or corporat, as haue had interest, or title, in, or to the same castels, manours, or particuler portions, or appertayning or belonginge, or to any part, parcell, or member of them, or any of them, by, from, or vnder any suche Patentee or Patentees, or any of them, or by, from or vnder the heires, successours, or assignes of them, or any of them, or by, from, or vnder the state of any others which had, haue, or hereafter shal haue, the estate, title, or interest, of any such patentee or patentees, or by any other meanes, vnder the date of suche letters patents: shal & may at al times hereafter in any the kings courts, his heires or successors, & elswhere, by vertue of this present act, make & conney vnto them selfe title, by way of declaration, plaint, auowrie, title, barre, or otherwise, aswell against the kings highnes, his heires & successors, and euery of them, as against any other person or persons, vnto ỹ said honors, castels, manors, lands, tenements, offices, and other the premisses, or any part or parcell of the same vnto them, or any their predecessours or auncestors, or others, whose estate they haue in the same, by, from, or vnder the said patentees, or any of them, or the auncestors or assignes, of any of them, or otherwise vnder the date of the said letters patents, comprised & contayned in any exemplification or constat, thereof made, or to be made, by the shewing forth of the saide exemplification or constat of the Rolle, or of so much thereof, as shal serue for the matters in variance, vnder the great seale of Englande. And the same exemplification or constat, of the saide Inrolment, so as is aforesayd pleaded & shewed, shalbe of like & the same force and effect, to all intents & constructions in the law, as the said first letters Patents were, and should bee of, if the same were or should be pleaded or sued. Anno 3. E. 6. cap. 4.

Patents Surrendred

Forf.

Title

Exemplification

Force & effect

3 ¶Be it enacted & declared, that al and euery patentee & patentees, their heires, successors, executors, & assignes, & al and euery other person & persons, hauing by or from them, or any of them, or vnder their title, any estate or interest, of, in, or to, any lands, tenements, or hereditaments, or any other thing whatsoeuer, to such patentee or patentees heretofore graunted by any letters patents, either of the most famous Princes, king Henry the eight, K. Edward the sixth, Quene Mary, king Philip & Quene Mary, or by any of them, or by the Quenes most excellent Maiestie that now is, at any time sithence the 4. day of Februarye, in the 27. yere of the raigne of the said late kinge Henry the eight, or els by the Quens Maiestie that now is, her heires or successors, at any time hereafter to be graunted: shal & may at all tymes hereafter in any of the Quenes hyghnes Courtes, her heires or successors, & els where, by the auctority of this present act, make & conney, & be allowed & suffered to make & conney, to & for him, them, & euery of them selues, such claime or title, by way of declaration, plaint, auowry, barre, replication, or other pleading whatsoeuer, aswel against the Quenes highnes, her heires & successors, & euery of them, as against al and euery other person & persons whatsoeuer, for, or concerning the lãds, tenements, hereditaments, or other thynges whatsoeuer, specified or contayned in any such letters patents, or of, for, or cõcernyng any part or parcel therof, by the wing forth an exemplification or constat, vnder ỹ great seale of Englande, of the inrolment of the sãe letters patents, or of so much therof, as shal & may serue to, or for such title, claime, or matter, the same letters patents thẽ being, & remayning in force, not lawfully surrendred nor cancelled, for, or concerning so much, & such part & parcel of such lands, tenements, hereditamentes, or other thing, whereunto such title or claime shalbe made, as if the same letters patentes selfe, were

Patentees Heires

Patents

Conuey

Title Plaint

Inrolment

pleaded and shewed forth any law, vsage, or other thing whatsoeuer, to the contrary notwithstandinge. Anno. 13. Elizabeth capitulo 6.

¶Greenewich.

ANno 37. H.8. cap. 11. An act is made for all the owners of the Marshes there, to be contributorie to the charges of reparations of these Marshes.

¶Halyfax.

ANno 18. Eliz. There was an act made concerning the parish Church of Halyfax. But this statut is not in print.

¶Hattes & Cappes.

ANno 22. E. 4. cap. 5. An act was made to endure for two yeares, against thyckning of Hattes & cappes by milles. And after An. 7. E. 6. cap. 8. this act was renued for five yeares.

Thickning of Hattes

2 ¶¶An. 4. H. 7. ca. 9. an act was made for prices of hats & capps, But it is repealed by 3. H. 8. cap. 5.

Prices Repealed

3 ¶There be no capps or hattes made & ready wrought, in any party beyond the sea, bought by any of the kinges subiects, borne vnder the kings obeysance (except Lords & knightes) vpon paine of forfaiture for euery such capp or hat so by them or any of them bought, vi. s. the one moitie of the same forfaiture to be to the king our soueraign lord, & the other moitie to him or them that wil sue for the same, by action of debt, or otherwise, in which action the partie defendaunt shall not be admitted to wage his law, nor protection, nor essoine, to be allowed in the same action. Furthermore, that no Capper nor Hatter, nor other person, sel, nor put to sale, any hat or capp, that shalbe made vpon this Realme, after the feast of Midsomer next comming, but yt it be sufficiently wrought, & of a sufficient colour in euery point after the goodnes & fines of the woll, whereof they shalbe made, vpon paine of forfaiture of euery cap or hat so sold vj. s. viij. d. And that the capper nor none other persones, shall take by him selfe, or any other person to his vse, for any cap made of the finest Leominster woll, aboue iij. s. viij. d. nor for any cap made of the second sort of the same Leominster wol, aboue ij. s. vj. d. Nor for any cappe made of the third sort of Leominster woll, aboue xx. d. nor for any cap made of the iiij. sort of the same Leominster wol aboue xij. d. And that no capper, hatter, nor any other person shal not take by him self, nor any other person to his vse, for any cap made of the finest Cotswold woll, aboue ij. s. nor for any cappe made of the second sort of the same Cotswold woll, aboue vj. d. And that al other cappes & hatts of other wol, to be sold at such price, as the buyer & seller may reasonably agree. The cappe made of the finest Leominster wol to be marked in the lyning of the same cap with a letter L. The cap made of the second sort of the same Leominster wol, to be marked with this marke L. R. The cap made of the finest Cotswold wol to be marked with the letter C. in the lining thereof. And the cap made of the second sort of Cotswold wol, to be marked with this marke C. R. And the hatter, capper, nor any person by himselfe, nor any other person to his vse, shall take of any of the kyngs subiects, for any hat of the best making nor ingrayned, more then ij. s. And if any Capper, hatter, or other person take more money for any cappe or hat, contrarie to this act, he to forfait for euery cappe & hatte, for which he shall take more then is afore rehearsed xl. s. The moitie thereof to be to the king our soueraigne Lord, & the other moitie to the partie greeued, or any other person that wold sue for the same forfaiture by writ, bill, or plaint, at the common law, or after the custome of the citie or towne, where it shal fortune such forfeitur to be, by like processe, as is vsed in actions of debt, in court where it shalbe pursued. And that the defendant in the behalfe be not admitted to wage his law, nor that any protection or essoine be to him allowed. And that all & singuler estatuts heretofore made, concerning hats or cappes, be from henceforth repealed and annulled, by vertue of this present Parliament. An. 3. H. 8. cap. 15.

Beyond sea

Lords Knights Forf.

Moitie

Wage law

Wrought Cotswol

Forf.

Leominster woll

Prices

Effect

Ingrayned

Forf.

Moitie

Wage law

Repealed

4 ¶No manner of person nor persons whatsoever he or they be, from the feast of the Purification of our Lady next comming, do sel, or cause to be sold within this realme, to any person or persons, any wollen hatts or bonnets, or wollen hat or cap, made or to be made, in any place or places out of this Realme of England, in any of the parties of beyond the sea, ouer or aboue the price vnder written, that is to say, no such cappe or bonnet to be solde aboue the summe of xl. s.

Sell

Wollen hats Wollen caps

Forf.

Prices

ster-

sterling, & no such hatte to be sold above the
summe of x.s. and no such single crowned
cap, nor single night cap, to be solde above ỹ
Forf. summe of vj.s. vpon paine to forfait for e-
uery such bonnet, cap, or hatte, at any tyme
after the said feast, to be sold ouer the price
above said, contrary to the tenour of this act
xl.s. sterling: al which forfaitures shall ex-
tend onely to the losse of the seller or sellers
Mottie thereof, & to none other: the one halfe therof
to be leuied & recouered to the vse of our said
soueraigne Lord, & the other halfe to ỹ par-
ty that will sue for the same, in any of our so-
ueraigne lord the kings Courts, by actiõ of
debt, bill, information, or other wise, in which
action or suit, no protection, wager of law,
nor essoine shalbe allowed or admitted. And
be it &c. that euery person or persons, buying
or wearing any such bonnet, cap, or hatte,
made out of this Realme, may lawfully at
al times hereafter, vse, weare, or deteyne,
any such bonet, cap, or hat, caps, or hats, wõ-
out seisure of ỹ same, for any daunger, losse,
or other forfaiture or penaltie to bee had or
suffered for ỹ same: any matter, clause, or o-
ther thing cõteined or expressed in this pre-
sent act or actes heretofore made, to ỹ con-
trary notwithstanding. An. 21. H. 8. ca. 9.

5 ¶ The said act made in the said 21. yere
(s. cap. 9. before 4.) & euery thing, article,
clause, branch, & prouiso therein mencioned,
shal stand in full strength, force, and effect.
And for the better & more perfect, due, and
ful execution of the said act hereafter to bee
had, according to the true meaning & intent
of the makers therof: Be it &c. ỹ if any such
bonets, caps, or hattes, fortune hereafter to
From be- be brought from any the parties beyond the
yond sea sea, into any place or places wõin this realm,
or any the Quenes dominions, after the
last day of May next cõming: that then al
such bonnets, capps, & hatts, shalbe brought
Customer by the owner of them, or his seruant, to the
customer or customers of euery citye, bo-
rough, towne, place, or port wõin thys Re-
alme, where such hats or boners shalbe laid
Custome on land, or discharged, there to enter into ỹ
customer or customers bookes, the custome
for them, & to pay such custome for them, as
Forf. by the lawes & statuts of this realme, they
or any of thẽ haue vsed, or ought heretofore
to doe, vpon payne of forfaiture of all such
capps & hatts, as shalbe so brought in, & not
presẽted to the customer, as is afore said, or
the value of thẽ. And be it &c. that no person
so bringing into thys Realme, or other the
Quenes highnes dominions, any such hats
or caps, shall in any wise remoue, carry, or Conuey
conuey, such hats & caps, or any of thẽ, from
ỹ place where they shal so be laid on land, til
such time as they shalbe sold, in maner and
fourme as hereafter is expressed, vpon pain Forf.
of forfaiture for euery hatt or cap, remoued
or sold, contrarie to the meaning of this act
xl.s. And be it &c. that the customer or cus- Customer
tomers, his or their deputie or deputies, of
euery citie, borough, towne, port, hauen, or
creeke, where such bonnets, cappes, or hats,
shalbe so brought into this realme, or other
the Quenes dominions, shall within two
dayes after the entrie of the same cappes or
hats in the customers bookes, geeue notice, Geue notice
& make relation of the said hatts, bonnets,
or cappes, to the Maiors, Sheriffes, bailifs, Maiors
Sheriffes
constables, reeues, or other the chiefe Offi- Bailifes
cers of the said cities, boroughes, towns, or Constables
ports, & that vpon pain of forfaiture of their Forf.
offices. And be it &c. that the said customer Customer
or customers, or their deputie or deputies
together, whith the Maior, or such other per-
son, as the Maior shal assigne or appoint, or Maior
with the sheriffes, bailifs, constables, reeues,
or other the chiefe officer or officers of any
such place, or any of them, where such hats
or cappes shalbe so laid on lands, in the pre-
sence of the owners of them (if they wil be
present, or in their absence, if they will not)
shal sell the said bonnets, caps, & hattes, and Sell
euery of them, to such person or persons, as
will buy them at such price & prices, as is li-
mitted & appointed by the said act, made in
the said xxi. yeare, & not above, & shall pay & Pay
deliuer the money ỹ the said bonnets, caps,
& hats, shalbe sold for, to the owners of such
hats, bonnets, & cappes, in such conuenient
time, as the owners will receiue the same,
vpon payne & forfeiture of xx. li. for euery Forf.
time that such customer or customers, Ma-
iors, sheriffes, bailifes, or other head officers,
Customers as is aforesaid, shalbe remisse, or negligent Negligent
to make sale, as is aforesaid. And be it &c. ỹ
no one person by any fraud, couin, colour, or
collusion, shall buy or bargain, for any more
hatts or caps, being made out of ỹ Realme
at one time, or of one man, then one dozen,
vpon paine for euery cappe or hatte, bought
contrarie to tho meaning of thys act, xl.s.
Forf. The one halfe of all such forfaytures and Forf.
summes of money, to be to such as wyl sue
for ỹ same by bil, plaint, or information &c.
wherein &c. and the other halfe therof, to be Mottie
to the Quene her highnesse, her heires or

Customer Maiors Sheriffes Bailifes Constables One dozen

succeſſors. Prouided that the ſaid cuſtomer and cuſtomers, Maiors, ſheriffes, baylifes, conſtables, rēues, & other the head & chiefe Officers, ſhal not ſel, nor otherwiſe vtter aboue one dozen of the ſaid bonnets, cappes, or hatts, to any perſon or perſons An. 1. M. 1. Parliament' cap. 11.

Woode felt Fozreine wol Apprentice Foyl.

6 ¶ Be it enacted &c. that no perſon, by him or her ſelfe, or by any other, ſhall after the feaſt of the Natiuitie of S. Iohn Baptiſt next cōming, make or worke any Felt, or Hatte, of, or with any forreine woll or ſtuffe, vnles ſuch perſon ſhal firſt haue bene apprentice or couenāt ſeruāt to ſuch miſterie of Felt or hatt making, by the ſpace of vij. yeres at the leaſt, vpon paine to forfayt all ſuch hattes or felts, as he ſhal make, or cauſe to be made while he worketh, contrary to the fourme of this act, and x.li. in money for euery moneth ẏ he ſhal ſo continue.

Cloth cappe Dye blacke Barke Woad & Madder Poore people Fulling mill Scoured Footeſteth knyghtes Lordes ſonne Veluet Capp Foyl. Moity

And be it further enacted by the auctoritie aforeſaid, that from the firſt day of Aprill next comming, no perſon whatſoeuer, ſhall make, ſell, or cauſe to be made or ſolde, any cappe or other thing of Felt, but onely hats, nor ſhall make, ſell, or cauſe to be made or ſold, any cappe of any cloth not knit. And ẏ no perſon after the ſaid firſt day of Aprill, ſhal dye, or cauſe to be dyed blacke, any capp with barke or ſwarfe', but onely with copperas & gall, or with woad & madder. And for the ſetting of many poore & impotēt perſons to worke & for better making of capps that no perſons after the ſaid firſt day of Aprill, ſhal thicke or full in any mil, or cauſe to be thicked or fulled, in any mil, any capp vntill ſuch time as ẏ ſame capp be firſt well ſcoured and cloſed vppon banke, and halfe thicked at the leaſt in the footeſtocke. And that no man vnder the degrée of a knyght, or of a lordes ſonne, ſhall after the ſaid firſt day of Aprill, weare any hatte or vpper cap of Veluet, or couered with Veluet, on paine to forfait for euery hat, capp, or other thing to bee made, dyed, thicked, fulled, ſolde, or worne, contrary to the meaning of this act x.s. whereof the one moitie ſhalbee to the Quéenes Maieſtie, her heires & ſucceſſors, ẏ other moitie to ſuch perſon then ſüing the feat of Cappe making, as wil ſue for ẏ ſāe, in any Court of Record, wherin no eſſoin, protection, or weger of law, for the defendant ſhalbe admitted or allowed. And for ẏ better & true making of Cappes & Hatts wīn this realme. Be it enacted by the auctority aforeſaid, ẏ it ſhalbe lawful to ẏ maiſter and Wardens of the Cōpany of Haberdaſhers, within the city of London, and to their ſucceſſors, for the time being, calling to them one of the Company of ẏ Cappers & another of the makers of hattes, as often as néede ſhal require, within the ſaid citie, or within three miles of the ſame, to ſearch al & al maner of Cappers & makers of hats & the offendors & defaultes by them found, to correct & punith by fines & otherwiſe, as in like caſes they do other offendors & defaults wīn the ſaid compaſſe, & that it ſhal be lawful for all Maiors, Bailifes, & other head officers, in al other cities & townes corporat, to do the like. Prouided alway, & be it enacted by the auctoritie aforeſaid, that euery Hatte maker, that now is a maker or worker of hatts, & being an houſholder, apprentice, couenant ſeruant, or iourneyman, ſhal or may during ſuch perſōs natural life, continue making of Hatts & felts, albeit ẏ ſuch perſon were not bounden apprentice to the ſame arte by the ſpace of vij. yeres. And be it enacted, that no maner of worker of Hatts, ſhal take or receiue any Apprentices, contrarie to the true meaning of this act, that is to ſay, aboue two apprentices at one time, nor thole for any leſſe time then ſeuen yeares at the leaſt, on paine to ſuffer for euery Apprentice to be taken or received againſt the fourme of this act, one moneths impriſonment in the common Gaole, with out bayle or mainprile. And that euery taking and receyuing of Apprentice, contrary to this acte, ſhalbe voide. And alſo ſuch perſon ſo taking or receiuing, ſhalbee from thenceforth diſabled to haue any more apprentices, then one at one tyme.

Maiors Bailifes Wardens London Search Punith Apprentice Iourneymans Apprentices Impriſon Woyd

Prouided alway, that nothing in this acte ſhal extende to charge any perſon allowed to be a Feltmaker or Hatmaker, with any paine or forfaiture for ſetting, or vſing hys or their owne chyldren to the makinge or working of Felte or Hatts, in his or their owne houſes. Prouided that this acte ſhall not extend to any making of Hattes with worſted yarne, in the citie of Norwych. An. 8. Eliz. cap. 11.

Children Worſted yarne Norwich

7 ¶ For the continuance of makyng of Cappes, whereby many Townes, & many thouſandes of people haue bene heretofore mainteined, Be it enacted & eſtabliſhed, ẏ al & euery perſon & perſons, aboue ẏ age of vij. yeres (except maidēs, Ladies, & gentlewomen) inhabiting, commorating, & abydinge within any of the cities, boroughs, townes, villa-

Ladyes Gentlewomen

villages, or hamlettes of this Realme of Englande: and except also all noble personages, and euery lord, knight, and gentleman of the possessions of xx. markes lande by the yere, & their heires: & except also all such as haue borne office of worshipp in any City, borough, townes, hamlet or shire: and also al such as haue borne the office of wardens of the worshipfull companies of the cities of London: shal vse and weare vpon the Saboth & holy day, vules in time of their trauel out of ỳ said cities, boroughs, townes, villages, or hamlets, vppon their head, one cappe of woll knitte, thicked and dressed in England, made wtin this Realme of England & onely dressed & finished by some of ỳ trade or science of cappers, vpō paine of forfaiture for euery day not so wearinge, the summe of iii.s.iiii. d. of lawfull money of England. And further be it enacted by the authoritie aforesaid, ỳ Justices of assise in their circuits, Justices of peace in their sessions, sheriffes in their turnes, stewards in their Leetes & lawdaies, Maiors, sheriffes, & bailifes, of cities, boroughs, & townes corporat in their courtes, shall & may enquire, heare & determine from time to time, all & euery the said offences, committed & done within the limits of their seuerall iurisdictions & authorities: And were any such forfaitures shall happen to be founde wtin the precinct of any citie, borough, towne corporate, Leete, or Lawdaye, then the Maiors, sheriffes, & bailifes, of the said Cities, Boroughs, & townes, & owners of the said Leete or lawdaye, shal haue & enioy the one moitie of the said forfaitures, & the other moitie to be distributed at the discretion of the rulers & chiefe gouernors of euery such City, Borough, towne or hamlet where ỳ trespasse shalbe tried & found, among the poore inhabiting within ỳ same. And be it further enacted for ỳ better execution of this statut ỳ ỳ parēts, gardeins, gouernors, & maisters shal lose & forf. ỳ penaltie aforesaid for euery such child, seruāt, or ward, as shalbe aboue the age of xii. yeres, & vnder the age of xxi. yeres remaining dwelling & abiding with any such person which shal offend or do cōtrary to this act or any thinge therein contained. An. 13. El. cap. 19.

Noble men & Gentlemen

Officers Wardens

Sabbo th holy day

Wollen cap

Forf.

Iust. of all. Iust. of p. Sheriffes Stewards Maiors Sheriffes Bailifes Esquire Dies ỳ tenus.

Moitie

Parents Maisters Forf.

¶ Hauens and Riuers.

WHereas it is contained in statute of Westm. 2. ca. 48. (which see before Fish. hers 1.) that yong salmons shal not be take by nets, nor by other engins, at mildāmes, from the middes of April til the nativity of S. John baptist. vppon a certaine paine limitted in the same statut: It is accorded and assented, that the said statut be firmely holden & kept. Joining to the same, ỳ yong salmons shal not be taken during ỳ said time, at mildames nor in other places vpon ỳ sāe paine. And that no fisher nor garthmā nor none other, of what estate or condition ỳ he be, shal from hencefoorth put in the waters of Thamis, Humbre, Ouse, Trent, nor no other waters of the realme by ỳ said time, nor in any other time of the yere, any nets called stalkers, nor other nettes nor engins whatsoeuer they be, by ỳ which the fry or ỳ breede of ỳ salmons lamprons or any other fish may in any wise be taken or destroyed vpon ỳ paine aforesaid. And also where as it is contained in ỳ same statut, that al the waters, in ỳ which salmons be taken wtin the Realme, shalbe put in defence as to the taking of salmons, from the nativity of our lady vntil S. Martins day: It is ordeined and assented, that the waters of Linwire, Perle, Ribbill, & al other waters in ỳ cōtie of Lancaster be put in defence, as to the taking of salmons from Michelmas day to the purification of our lady: and in no other time of the yere, for cause ỳ salmons be not seasonable in the said waters in time afore said, & in the parties where such riuers bee, there shalbe assigned & sworne good & sufficient cōseruators of this statut, as it is ordeined in the said statut of Westminster, and that they shal punish ỳ offenders after the peine cōtained in the same statut, wtout any fauour therof to be shewed. Anno 13. R. 2. cap. 19.

Salmon fewes Netters

Mylldams Fishers

Thames

Nettes

Frye

Conseruators

Punish

2 ¶ Forasmuch as the two former statuts of W. 2. cap. 48. and of 13. R. 2. cap. 19. haue not ben duely put in execution for default of good conseruatours of them, It is accorded &c. That the Justices of the peace of all the Counties of Englande, shal be conseruatours of the sayd statuts in the counties where they be Justices: And that they and euery of them at all tymes when they may attende, shal survey the offences and defaultes attempted agaynst the statutes aforesayde. And also shal survey and search al ỳ weares in such riuers, that they shall not bee very strayte, for the destruction of such Frye and broode, but of a reasonable widnes after ỳ old assise vsed or accusto-

Iust. of p.

Survey

Weares

Frye

accuſtomed: And ẏ ẏ ſame Juſtices or any of thē which ſhall find default or miſpriſion agaynſt the ſtatutes aforeſayd, ſhall make due punyſhement of them, which be found in default, after the content of the ſame ſtatutes. And that the ſame Juſtices ſhal put good and ſufficyent vnder conſeruators of the ſame ſtatuts vnder them, which ſhalbe ſworne to like ſurueying, ſearch, and punyſhment without any fauour thereof to be ſhewed. And moreouer ẏ the ſame Juſtices in their ſeſſions ſhal enquire as wel of their office, as at ẏ informatiō, of the vnder conſeruators aforeſayd, of al treſpaſſes, miſpriſions, & defaults made againſt any of the points aforeſaid, & ſhal cauſe thē which be thereof endicted to come before thē. And if they be therof conuict, they ſhal haue impriſonment, & make fine after the diſcretiō of the ſame Juſtices. And if the ſame be at the informatiō of any of the vnder cōſeruators, aforeſayd, the ſame vnder conſeruatour ſhall haue the halfe of the ſame fine. And for aſmuch as it is graunted to the Citizens of London by ẏ kings progenitors, ẏ they may remoue & take al the weares in the waters of Thamis & Medeway, & that they ſhal haue the punyſhments therof pertaynynge to the kinge. Our ſaid ſouereigne lord the king in this preſent parliament, by the aſſent aforeſayd, hath graunted that the Maior, or warden of London for the tyme being, ſhal haue the conſeruation of the ſtatuts aforeſayd. And ſhall make thereof due execution & like punyſhment as afore is ordeined of the Juſtices of the peace, in ẏ ſayd waters of Thamis, from the bryge of ſtanes to London, and from thence ouer the ſame water, and in the ſayde water of Medeway as farre as it is graunted to the ſaid Citizens, as afore is ſaid. An. 17. R.2. cap.9. See before Fiſhers 16. the new ſtatut of this matter.

Punish

Juſt. of p. Wepurtis

Seſſions

Treſpaſſes

Indict Conuict Impriſon Fine

Moitie

London

Weares Thames

Maior

Frō ſtanes to London

Medway

*

3 ¶The ſtanding of nettes and engins called trinkes, and all other maner nettes, which be & were wont to be faſtned & hanged continually day & nyght by a certayne time in ẏ yere, to great poſts boats & ākers ouerthwart ẏ ryuer of Thamiſe and other Riuers of the realme, which ſtandinge is a cauſe and an occaſion of a great & much deſtruction of the bryde & frye of fiſh, & diſturbance of the common paſſage of veſſels, as be the weares, kidels, or any other engins, bee wholly defended for euer. And ẏ euery perſon that ſetteth or faſteneth them from henceforth to ſuch poſtes, boates, & ankres, or lyke thing, continually to ſtand as afore is ſaid, and be duely therof by the courſe of the law conuict, he ſhal forfayt to the kinge C.s. at euery time ẏ he is ſo proued in default. Prouided alwaies ẏ it ſhalbe lawfull to the poſſeſſours of the ſaid trinkes, if they be of aſſiſe, to fiſhe with them in al ſeaſonable times, drawing & conueynge them by hand as other fiſhers do with other nettes, & not faſting or tacking the ſaid nettes to ẏ poſtes, Boates and Ankers continually to ſtand as afore is ſayd: ſauing alwaies to euery of the kinges leyge people their right title & inheritance in their fiſhing in ẏ ſayd water. An. 2. H. 6. ca. 15.

Conuict Forf.

Trindeg

4 ¶The Chauncelour of Englande ſhall haue power to graunt ſuch commiſſion at all tymes needful, to ſuch indifferent perſonnes dwellinge there about, which thereto beſt came and may entend, to enquire, redreſſe, and amende all the defaults beinge in the ſayde water, as well by dyuers trenches made out of ẏ ſayd water, as of al other maner ſtankes, kidels, weares, or milles, being or made to the anoyaunce of the paſſage of boats in the ſaid water accordinge to the purport & tenour of the ſtatutes in this caſe prouided & ordeyned. An. 3. H. 6. cap. 5.

Chauncelor Cōmiſſion

Trenches

5 ¶An. 9. H. 8. cap. 9. an act was made to endure for iij. yeres concerninge ẏ clenſing of the riuer of Lay, going frō Ware to Thames, of ſhelues ẏ boates might paſſe in that riuer.

Lay

6 ¶Where the Maire of the Citye of London for the time being is conſeruatour hauinge the conſeruation of the water and riuer of Thames from the bridge of ſtanes vnto the water of Pendall, and Medeway: it is ſo that within fewe yeres by tempeſt of whether and great abundance of waters in the ſayde ryuer of Thames dyuers breaches iſſues and creekes haue bene and growen out of the ſayd ryuer of Thames. And by ẏ ſame, diuers paſtures, medows, and grounds of diuers perſons, bene drowned & ouerflowen, in which breches iſſues, and creekes, and ground drowned, the frye & brode of fiſh for the moſt part reſteth, and in the ſame places, the ſayd fry and brod in great multitudes beene dayly taken by the ſayd fiſherie, with vnlawfull engines and nettes, for bayt of eeles & coddes. And alſo to fording of their hogges, to the vtter deſtruction of the ſaid frie & brode, without a remedy

Maior London

Frō ſtanes to Pendal and Medway

Frye

Bayte Hogges

remedy the rather be prouided. The kinge
Maior ꝛc. hath ordeined, stablished & enacted, that
the Maior of London & his successors Maio-
rs, for the time being, haue the conservacion and rule, and like authoritie in euery of
the said breaches, illues, & creekes, & grouds
Conservacy so drowned and ouerflowen, as farre as the
water ebbeth & floweth, & touching the pu-
nition for vsing vnlawfull nettes, & other
vnlawfull engines in fishing, like as he and
his predecessours, haue had or hath in the
same water and ryuer of Thames, within
the lands afore rehearsed, & to do all like cor-
rection and punishinge there, concerninge
the reformation and redresse of vnlawfull
nettes and engines, as he and his predeces-
sours haue vsed and owe to vse in the sayde
Ryuer of Thames. Prouided alway that
the Maior of London, or his successors Mai
ors for the time being, haue not the conser
vacy upon ne rule ne authoritie in any of the
said breaches, illues, creekes and grounds so
drowned and ouerflowen within the kings
K. ground Mauncheles grounde, or being within Mauncheles, of a-
ny person spirituall & temporall, as touching
the punicion for vsing vnlawfull engines in
fishinge, or to do any correction or punish-
ment there concerninge the reformation &
redresse of vnlawfull nettes and engins, as
the sayd Maior and his predecessours haue
vsed & owe to vse in the said ryuer of Tha-
mis. An. 4. H. 7. cap. 15.

Canterbury riuer 7 ¶An. 6. H. 8. cap. 17. An act is made
for the clensing & amending of the Riuer at
Caunterbury, frō Chart to Fordich.

8 ¶An. 23. H. 8. cap. 18. an act is made
Ouse and Humber concerning the amending of the Ryuers of
Ouse and Humber, & for ỳ pulling downe
and auoydinge of Fylhgarthes, Pyles,
Stakes, and other thinges sette in the sayd
Ryuers.

9 ¶An. 23. H. 8. cap. 8. & An. 27. H. 8.
cap. 23. be two seuerall acts made of one ef-
fect for the preseruation of certaine hauens
Plymmouth and portes of Plymmouth, Dertmouth,
Tingmoth, Falmouth & Fowet, and other
portes in Deuon and Cornewall, and that
Tynworke none shoulde labour in Tinworke nere
the fresh ryuers of these hauens, and that
they that labour in Tynworke shoulde so
do that stones and grauel should not come
into these hauens vppon a forfaiture, and
Stanery if any were sued or troubled in the stanery
for executinge this act, those suites shoulde
bee voyd, and if he were imprisoned by the
Stanery, hee shoulde bee discharged by a
Iustice of the peace, sauinge the liberties of Iust. of p.
the stanery.

10 ¶An. 27. H. 8. ca. 18. An act is made Thames
for the preseruation of ỳ ruer of Thames
of London, against them that annoye the
streame, making of shelues, digging or cas-
ting things in ỳ ruer, or carryinge away of
timber or other things from the bākes, vpō
forfaiture of x.li. the one halfe ꝛc. & an order
appointed for the taking of balast there, and
ỳ it shalbe lawful to take away any thinge
frō the shelues there ꝛc. Fork. Moitie Balast

11 ¶An. 31. H. 8. cap. 4. an act is made
concerninge the mendinge of the Riuer of
Exe & the Citie of Exceter, & that the Mai- Exe
ors & officers of Exceter may pluck downe Maior
and breake weares, rockes, sands, grauell, Weares
and other letts in the sayd ryuer and in o-
ther places conuenient, and to do all other
thinges necessarie where the vessels may
haue recourse in ỳ riuer to ỳ City, payinge
xx. yeres purchase for ỳ digging, or xls mo-
ney to be assessed, as is expressed in the act
at the election of the owner of ỳ grouṅd, vp-
pon a forfaiture, & paying to ỳ occupiers for
their hurts ꝛc. with diuers matters at large
for this matter.

12 ¶No person or persons after ỳ first
day of August next comming do cast or vn
lade out of any maner of ship, craper, or a-
ny other vessell, beinge within any hauen,
roade, chanel or ryuer, flowing, or running
to any port towne, or to any citie, borough
or towne wiṫin this Realme, or any other ỳ
kings dominiōs, any maner of balast rub-
bishe grauell, or any other wrake or filth,
but only vppon the lande aboue the ful Sea
marke, vpon paine that euery person & per-
sons offending this act, to lose & forfait for
euery time so offendinge x.li. the one halfe
to the king our soueraigne Lord, & the other
halfe therof to such person or persons as wil
sue for ỳ same by bill ꝛc. in which action ꝛc.
An. 34. H. 8. cap. 9.

¶Haukes & Hauking.

EVery person which findeth Fawcon, Finding of haukes
Mercelet, Laner or Lanceret, or other
Fawcon that is lost of their lord, shal forth
with bringe the same to the Sheriffe of the
County. And that the sheriffe make proc- Sheriffe
lamation in al the good townes in the Coun- Proclamation
tie, ỳ hee hath such an hauke in his custodie.
And if the Lorde which lost the same or a-
ny of hys meny commeth to challenge
him

him & proueth reasonably, þ the same is his lords, let him pay for the costs and haue the Faweon. And þ none come within iij. monethes to challenge him, þ then the Sheriffe haue the Faweon, making grete to him þ hyd take him, if he be a simple man, & if he bee a gentle man, & of estate to haue the Faweon, that then the Sheriffe reuoliter to him þ Faweon, taking of him reasonable costes for the time, þ he had him in his custody. And if any man take such Faweon, & the same conceale from the lord, whose it was, or from his Faweoners, or whosoeuer taketh him from the lord, & therof be attayned, shal haue imprisonment of two yeres, & pelo to the Lorde the price of the faweon so cõcealed & caried away, if he haue whereof, & if not, he that þ longer abide in prison. An. 34. E. 3. ca. 21. See here 2.

Costes 4. Moneths

Gentleman Reasonner

Conceale

Attaintes Imprisoñ

☞

2 ¶ For almuch as notwithstandinge þ statut 34. E. 3. cap. 22. (before 1.) the offendors doubt but litle to offend in that behalf. Be it ordeyned &c. That if any steale any Hawke, & the same cary away not doing þ ordinance aforesayd, it shalbe done of him as of a theefe that stealeth a horse or other thing. An. 37. E. 3. cap. 29.

Scale

Felony

¶ Herefordē.

AN. 2. & 3. P. & M. ca. 14. it is enacted, þ the Deane & chapter of Hereford may rectifie fower milles, where fower milles wbers destroied or were theretunto, & to haue the waters, fyshings, pathes, and weare, as they had before to the other fower milles.

Milles

¶ Heresie.

IN An. 25. H. 8. cap. 14. an act was made intituled an act for þ punishmẽt of Heresie. And by this statut, the statut of 2. H. 4. cap. 15. was repealed.

2 ¶ In An. 31. H. 8. cap. 14. a Statute was made for the punishment of heritikes commonly called the Act of þ vj. Articles, but it was repealed by 1. Ed. 6. cap. 12.

vj. Articles Repealed

3 ¶ In An. 34. H. 8. cap. 1. An act was made for the punishmẽt of heretikes and prohibitinge certaine persons to preach or teach, or to read scripture in English, & against il bookes, but it was repealed by 1. E. 6. cap. 12.

Repealed

4 ¶ In An. 35. H. 8. cap. 5. An act was made concerninge the qualification of & act of þ vj. Articles, but this act of 35. H. 8. was repealed by 1. E. 6. cap. 12.

Repealed

5 ¶ In An. 1. E. 6. ca. 12. three were repealed & from thence forthwarde void by generall wordes, al statuts cõcerning doctrine or matters of Religion. But by 1. & 2. P. & M. cap. 6. the statutes made An. 5. R. 2. cap. 5. & An. 2. H. 4. cap. 15. & An. 3. H. 5. ca. 7. vveretenuted, & afterwyrd repealed by An. 1. Eliz. cap.

Repealed

¶ Hexamshire.

THe said territorie, franchise, & libertie of Heram & Heramshire, with þ liberties of the same, may be, is, & shalbe, from henceforth, taken to be within, & part, parsel & member of the sayd Countie of Northumberland. And that al wel the Pleas of the Crowne, as also al suits betwixt partie & partie, may proceede and haue their end & trial within the said countie of Northumberland, by and before the sheriffe and Coroners of the said shire, & also before the Justices of peace, Justices of goale deliuerie, Justices of assise, Nisi prius, Oyer and terminer, & other officers, & eche & euery of them, as the case shall require, and take effects, as any of the like haue bene or ought to be, which haue hapned or shall hereafter happen within the said countie of Northũberland, and that from henceforth the sheriffe & other officers of the county of Northumberland for the time being, may haue ful power and authoritie to execute his or their office, and all proces to him or them directed within Heram and Heramshire, and lybertyes of the same, in as ample and large manner as hee or they maye, shoulde, or ought to doo, within any other part of the sayd County of Northumberland, any graunt, priuilege, custome, vsage, libertie, or thing els whatsoeuer, heretofore made, claimed, vsed, had, put in vre or execution, or enioyed to the cõtrary, notwithstanding: Sauing to þ bailife of þ liberties, or other officers of þ said towne of Heram & Heramshire, or the liberties therof, al liberties & priuileges for executing of proces, returne of writs, & otherwise, as they or any of them of right ought to haue before þ making of this act. An. 14. El. cap. 13.

Northumberland

Pleces of the Crowne

Sheriffe Coroners Just. of p.

Sheriffe

Proces

Bailife

Returne of Writs

¶ Highvvaies.

ANno 14. H. 8. cap. 6. An act was made, authorisinge George Gilforde to lay out

out a new high way in his maner of Hāp-
sted in Cumbzoke in the weld of Kent, & to
take in seuer, & haue the old high way there.
And that any other person within ỹ welde
of Kent, may make of his owne land by the
ouer sight & assent of iij. Justices of peace, &
iij. men of ỹ hundzed, & other hūdzeds ad-
ioyning: a new way moze cōmodious, & to
haue & to enioy the old way in seuerally &c.
And that they shal make certificat into the
Chauncery within thzee moneths after, of
the length & bzedth &c. And after An. 26. H.
8. ca. 7. it is enacted, that the said act of 14.
H. 8. shall extende to all places conueny-
ent in Sussex vvhere the vvaies be noious.

2 ¶ In An. 37. H. 8. ca. 3. is an Act foz ỹ
amending of ỹ high waies betwes Chester
called Huntington lane.

3 ¶ In An. 1. M. 2. parlia. cap. 6. is an act
made to endure foz 6. yeres, foz ỹ repairing
of a causey betwirt Bzistow & Gloucester, wt
diuers deuises at large concerning ỹ matter.

4 ¶ Foz thamending of high waies, be-
ing now very noysome & tedious to trauell
in, & daungerous to al passengers & carya-
ges. Be it &c. That the constable & chur ch-
wardens of euery parishe within this Rea-
me, shall yerelye vppon the Tuesday oz
Wednesday in Easter weke, call together
a number of the Parochians, & shal then e-
lect & chose two honest persōs of the parish,
to be surueyoz & ozderers foz one yere of ỹ
wozkes, foz amendmēt of the high waies
in their parish, leading to any maket town,
the which persons shall haue auctho:itie by
vertue hereof to ozder & direct the persons
& caryages that shalbe appointed foz those
wozks by their discretions, & the said persōs
so named, shal take vppon thē the execution
of their said offices vppon paine euery of thē
making default to forfaitt xx. s. And the said
constable and churchwardens shal then also
name and appoint iiij. daies foz the amen-
ding of the said waies before the feast of the
Natiuity of saint John Baptist then next
following. And shal openly in ỹ church the
next sunday after Easter geeue knowledge
of ỹ same iiij. daies: & vpon the said daies the
prochians shall endeuoz them selues to the
amending of the said high wayes, and shall
be chargeable thereunto as followeth, ỹ is
to say, euery person foz euery plowe lande
in tillage oz pasture that hee oz they shal oc-
cupye in the same parishe, and euery other
person keepinge there a dzaughte oz plough
shal find and send, at euery day and place to
be apointed foz the amending of the waies
in the parishe as is afozesayde, one wayne
oz Cart furnyshed after the custome of the
countrey, with oxen, hozses, oz other catteil
and all other necessarpes, mete to carye
thinges conuenient foz that purpose, and al-
so two able men with the same, vpon paine
of euery dzaught makinge default tenne s.
And euery other housholder, & also euery co-
tager & labourer of that parishe, able to la-
bour and beinge no hired seruaunt by the
yere, shal by them selues oz one sufficyent
labozer foz euery of them, vpon euery of the
said fower dayes, wozke and trauell in the
amendement of the sayd high waies, vpon
pain of euery person making default to lose
foz euery day xii. pence. And if the cariages
of the parishe oz any of them shall not bee
thought nedeful by the superuisozs to be oc-
cupied vpon any of ỹ said daies, ỹ then eue-
ry such person ỹ shoulde haue sent any such
cariage, shal send to ỹ said wozke foz euery
cariage, so spared ij. able men there to laboz
foz ỹ day, vpō payne to lose foz euery man
not so sent to the said wozke xij. pēce. And
euery person & cariage aboue said, shal haue
and bzing with them such shouels, spades,
pickes, mattokes, and other toles & instru-
mentes, as they do make their owne dy-
ches and fences withal, and such as bē ne-
cessaire foz their said wozke. And al the said
persons and cariages shall do & kēpe their
wozkes, as they shalbē appoynted by the
said superuisours, oz one of thē, viij. howers
of euery of the said daies, vnles they shalbe
otherwise licenced by the sayd superuisours
oz one of thē. And be it enacted by the auc-
thozitie afozesayd, ỹ the Stewarde, & Ste-
wards of euery lēte oz lawday shal therein
haue ful powez & auctho:itie to enquire by
the othes of ỹ iurors, of al & euery the offē-
ces ỹ shalbe committed within the lēte oz
lawday against any poynt & article of thys
estatut, and to assesse such reasonable fines
and amercements foz the same, as shalbē
thought mete by the same stewarde. And
in the default of such enquirie oz p:esent-
ment, the Justices of peace of euery place
oz cōtie shal haue auctho:itie to enquire of
the same offences, which shalbē cōmitted
wtin the limittes of their cōmission, at euery
their quarter sessions, & to assesse such fines
therof, as they oz two them, wherof one to
be of the Quozum shall thinke mete. And
the steward of euery lete and lawday, shal
make estreates endented of all the fines,
foz fal-

Kent

Just. of p.

*

Huntington lane

Constable Church-wardens Easterweeke

Chose Superuisors

Refuse Fork.

Appoint iiij. daies

Notice

Plow land

Finde

Cart

ij. Men Fork. Householder

Fork. xij. d.

ij. Men

Fork.

Tooles

Wozke

8. howers

Licence

Steward of the Leete Enquire

Amerce

Just. of peace Enquire

Quarter Sessions

Quo. um

Steward of the Leete Estreates

forfaitures & amerciaments, for ỹ defaults presented before hym, & shal deliuer the one part thereof sealed & sygned by hym to the bailife or high Constable of euery hundred, rape, lath, or wapentake, wherein the defaultes shalbe presented, & the other halfe to the constable & churchwardens of ỹ parishe wherein the defaults were made, ỹ same to be perely deliuered wtin .vj. wekes after the feast of S. Michael tharchangell, and the Clerke of the peace shall make the lyke estreats endented of ỹ fines, forfaitures, & amercemẽts for ỹ defaults presented before the Justices of peace, & shall seale, subscribe & deliuer ỹ same in like sort, as is aforesaid, the which estreats & euery of them shalbe a sufficiẽt warrant to the said bailife or chiefe constable, to leuy the sayd amerciamentes, fines, & forfaitures by way of distres. And if no sufficiẽt distres can be found by ỹ said bailife or head constable, or if ỹ said offendor shal obstinatly refuse to pay ỹ said amerciament, fine, or forfaiture, & do not pay ỹ same within xx. daies after a lawful demaund of the same by ỹ said officer, ỹ then euery such person to forfait the double summe that he shoulde before haue paid. And be it further enacted, ỹ euery of the sayd bailifes & head constable, shal at ỹ least once euery yere betwixt ỹ first day of March, & the last day of April, make a true accompt & payement of all such summes of money to the constable & Churchwardens of euery parish wherein the offences were committed, or to two of them, as he shal haue collected vpon any of the aforesaid estreats, vpon paine to forfait for euery time he shal not so do xl.s. And be it &c. ỹ al fines, amerciamẽts, & forfaitures, which shalbee due for any offence against ỹ pruew of this estatute, shalbe to ỹ churchwardens of euery parish wherein ỹ offences shalbe committed, to bee bestowed on ỹ highwaies in the said parishes. And ỹ sayd Churchwardens shall haue authoritye to call the sayd bailifes & head constable to accompt before ỹ Justices of peace or two of them, whereof the one to be of the Quorũ, by bil of information or otherwise, ỹ which Justices shall haue authoritie to take the said accompt, & to commit the said bailife or head constable to prison, there to remayne vntil he shal pay al such arrerages, as shalbe iudged by the sayd Justices. And euery of the sayd bailifes & head cõstables vpon their accomptes, shall haue allowed for euery pounde he shal collect and pay viij.d. for his owne paynes, and xij.d. for the fées of the Clerke of the peace, or steward of the Leete for the estreates endented of euery seuerall parish ỹ they shal deliuer, as is aforesaid, & the successors of euery churchwardens shal haue the like action of accõpt against their predecessors, as is before appointed against the bailifes. This act to continue for seuen yeres next after the beginning of this parliament. And to the end of the next parliament then next following. An. 2. & 3. P. & M. cap. 8. & so it expired. But it is reuiued by 5. El. cap. 13. with some alterations as it followeth here 5. & 6.

Warlike high constable

Clerke of ỹ estreates

Warrant

Distresse

Refuse

For ỹ.

Bailifes head Constable

Accompt Constable Churchwardens

For ỹ.

Al amerciaments

Accompt Iust. of peace

Imprison

Allowance viij.d.

Clerkes ỹ Stewards of the Leete

5 ¶ Because the time of the continuãce of ỹ statut 2. & 3. P. & M. (before 4.) is now expired. And yet the said statut is very beneficial, & most necessary to be cõtinued for the ease & cõmon wealth of this land. Be it &c. That the sayd statut & euery article and braunch of the same, shall from henceforth be, stande & continue in full force, effect and strength, for & during the terme of xx. yeres next following from & after ỹ beginning of this present parliament, & after the expiration of the said xx. yeres, to the end of ỹ parliament, then next after ỹ end of the said xx. yeres, to be holden & kept. And forasmuch as the said statut made in the 2. & 3. yeres of king P. & Quene M. in diuers parts of this Realme, serueth not to so good purpose and effect as it may be made, for ỹ such substãce & matter as is most fit & conuenient for the reparation of the said high waies, cannot be lawfully had, fetched & taken out of ỹ seueral grounds & soile, thereunto nigh, or adioyning, beinge no great losse or detriment to the owners of the same seueral grounds & soyle, where by the amendment of the sayd waies is litle increased, or els of very small & slender continuance, to the great & continual charge of the poore people inhabitinge thereabouts. For reformation wherof, and ỹ the reparations of ỹ said high waies may hereafter in good due maner, wel & sufficiẽtly be made. Be it &c. that from henceforth it shal & may be lawfull to all & singuler supervisour & supervisours & orderers of the Supervisour
woorkes for ỹ time beinge, for the amendement of the said high waies therunto elected & appoynted, according to the statute made in the second & third yere of king P. & Quene M. (before 4.) for the better repation & amendment of ỹ highwaies within their seuerall parishes and limittes where they shalbe so made supervisors (if it shalbe so to

Cary Stones Quarry

so to them thought necessary) to take & cary away of ẏ rubbish or smallest broke stones of any quarrie or quarries, lying or being within the parish where they shalbe superuisors without licence, controlment or impeachment of ẏ owners or owner, so much as by their discretions shalbe deemed & iudged necessary to the amendment of the said wayes. And that for default of any quarre or quarres not being within their said parish or limits, or in default of rubbish not to bee found in any such quarrie or quarries, it shal & may be lawful to every such superuisour, or superuisours, for the vse aforesaid, in the

Without licence

Seuerall groundes

seuerall groundes of any person or persons, being within ẏ parish, & limits where they shalbe superuisours, & nigh adioyning to the waye or waies wherein such reparations shalbe thought necessarie to be made, and wherein grauel, sande, or sinder, is likely to be founde, to digge or cause to be digged for grauell, sand, or sinder, & likewise to gather stones lying vpon any landes or groundes within the parish, & meete to be vsed to such seruice & purpose, & thereof to take & cary away so much as by discretion of the said superuisours shalbe thought necessary to bee imployed in the amendmẽt of the said high waies. Prouided al waies that it shal not be lawfull to any such superuisour, or superuisors, by vertue of this act, to cause any rubbysh to bee digged out of any quarrie or quarries, but onely shall extende to such rubbish as shalbe founde there readye digged by the owner or owners of the sayde quarrie or quarries, or otherwise by his or their licence & commaundement, nor shall not extend or giue authoritie to any superuisour or superuisours to digge, or cause to digged any grauel, sand, or sinder in ẏ houle gardein, orchard, or medowe, of any person or persons, nor that it shalbe lawful by this act to any such superuisour or superuisours to cause any more pittes to be digged for grauell in any seuerall and inclosed grounde then one only, & that the same pitte or hole so digged for grauel as is aforesaid, shal not by any way be in breadth or length aboue x. yeres at the most. And ẏ euery such superuisor as shal cause any such pitt to be made & digged for grauel, sand, or sinder, as is aforesaid, shal within one moneth nert after any such digging or pitt made, cause ẏ same to be filled, & stopped vp with earth, at the costs & charges of the parishioners, vppon paine to forfait to the owner & owners, of

Quarry

Redy digged

Licence

Houle Gardein Orchard Medowe

One pitte

Breadth & length

Fill againe

Forf.

the soile, wherin any such pitt shalbe made & digged, for euery default, fiue markes, to be recouered by action of debt, as in other like cases of debt hath ben accustomed. And for as much as ẏ high waies in sundry places of this realme be ful of cõtinuall springs and water courses, by continuall encrease & sinking whereof into the ground, the said waies are not onely very deepe and daungerous, but also for the most part impossyble to be amended & repaired in any good & sufficient maner without some farther remedy prouided for the same: Be it therfore enacted, that from henceforth, euery such superuisour and superuisors, as is aforesaid, shal by force of this act, within the parish or limits where he or they shalbe superuisors, haue ful power and authoritie to turne any such water course, or spring of water, being in any of the said high waies, into any dich or diches of the seuerall ground or soile of any person or persons whatsoeuer nert adioyning to the said waies, in such manner & fourme, as by the discretions of the said superuisors shalbe thought meetest and most conuenient. And be it further &c. that the hayes, fences, dikes or hedges nert adioyning on either side to any bygh or common fairing way, shal from time to time be dyked, scoured, repaired, and kept lowe, and all trees and bushes growing in ẏ bygh waies cut downe by the owner or owners of the ground or soyle, which shalbe inclosed with the said hayes, fences, dikes, or hedges aforesaid, whereby the said waies may be open & the people haue more ready and easie passage in the same. And be it enacted, that from hẽceforth there shalbe yerely vi. daies during ẏ time & force of this estatut, obserued vsed, & employed in reparation & amendment of the said high waies, in like maner & forme as the said iiij. daies were limitted & appointed to be obserued & kept, by ẏ sayd estatut made in the said 2. & 3. yeres of king Philip & Quene Mary. And be it further enacted by the authority aforesaid, ẏ from henceforth al & singuler such superuisour, or superuisors, for the time beinge, within one moneth nert after default or offence, made, done, or cõmitted by any person or persons, cõtrary to the prouisiõ, purport, & true meaning of the said estatut made in the seconds and thirde yere of king Philip and Quene Mary, or contrary to the prouision, purport, & true meaning of this present act, shal present euery such default or offence to the nert

Water course Ditch Seuerall ground

Dikes

Scoured Trees Bushes

vi. daies

Repairing

Superuisour

Default

To present nert

Justice

Just. of p. Fozf.

Justice of peace foz the time beinge vppon paine to forfait foz euery such default & offence, in such sozt not by them presented xl. s. And that euery such Justice of peace, to whō any such default oz offence shalbe presented as is afozesaid, shal certifie the same presentment so to him made, at the next generall sessions within the sayd county then nert after to be holden, vppon paine to forfait foz not certifying of euery such presentment, of euery such default oz offence as is afozesaid x.li. And that the Justices of peace of euery countie, where the said defaults oz offences shalbe committed, shal immediatly haue aucthozitie to enquire of any such default oz offence committed within the limits of their cōmission, at euery their quarter sessions & to assesse such fines foz ỳ same as they, oz two of them whereof one to bee of the Quozum, shal thinke meete. And bee it further enacted by thauctho3itie afozesaid, that euery Justice of peace, shall haue auctho3itie by this statut vppon his owne proper knowledge in the open general sessiōs, to make presentment of any high way not wel and sufficiently repaired & amended oz of any other default oz offence cōmitted oz don within the county and limits of his cōmission, contrary to the prouision & entent of this statut, oz the said statut made in the second and third peres of kinge Philip and Quéene Mary. And ỳ euery such presētmēt made by any such Justice of peace vpon his owne knowledge as is afozesaid, shalbe as good & of the same force, strength, & effect in the lawe as if the same had bene presented, found & adiudged by ỳ othe of xij. men. And ỳ foz euery such default so presēted, as is afozesaid, the Justices of the peace of the said county shal immediatly at the sayde generall sessions, haue auctho3itie to assesse such fines as to them oz two of them, whereof the one to be of ỳ Quozum, shalbe thought méete. Sauing to euery person & persons, that shalbee touched by any such presentment to haue his oz their lawful trauers to the same presentment, as they might haue vpon any indictment of trespas, oz forcible entrie, by the lawes of this Realme, before the making of this statut. And that al such fines, forfaitures, & amercements to be assessed by the said Justices of p. at their general Sessions, in any the cases afozesayd, shalbee estreated by the clerke of the peace of the said cōtty, & shalbe leuied in such maner & forme, and employed to such vses and intentes, as in the said statute made in the second and third peres of kinge Philip and Quéene Mary, is limitted and appointed. This act to continue foz xx. peres next after the beginninge of this present parliamēt, & from thence vntil the end of the parliament then nert to be holden. An. 5. Eliz. cap. 13. See here following 6 more.

Certifie

Generall Sessions

Fozf.

Just. of p.

Enquire

Fines

one Just. of p.

Presentmēt

Just. of p.

Fines

Trauers

Estrete Clerke of p.

Continue

6 ¶ Where in the parliament holden at Westminster, in the second & third peres of the raignes of king Philip & Quéene Mary (before 4.) an act was made and ordeyned foz the amendinge & repayringe of the hygh waies. And whereas there is one other act made in the v. pere of our soueraigne lady the Quéene that now is, (before 5.) foz the better amendment of high waies, wherein some doubts & defects haue bene. Foz explanation wherof, & better prouision hereafter to be made foz amendment of high waies: Be it explained & enacted &c. that euery person oz persons (except such as shall dwell in the citie of London) that shal bée assessed to the payment of any subsidy, to her Maiestie to v.li. in goods, oz xl.s. in landes, oz aboue, during al such time as he shal stand so assessed and not altered, & beinge none of ỳ parties chargeable foz the amendment of high waies by any former law, but as a Cottager: shal find two able mē yerely, to labour in the high wayes, at such dates & times, as by the said feuerall statut are limitted & appointed. And euery other that herafter shal occupie a plough lande in tillage oz pasture, lying and being in seuerall parishes, shalbée chargeable ro ỳ making of the waies within the parishe where hée dwelleth, as farre forth, & in such maner & forme, as any person hauing a plough land in any one parish, is oz ought to be chargeable, by reasō of the said former statuts, oz eyther of them. And that euery person oz persons, occupying and keeping in his oz their handes oz possession, seuerall oz diuers plough lands, as afozesaid in seuerall oz diuers townes, shalbée charged to find in eche towne oz parish (where the plough lands being in his occupying, do lye) one Cart, Waine Dumbzell, Dunge pott, oz Court sleades, carres, oz dragges, furnished foz thamendement & repayringe of the hygh wayes within the seuerall parishes where the said plough lands doe lie, in such maner & forme, as if he oz they were a parishioner dwelling within ỳ parysshes where the same seuerall plough lands do lie. And be it further enacted by the auctho3itie afozesaid,

Explanatiō

London Subsidie. v.li. goods xl.s. landes

ii. men

One plough lands Diuers parishes

Diuers plough landes

Cart

aforesaide, that all and euerie persōne and persōnes, that shall not repaire, ditche, or scower anie Wayes, fences, ditches, or hedges adioyning to anie high way or commō fairing waye, or shall not cutte downe or kæpe lowe, all trées and bushes, growyng in or nert adioyning to anie the said waies, according to the true intent and meanynge of the aboue recyted acte, made in the fifth yeare of the Quéenes maiesties raigne that nowe is, for euery offence committed therin contrarie to the true intent thereof, shall forfait and lose for euery default tenne shillinges. And that all and euerie person and persōnes, that shall occupie anie landes adioyning to the sayde grounde, so adioyninge to anie suche high way, or common fairinge way, where anie ditching or scouring, should or ought to bée, as aforesayde, shall from time to time, as néede shall require, ditche and scower in his and their grounde so adioyninge, whereby the water conueied from the saide hygh way, or common fairing way, ouer the ground nert adioyninge, maye haue passage ouer the said grounde so nert adioyning to that ground, vppon payne of forfaiture for euerie tyme so offending, for euerie rodde not so ditched and scoured xii. d.

Default Forf. Occuppyers Scower Water Forf.

And for the better kæpinge of the hygh wayes passable for her Maiesties people: bée it enacted &c. that no persōne or persōnes, haninge anie grounde by leale or otherwise, adioining to anie high waye, or common fairing way, leading to any market towne, shall cast or scoure anie dytche, and thorowe or laye the soyle thereof into the hygh waie, and sutter it to lie there by the space of fyre monethes, to the annoyance of the saide high way, or common fairing way, vpon paine of forfeiture for euery lode of soile so cast into the high way, or cōmon fairing way, in ditching, or scouringe. xii. d. And where anie heretofore haue bene so cast into the high way, or cōmon fairing way, that there is a banke betwene the said way and the ditch, it shalbée lawfull for the surueyours & workemen, by the lawes and statutes of this realme, appoynted for the amendemēt of ỳ said waies, to make slewces or other deuises by their discretions, to conuey the water out of the saide way into the ditche: any lawe, right, interest, custome, or vsage to the contrarie notwythstanding.

Leale Annoyance Forf. Surueiors Sleweres

And that all & euery penaltie, summe or summes of money forfayted for any cause within this statute, shalbée leuied in euerye parish, by the surueiors of the waies within that parish for the time being, by distresse, & sale of distresse, in maner & fourme as fines or amerciamēnts in lætes haue bene vsed, and the money so leuied, to be imployed vpon the high way, or common fairing way, where ỳ offence was cōmitted. And if the surueiours shall not or will not leuie & employ ỳ same wtin one yere after the offence so committed, that then the said summe or summes, forfeiture or forfeitures, shalbée leuied in fourme aforesaid, by the cōstables or churchwardens of the towne or parishe where ỳ worke ought to bée done in ỳ hygh way (as aforesaid) & ỳ he or they so leuying anie of ỳ said penalties or forfeitures, shall make & yéeld such accompt appointed in the before recyted statutes, or either of them.

Surueiors Distraine Money Refuse Constables Church warden Accompt

And bée it further enacted by the authoritie aforesaid, ỳ al & euery Justices of assise, Justices of Oier & Terminer, Justices of ỳ peace in their sessions, & Stewardes of lætes & lawdaies, in their lætes & lawdaies, shall heare & determine all & euery offence, matter, & cause, that shall growe, come, or ryse by reason of this statute.

Justices Just. of p. Stewardes Oier & ter.

And where the ferrie or passage, called ỳ kinges Ferrie, within the Ile of Shepey in the countie of Kent, before the making of the statute of high wayes, was vsually repaired & maintened time out of memorye of man, at ỳ charges of all the inhabitants & land occupiers within the whole Ile, by taration & sessement, at one court & lawday, time out of minde yerely holden on ỳ Mūday nert after ỳ feast of Pentecost, at Ringesborow wtin the said Ile, in ỳ name of ỳ Quéenes maiestie & her progenitors, onely for ỳ maintenance of ỳ same ferrie: Bée it therefore enacted, that the said court shalbée duely kept, in such maner & fourme as hath bene heretofore accustomed, & ỳ it shall and may be lawfull to & for ỳ Jurye impanelled & sworne at ỳ same court, for ỳ time being, by their discretions, reasonably to assesse & tare thē selues & al other ỳ inhabitants & lād occupiers of ỳ said Ile indifferently, according to the rate of land in euery mans occupying, towards the maintenāce of the saide ferry & passage, & the waies belōging or leading to ỳ same, so as no acre of fresh marsh & vpland, be tared aboue ỳ rate of a peny in one yere, nor of euery x. acres of salt marsh aboue the rate of a peny in one yere. And ỳ

Kings ferry Sheppey Court Jury Tare Marsh

all and euery thing profit, benefit, & cõmoditie, which heretofore hath bene geuen by any person or persons whatsoeuer, towards the maintenãce of the said passage or ferry, shalbe had & leuied to ẏ maintenance of the saide passage or ferry, & ẏ the ferry warden for the time being, shall haue ful power and auctority, to leuy, recouer, & receiue ẏ same & the fares & assessemẽts of euery persõ and persons by way of distres, vpon ẏ extreates made out by ẏ, steward of ẏ said court, as all amerciamẽts are vsed to be leuied ẏ are extreated out of other the Quẽnes maiesties lẽtes & lawdaies: & ẏ the said ferry wardẽ, shal bestow the money so leuied, vppon the repairing & maintenaunce of the said ferrie passage, and waies, and therof shall gẽue accompt, as they haue bene accustomed, to the steward of ẏ said court &, homage, there to be sworne at the next lawday following, & al arrerages in his hands remaining, shal deliuer ouer to ẏ nert ferry warden, on pain to forf. the double of the said arrerages, to be leuied as other paines & amerciaments in ẏ court aforesaid assessed, & to be imploied to ẏ maintenance of ẏ said passage or ferry. And for asmuch as the vsual high waye leadinge from the market towne, called Middleton, to the said ferry, is presently in suche decay, that neyther man nor beast without great daunger is able to passe, whatsoeuer necessitie shoulde sodainly happen for men to repaire into or out of, the said Isle, and ẏ parish where the same lyeth is not able to repaire the same. Be it therfore further enacted, ẏ it shalbe lawful frõ henceforth verely during the space of v. yeares, for iii. Justices of peace, wherof one to bee of the Quorum, nert inhabiting to ẏ said towne of Middleton wthin ẏ said countie of Kent, reasonable to assesse & take al and euery land occupiers, dwelling out of the saide Isle, & wthin fower miles distant frõ the said ferrye, as to their discretion shal seeme conuenient, not exceeding the some of i.ẽ. vpõ euery acre of fresh marish & vpland, in one yeare, and vpon euery v. acres of salt marsh. i.ẽ. in one yere, and to assigne and appoint such person and persones, as they shall thinke méete, for the collecting & imploying of the same vpon the said high waies: & ẏ it shalbe lawful for the said iii. Justices for the time being, yearely during the said v. yeares, to take accõpt and reckning of the said person or persons, touching or cõcerning the sayd money so to bee leuied or imployed. An. 18. El. ca. 10.

Ferry Warden

Extreates

Accompt

Arrerages

Iust. of p.

Kent

Accompt

ANno 2. E. 6. ca. 19. is an act made prohibiting flesh to bee eaten on fish dayes. But See nowe, a greater penaltie set downe, An. 5. El. cap. 5. after Shippes. 13. Flesh

2 ¶Anno quinto Edwardi sexti cap. 3. bee appointed which dayes shoulde bee kept holy dayes and which fasting dayes, And after Anno. 1. M. 1. parliamento ca. 2. this acte was repealed. Repealed

¶Homage & Fealtie.

WHen a free man shall doe homage to his lord of whom hee holdeth in chief, he shall holde his handes togother betweene the handes of his lord, and shall say thus: I become your man from this daye forth, for lyfe, for member, and for worldly honour, and shall owe you my faith for the landes ẏ I holde of you, sauing the fayth ẏ I do owe vnto our soueraigne Lord the king, and to mine other lordes. Freeman

When a free man shall do fealtie to hys lorde he shall holde hys right hande vppon a booke, and shal say thus. Here you my lord K. that I. B. shalbee to you both faithfull and true, & shall owe my fidelitie vnto you for the land that I hold of you, and lawfully shall do such customes & services, as my dutie is to you, at ẏ termes assigned, so help me God and all his sayntes.

When a villaine shall do fealtie vnto his Lorde, hee shall holde his right hande ouer the booke, and shall say thus. Here you my Lord A. that I. B. from this day forth vnto you shalbe true and faithfull, & shall owe you fealtie for the lande that I holde of you in villenage, and shalbee iustified by you in body and goods so helpe me God and all his saintes. An. 17. E. 2. Villaine

¶Honours.

ANno. 37. H. 8. cap. 18. an act was made for the erection of fower honours, ẏ is to say, Westm. Kingston vpon Hull. S. Osithes, and Donnington, and that the kyng had power to erect as many honours as he would, and to anner landes to euerie of thẽ, and that the freeholders & copyholders hold as they did before.

2 ¶Anno 33. H. 8. ca. 37. an act is made making the maner of Ampthill and diuers landes to be the honour of Ampthil, wyth diuers articles, cõcerning that matter, and the lands appointed to the surucy of ẏ court of augmentation. Ampthill

3 ¶An.

Grafton

3 ¶An. 33. H. 8. ca. 38. an act is made making the maner of Grafton wᵭ diuers lãdes annexed to the ſame to be ẏ honor of Ampthil with diuers articles concerning ẏ matter, & the lands appointed to the ſurucy of ẏ court of augmentations, except the landes belonging to the Duchye of Lancaſter, wᵭ certaine prouiſions for ſauing of offices and auctorities to the Juſtices, wardens, ſtewards, lieutenantes, & clerkes of the Swanimots, and certaine orders for woods and woodſales, and for paying and allowing of fées and wages and fewell, and reparatiõs and bꝛouſe &c.

Swanimot
Woods
Fewel

Hampton court

4 ¶An. 31. H. 8. ca. 5. an act was made making the manner of Hampton court an honour, & a chaſe made thereunto, & dyuers lands limitted to be in the chaſe, & the chaſe to haue the liberte & preheminences of aũcient Foreſt, chaſes and warren, & the offẽders therein of the lawes & ordynaunces of foreſt, chaſes, & warrens, to bée puniſhed as other offenders be in other foreſtes, chaſes, and warrens. And the tenãts, fréeholders, & copyholders, to ẽioy their liberties & profits, & to fence their grounde while it is ſowed with corne, & the fréeholders to deduct perely the third part of their rents, and the copyholders to pay halfe their fines, & the ſuites, ſeruices, cuſtomes, & rents of the tenants not to be chaunged, and diuers other clauſes concerning theſe matters.

Freholders
Copy holders

¶Horners.

AN. 4. E. 4. cap. 8. an act is made concerning the horners of London to haue the choiſe of the hornes within 24. mile of Lõdon, and for ſearch of hornes in certain places wᵭ forfait. See the ſtatute.

¶Horſebread.

Poſtler
Inholder

FOraſmuch as by occaſion of the ſtatutes 13. R. 2. ca. 8. & 4. H. 4. ca. 24. (which See in Vitailes. 8. & 10.) by which no Inholder could make any horſebread, diuers inconueniences haue happened to trauelers wyth horſes. Be it &c. that frõ henceforth it may and ſhalbe lawful, for euery hoſteler, or Inholder dwelling in any towne or village, being a throughfare or a cõmon paſſage wõin this realme, and being no citie, towne corporate, or market towne, wherein anye cõmon baker exerciſing the occupation of baking, and hath bene prentice at the ſayd occupation, by the ſpace of vii. yeres, is dwelling: to make within his houſe horſebread, ſufficient, lawful, and of due aſſiſe, according as the price of graines & corne ẏ now is, & hereafter ſhalbe, frõ time to time: anything or things mencioned in the ſaid acts or ſtatutes of king Richard the ſeconde or H. 4. to the contrarie not withſtanding. And bée it &c. that if the horſebread, which any of the ſaid hoſtelers or Inholders, hereafter ſhall make, be not ſufficient, lawfull, and of due aſſiſe, according to the price of graines & corne, as is aboueſaide: Then the Juſtices of the peace in euerie ſhire, libertie, or fraũchiſes within this realme, ſhall haue ful power and auctoritie to enquire, heare, and determine the ſaid defaultes and offences of the ſaide hoſtelers and Inholders, hereafter to bée committed againſt the forme of this preſent ſtatute, and to ſette ſuche fines and make like proces thereuppon, as they commonly vſe to do vpon preſentments of treſpas againſt ẏ peace. And that alſo likewiſe the cheriffes in their Turnes, & Stewardes in their Léets and lawdayes, ſhal haue ful power & auctoritie to enquire & determine euery ſuch default & offence of Hoſtelers, againſt the forme of this preſent ſtatut, here after to be committed within the limits of their iuriſdictions. An. 32. H. 8. ca. 41. *

Aſſiſe

Juſt. of p.

Enquire Oier & ter.

Sherifes Stewards

¶Horſes, Mares, and Cattell.

NOne from henceforth, ſhal take no ſuch horſe nor beſt in ſuch maner (that is to ryde in haſty meſſages or buſines &c.) againſt the agréemẽt of them, to whom they be. And if any that do', & haue no ſufficient ſigne nor auctoritie of the king, he ſhalbe taken & impriſoned, till he hath made due agréement to the partie. An. 20. R. 2. ca. 5.

Impriſon

2 ¶From henceforth no maner of perſon ne perſons, carry, or conuey any horſe out of this land, without the kings licence, vpon paine of forfaiture of the ſame, or any Mare aboue the value of vj. s. viij. d. without the kings ſpecial licence vpon the sayde paine of forfeiture of the ſame Mare, the owner thereof or his deputie, receyuing for the ſame Mare vj. s. viij. d. at the time of ẏ ſeiſour, vppon the ſaid forfaiture, or els it to be no forfaite, and at the time of ſeiſour of the ſaid Mares or Mare, they ſhalbe praiſed by the head Officers of the Towne where any ſuch Mare is taken, and there openly to be ſold to the beſt price, and the halfe deale of

Out of England Licence

Forf.

Mare

Praiſed

Mottie

of ỹ ouer price of her being aboue vi. s. 8. d. to be to the king, and the other halfe to hym that ſo ſeiſeth, and the kings part thereof to be deliuered to the cuſtomer of the ſaid port. And that no maner perſon or perſons, hereafter carry or cõuey, any mare or mares out of this land, except euerie of the ſaid mares ſo caried, be of the age of three yeares at the leaſt, & not ouer the price of vi. s. eight pẽce, paying to the king for euerie of them not aboue the value of vi. s. eight pence, ſo to bee caried or conueied in the ſame port, ſuch cuſtomes as hath bene for mares before vſed. Also for euery Mare of more value hereafter by the kinges licence after the forme aforeſaid conueied or caried beyond the ſea, ỹ owner thereof or his deputie aſſigned, or ſeruant, ſhall pay vi. s. eight pence for ỹ cuſtome of the ſame before it be ſhipped, vnder ỹ paine of forfaiture of euerie mare ſo ſhipped ere they be cuſtomed. And ouer that bee it enacted, that if any perſon at the port. wil geue for any of the mares ſo to bee caried, ſeuen ſhillings, that it be lawfull to him ſo geuing and paying the ſaid ſeuen ſhillinges, to take the ſaid mare if ſhe be not afore take by the kinges officer, nor the kinges licence be not in that behalfe aforeſayde for ỹ ſame mare to be caried, obteined. Prouided alwai that it ſhalbe lawful to euerie perſon or perſons, being denizens, hereafter to carry horſe beyond the ſea, (the kings licence in that behalfe not obteyned,) for their owne vſe not entending at the time of the ſhipping of the ſame, nor then fully purpoſed to ſell him, & that entent to be knowē by the othe of him that ſhal ſo ſhip the ſame horſe, taken before the Cuſtomer, or ſearcher of the ſame port, this acte not withſtanding. Anno 11. Henrici 7. cap. 3.

Cuſtomer

Cuſtome

Denizens

Horſe

Conuey

Wales

Beyond ſea

Oxen

Sheepe

Licence

Fort.

3 ¶ No maner of perſon or perſons frõ henceforth, ſhal carry or conuey any horſe, gelding, mare, or colt out of this Realme, or Wales, or marches of the ſame, into anye partes of beyond the ſea: nor from henceforth carry or conuey any Oxen, Steeres, Bullockes, Calues, Kyne, or Sheepe, out of thys Realme, or Wales, or the marches of the ſame, into anie of the ſayde partyes beyond the Sea, without the kynges ſpeciall lycence, vnder his great Seale of England, vppon paine of forfeiture for euery pol ſo conueyed contrarie to this act xl. s. nor ỹ any perſon or perſons ſhal from henceforth bring any ſuch horſe, geldings, mares, colts oxen, ſteeres, bullockes, calues, kyne, or ſheepe, to any hauen, port, or creke within this Realme or Wales, or ỹ marches therof, to be caried ouer ỹ ſea out of this realme, without the kinges ſpeciall lycence: vppon paine of forfaiture of euery ſuch horſe, mare, oxen, and other cattels aforeſaid, ſo brought vnto any ſuche hauen, port or creke, to bee conueyed out of this realme into the parties of beyond the ſea, as is aforeſaid.

Hauen

Fort.

Prouided alwayes, that it ſhalbee lawfull to euerye the kynges ſubiectes, whych for reaſonable cauſes ſhall entende to paſſe and repaſſe into, and oute of thys Realme, into anie the partyes of beyonde the Sea, to haue, take and carrie with them out of this Realme, horſes, or geldings, for their onelye occupatyon, commoditie and eaſe, in ſuche their iourneys, and not to the intent to ſell the ſame in anye the parties beyond the Sea: and that intent to bee iudged by the othe of ſuch the ſayd ſubiects, that ſhall ſo do ſhippe ſuch horſe or geldinge, whyche othe ſhalbee taken before the Cuſtomers, or anye their ſufficient deputies or ſearcher, of the ſame port, where it ſhalbe ſhipped, before the ſhipping thereof.

Carry ouer ſea to vſe vpon

Othe

Prouided alſo that this act, nor any thinge therein contained be in any wiſe hurtfull or preiudicial to ſuch perſons, as ſhall conuey Oxen, Sheepe, or other cattell, to the ſayde Towne of Calyce, and Marches of the ſame, for the onely victailing of the ſayde Townes and Marches: So that alwayes euery ſuch perſon and perſons be bound before the Cuſtomer, or their lawfull deputies, of the port, hauen, or creeke, where ſuch cattel ſhalbee ſhipped, by obligation to the kings vſe, in as great ſumme, as the value of the cattell ſo to be conueyed ouer, ſhall amount vnto, accordyng to the diſcretion of the ſame Cuſtomer, that he ſhall not onely conuey the ſaide cattell to the ſayd towne or marches, there to bee ſolde, or other wiſe there to bee diſtributed and ſpent, for the victailinge onely of the ſame, but alſo to bryngе or ſende to the ſayde Cuſtomer, a ſufficient Certificat, within iiij. monethes next after the date of the ſayd Obligation: the ſame Certificat to bee ſealed and ſubſcribed with the hands of two of the kings Counſell of the ſaid Towne or Marches, & by the Cuſtomer or his deputie of the ſayde Towne, that the ſaid cattells haue beene truely brought without fraude, & deliuered to ſome of the kings Officers or ſubiectes, inhabiting and abyding in the ſaid Towne of

Calice

Victaile

Bound Cuſtomer

Obligation

Certificat

Kings counſel

Caleis

of Caleis or marches there to be ſpent for ẏ only vitailing aforeſaid. And after that ſuch cuſtomer hath receiued ſuch certificat made, ſealed & ſubſcribed in due forme (as is aforeſaid) he to cancel the ſame obligation vppon paine of forfaiture of ẏ ſũme of the ſaid obligation, & after to bring or ſend ẏ ſame obligation ſo cãcelled with the certificat therunto annexed, or els for lack of ſuch due certificat ſo to be made, ẏ ſaid cuſtomer to bring or ſend the ſaid obligation vncancelled into the kinges Eſchequer at ẏ time of making of his or their accompt for the yere next after the time limitted in the ſaid obligation, there to remayne vntill true knowledge be had, whether the ſayd cattel and euery part thereof haue bene duelie brought without fraude to the ſaid towne or marches, for vitayling of the ſame as is aforeſaide, ſo as for lacke of ſuch certificat not made according to the condition of the ſaied obligation, proceſſe may bee made in the ſaid Eſchequer for the recouerie of the penaltie in the ſaide obligation to the kinges vſe according to reaſon. And if anie Cuſtomer, ſearcher, or cõtroller of any port, haue, or creeke within this Realme, ſuffer anie ſuche cattels to bee ſhipped in the ſame, before ſuche obligation had as is aforeſaide, or if any cuſtomer faile in bringing or ſendinge into the kinges Eſchequer, at hys or their accompt the ſaid obligation by him to bee taken with the certificat, (if any bee to him brought) in fourme as is aboueſaide, that then euerie ſuch cuſtomer, ſearcher, & controller, ſuffering anie ſuch Cattell to bee conueyed ouer the Sea, contrarie to this act, ſhall loſe and forfait like ſummes, as ẏ partie ſo ſhipping or conueying the ſame cattell ſhall doe by vertue of this preſent act, and for default of certificat of anie ſuch obligation and certificat according to the tenor and effect of this act, euerie ſuch Cuſtomer ſhall loſe and forfait x.li.

Eſcheqer Accompt

Certificat Proces.

Cuſtomer

Fork.

Fork.

And be it further enacted, that it ſhal not be lawfull to any perſon to carye or conuey any ſuch cattel, brought out of this realme, to ẏ ſaid towne of Calice or marches, out of the ſaid towne and marches of ẏ ſame, vpõ paine of forfaiture for euery pol ſo brought out of the ſayde Towne and marches xl.s. The one halfe of which forfaitures and penalties, except the ſummes of money contayned in ſuch obligatiõs: to be to the kinge our ſouereigne lord, and thother halfe to the partie that ſhall ſeiſe or ſue for the ſame &c.

Fork.

Cancell the obligation. Fork.

Mottie

wherein &c. And if anie plees be pleaded in anie ſuch action or ſuit, not triable in the Realme, nor within anie ſuch place, where the kinges writ doth run, then by auctoritie of this act euerie ſuch plee if anie iſſue be take of the ſame, ſhalbe tried by the verdict of xij. men in the ſhire or place where anie ſuch action or ſuit ſhalbee commenced, anie thinge to the contrarie thereof notwithſtanding.

Plees

Verdit

Prouided that it may bee lawfull to the kinges Counſellours of the ſaid towne and marches of Caleis to conuey out of this realme to the ſame towne and marches, ſuch horſes, geldinges, & mares for their owne vſes, as they ſhall thinke expedient, not entending at the ſhippinge of them to put thẽ after ward to ſale, whereby they ſhould bee conueyed out of the kinges ſayd towne and marches, and that entend to be iudged by ẏ othe of them that ſhall ſhippe ſuche horſes, geldinges, and mares, to be take before the cuſtomer or ſearcher, or anie their deputies of the ſame port, hauen, or creeke, where it ſhalbe ſhipped. And that other horſemen of the ſaid towne and marches, that is to ſay, men of armes, ſpeares on horſebacke, archer on horſebacke, and ſcowrers, may cary and cõuey out of this realme ſuch horſes and geldinges, as anie of them commynge into this Realme ſhall haue brought with them, or leauing ſuch horſes or geldings, as they ſhall bringe into this realme, or comming hither within this realme without anie horſe or gelding, may liberally cary and take with them to the ſaid towne of Calice and marches, other horſes & geldinges of ẏ breeding of this realme for their own vſes, within and without the ſame towne and marches: This acte or any thinge therein contained to ẏ contrarie notwithſtanding.

K. Counſaile Callice

Horſes

Othe

Cuſtomer Searcher

Mẽ of armes

Prouided alwayes, that this acte or anie thing therein mencioned, be not in anywiſe hurtfull or preiudiciall to the Maiſter of the kinges horſes, now and hereafter to bee, for ſuch thinges and commodities as ſhall and do concerne his office, any thing in this act to the contrary notwithſtanding. Prouided alſo, that the wardeine of the fiue portes nowe being, or hereafter to bee, may perſonallie at his pleaſure cõue fiue horſes or geldinges, and no more within one yeare, at one or dyuers tymes, vppon like paine as is aforeſayde, to anie perſon or perſonnes into the parties beyond the ſeas, beinge in amitie with the kynges highneſſe or hys

Maiſter of the horſe

Waroen of ỹ Portes

vi Horſes

ſucceſſors, this act or any thing therein cõtained notwithſtanding. This act to continue vnto ẏ laſt day of the next Parliament.

Carry

Prouided alway that it ſhalbe lawful to any of the kinges ſubiects to cary or ſend to any parties of beyond the ſeas, any mares, whereof the price of any one mare ſo to bee caried, doth not extend to vi.s. viii.d. in like maner as they might do before ẏ makinge of this act, any thing in this act to the contrarie hereof notwithſtandinge. An. 22. H.8. ca.7. And after An. 28. H.8. ca. 6. this acte was continued to ẏ laſt day of the next parliament. And after An. 31. H.8. cap. 7. this act was continued to ẏ laſt daye of the next Parliament. And after An. 37. H.8. ca. 23. this act was continued vnto the laſt day of the next Parliament. And after An. 7. E. 6. cap. 11. this act was reuyued & continued vnto the laſt daye of the nert Parliament. And after An. 1. M. 1. parliament. 2. ca. 13. this act was continued vnto the laſt day of the nert parliamẽt. And after An. 1, M. 2. parliamento ca. 13. this act was cõtinued to the laſt day of the nert parliament. And after An. 1. & 2. P. & M. ca. 16. this act was continued to the laſt day of the next parliament. And after An. 2. & 3. P. & M. ca. 21. this act was cõtinued to the laſt day of the next parliament. And after An. 4. & 5. P. & M. it was continued vntil the laſt day of ẏ next parliament.

Marches of Scotland

Arreſt

Moitie

4 ¶ It ſhalbe lawfull to euerye perſon & perſons being the kings ſubiects, & inhabytinge in the foreſayde marches, for againſt Scotland to arreſt any Scottiſh man, leading or conueying any ſuch horſe, gelding or mare out of this realme into the ſayd Realme of Scotland, & that the moytie or one halfe of the price of the ſaid horſe, gelding or mare, ſhalbe to the vſe of the ſeiſour and arreſtor of the ſame, after due trial of the ſame made, & the other moitie to the kings highnes. An. 23. H. 8. ca. 16.

Dyke

Ditch

Deere

5 ¶ Euery perſon & perſons, as wel ſpiritual as temporall, of what eſtate, degree, or condition ſo euer hee or they be, which at this time or at any time hereafter, ſhal haue any parke or groũd incloſed wt hedge, ditch, wall, or pale, wherein any deere is or hereafter ſhalbe vſually kept for game, containing ẏ quantitie of one mile in cõpas, & is, or ſhalbe ſeiſed therof in fee ſimple, fee taile, or for terme of life, in poſſeſſion to his or their owne profit & behofe: that euery ſuche owner of euery ſuch parke & ground, being in his owne hand, & euerie fermer of euerie ſuch parke or ground beinge letten to ferme from the firſt day of May, ẏ ſhalbee in the yere of our Lord God 1537. ſhall kepe for euery ſuch parke or ground beyng encloſed, as is aforeſaide, as long as the ſame parke or ground encloſed ſhalbe vſed & kept with deere in the ſame for games, two mares being not ſpaied, apt & able to beare foles, eche of them of the altitude or height of viii. handfuls at the leaſt, to bee meaſured from ẏ loweſt part of the houſe of the foote vnto the higheſt part of the ſhoulder, euery handfull to contayne iiii. ynches of the ſtanderd, vpon paine of forfaiture of xl.s. for euery moneth lacking the ſaid mares contrarie to this act. And ẏ euery ſuch owner or farmer of parke or grounde, whereof the compaſſe is fower miles & aboue, vppon paine afore expreſſed, ſhal kepe for euery ſuch park fower mares being not ſpaied, apt & able to beare foles, of the altitude or heyght of viii. handfuls at the leaſt, to be meaſured as is aforeſaid.

Ferme

ii. Mares

Weight

Forf.

4. Miles compas

4. Mares

Prouided, that if it ſhal happen any of the ſaid mares by miſchance or caſualtie for to die, that then the Lorde, owner or owners of ẏ ſaid mares, (prouidig others of like height and altitude, as is before limitted, wtin iii. monethes nert after the death of the ſame mares,) ſhal not incurre the daũger and penaltie of this eſtatute, anye thinge beefore rehearſed to the contrarye notwithſtandynge.

Couered

Stond horſe

Forf.

Moitie

And it is alſo enacted by auctoritie aforeſaid, that the Lorde, owners, and fermers of all parkes & grounds incloſed, as is aboue rehearſed, limitted & appoynted by this acte to kepe mares, ſhall not at any time after the ſaid firſt day of May, which ſhalbee in ẏ yere of our lord God 1537. willingly ſuffer any of the ſaide mares to bee couered & kept with any ſtoned horſe, vnder the ſtature of viii. handfulles, to be meaſured in fourme afore rehearſed, vpon paine of forfaiture of xl.s. The moytie of all which forfaytures ſhalbe to the king our ſouereigne Lord, and the other moitie thereof to the partye that will ſue for the ſame in anye Court of oure ſouereign lord ẏ king by action &c. in which action &c.

Fee ſimple

Taile

Owner

Prouided alſray, that this act extend not to charge the Lorde, owner, or owners of any parke or ground incloſed, within ẏ cõtities of Weſtmerland, Cumberland, Northumberland, and the Biſhoprike of Durham, nor any of thẽ to kepe any mares, for

for

any parke or parkes, groũd or grounds in-
cloſed, as is aforeſaid, lying in the ſaid coũ-
Cumberland. ties of Weſtmerland, Cumberlande, Nor-
Northumberland thumberland, & the Biſhoprieke of Durhã,
Weſtmerland otherwiſe thẽ they haue or might haue dõe
Durham before ỹ making of this act. Nor alſo ſhall
extend to charge the lordes, owner or ow-
ners of any parke or parkes, or grounds en-
cloſed, with the finding of any mares (thar-
bage of which parke or parkes, is common
to the tenants and inhabitants of ỹ town-
ſhips nert adioyning to the ſame parke or
parkes) any thing in this preſent act made,
to the contrarie hereof notwithſtandinge.
An. 27. H. 8. cap. 6.

☞ 6 ¶ For as much as the breẽde of good & ſtrong horſes, is a great helpe & defence to the realme, & a great cõmoditie to the inha-
bitants thereof, which is now much decai-
ed, by reaſon that litle ſtoned horſes & nags be ſuffered to paſture in foreſts &c. & to co-
uer mares fœding there. Therefore for the increaſe of ſtronger horſes hereafter. Be it
Cõmoners &c. that no commoner or cõmoners within
Foreſt any foreſt, chaſe, more, mariſh, heth, com-
mon, or waſt ground, nor any officer or of-
ficers, of or within any of the ſaid Foreſts
Chaſes or Chaſes, or any other perſon or perſones
whatſoeuer he or they be, at any time after
the laſt day of March, which ſhalbe in the
yeare of our Lord God 1543. ſhal haue or
put to paſture in, to, or vpõ, any ſuch groũd,
Stoned horſe foreſt, chaſe, more, mariſh, heath, cõmon,
or waſte grounde, any ſtoned horſe or hor-
ſes, beinge aboue the age of two yeare, and
15. handfull not beinge of the altitude and height of xv.
handfulles to be meaſured from the loweſt
parte of the hoofe of the forefote, vnto the
higheſt part of the wither, and euery hand-
full to conteine 4. ynches of the ſtanderd, to
paſture, fœde, or be in or vpon any of ỹ ſaid
foreſts, chaſes, commõs, mores, mariſhes,
heathes, or waſte grounds, wẽin any of the
Norff. ſhires & territories of Norffolke, Suffolke,
Cambridge, Buck. Huntingtõ, Eſſex, Bẽt,
Southamſhire, Northwilſhire, Oxforde,
Bark. Worceſter, Glouceſter, Somerſet,
Northwales, Southwales, Bedford, war-
wike, Northãpton, Yorkeſhire, Cheſhire,
Staffordſhire, the Countie of the Citye of
Yorke, the Towne and libertie of Glouce-
ſter, the countye of the Towne of Kingſton
vpon Hull, the Countie Palantine of Lan-
caſter, the Coũty of Salop, Leiceſter, Her-
ford, & Lincolne, or wẽin anye of them: nor
ſhal put to fœde or paſture any ſtoned horſe
or horſes, being aboue ỹ ſaid age of ij. yeres, ij. yeres olde
and not beyng of the altitude and heyght of 14. handfull
xiiij. handfulles, to be meaſured as is aboue-
ſaid, wẽin or vpon any like groũd or groũds,
as bene aboue written, lying or beinge wẽin
anye other ſhire of this Realme, nor within Other ſhires
any of them, vpon paine of forfeiture of the Fork.
ſayde horſe or horſes, which ſhalbe ſo found
in or vpon anie ſuch grounde, foreſt, chaſe,
more, mariſh, heath, common, or waſte
grounde, at anie time after the ſaid laſt day
of March, which ſhalbe in the ſaid yeare of
our Lord God 1543. contrarie to ỹ forme
of this eſtatute. And it ſhalbe lawfull to e-
uerie perſon and perſonnes that ſhall fynde Finders
anie ſuche horſe or horſes contrarye to the
tourme of this eſtatute, to ſeyſe the ſame in Seiſe
maner and forme following, that is to ſay,
the ſayde perſon or perſonnes ſo finding a-
nie horſe or horſes, contrarie to this acte in
any foreſt, chaſe, common, more, mariſh,
heath, or waſte ground, within the ſaid ſhi-
res or other limittes aforeſayde, or in anie
of them, ſhal firſt go vnto the kẽper or kẽ- Keeper
pers of the ſame foreſt chaſe, or to his depu-
tie or deputies, or to the Conſtable, Bailife, Conſtable.
headborough, burſholder, or tythingman of Ba lie
any Towneſhippe nert adioining vnto the
ſayde place, where the ſayde horſe or horſes
ſhalbe, And ſhall commaunde or require Require
hym or them, or anie of them, in the kings
behalfe, to go with him or them to bring e-
uerie ſuch horſe or horſes, as he or they ſhall
thinke to be there fœding and goyng cõtra-
rie to this eſtatute, to the nert pound: and Pound
there the ſaid horſe and horſes to bee meaſu-
red by any of the ſame officer or officers, in
the preſence of three other honeſt men to be
named and appointed by the ſayde officer:
and if it ſo bee founde, that the ſame horſe or
horſes be contrarie to this act, that then it
ſhalbe lawfull to euerie ſuch perſon and per-
ſonnes, that ſhall ſo challenge and ſeyſe the
ſaide horſe or horſes, as before is ſaide, to
take and retayne the ſame horſe or horſes Retaine
and euerie of them, to his owne vſe, as his
owne proper goodes and cattels for euer,
without let, interruption, veration, ſuit, or
trouble of the owner or owners of them, or
any of them, or of any other perſon or per-
ſonnes. And it is further enacted by the
auctoritie aboueſayde, that if anie of the
ſayde keepers, their deputie or deputies,
Baylifes, Conſtables, headborroughs, bur- Conſtable
ſholders or tithingmen, or any of the ſaide
three other honeſt men, which ſhalbee re-

quired to be at ẏ measuring of the said horse or horses, as is before saide, do refuse to do, as is aforesaide, or els do not truely measure such horse and horses, that then euery suche bailife, keper, deputie or deputies, cõstable, hedborough, burholder, and Tithingman, and the sayd three honest persons to bee named, as is aforesaide, and euery of them not doing and refusing to do his or their duty in the premisses, shall forfait and lose xl.s. for euery time so refusing to do or not doing, as is aforesaid, the one halfe therof to be to the king, and the other halfe thereof to the partie that will sue in any court of our saide soueraigne Lorde the king, by bill or plaint of debt, information or otherwise. In whych action none Essoigne &c.

Refuse

Forf. xl.s.

Prouided alwaye, that this acte shall not extend to any stoned horse or horses, ẏ shall happen once in any yere after the saide last day of March, to breake, escape, or go out of any seuerall pasture or grounde, against the will and minde of the owner or possessour of such horse or horses, into any of the saide forestes, chases, moores marshes, heathes, cõmons, or waste groundes, so that the said horse or horses so breaking, escapinge, & going out, do not remaine or abide in the sayd forest, chases, moores, marishes, heathes, commons, or waste grounds, or any of thẽ, by the space of fower daies next after sufficient and open notice and knowledge geuen at the dwelling house of the owner of ẏ said horse or horses, or after open publication thereof made vpon a Sunday, or other festiual day, in the parish church where ẏ owner or possessor of such horse doth dwel. And be it &c. that all forestes, chases, commons, moores, marishes, heathes, & waste grouds, within this realme of Englande & Wales, and the marches of the same, and euery of thẽ, shalbe driuen at the feast of Saint Michael tharchangel next comming, or within xv. dayes then next after, and so yerely to be driuen by the lordes, owners, or possessyoners of the said forest, and chases, or by the officers of the same, and by the constables, hedboroughs, bailifes, burholders, and tythingmen, within whose offices, precincts and limits, the cõmons, moores, marishes, heaths, & waste grounds, being out of forests and chases be or lye: vpon paine of xl.s. to be forfaited to our said Soueraigne Lorde the king, by euery of the saide officers, baylifes, constables, hedboroughs, burholders, and tithingmen, as often and at euery time, as the said drift shalbe omitted or left vndone, or not effectuallie done within xv. daies after the said feast of Saint Michael tharchãgel, as is aforesaid.

Refuse

Forfeiture

Driuen

And it shall also bee lawfull to the sayde lordes, owners, and possessioners of the said forestes and chases, by their officers of the same, and to the constables, baylifes, hedboroughs, burholders, and tithingmen, and euerie of them, within the limittes of their offices, to make like drift of ẏ said forestes, chases, commõs, moores, marishes, heaths, and waste grounds, at any other season and time of the yere, whensoeuer & as often as they shall thinke meete and conuenient.

Other times

And furthermore be it enacted, that if in any of the said drifte there shalbe found any mare, filly, fole, or gelding, that thẽ shalbe thought not to be able nor like to growe to be able, to beare foles of reasonable stature, or not able, nor like to grow to be able to do profitable labors, by the discretions of the driuers aforesaid, or of the more number of them: then the same driuer or driuers shal cause the same vnprofitable beastes, & euery of them to bee killed, and the bodyes of them to be buried in the ground, or otherwise bestowed, as no noyance thereby shal come or grow to the people, there nere inhabiting, or thither resorting. And it is &c. that the Justices of peace in euery shire, riding, and other place, in their quarter Sessions to be kept and holden, by vertue of the kings Commission of the peace to them directed. And al Stewards of Leetes & lawdayes, in the same Leetes and lawdayes, shal haue auctoritie by this act, to enquire of al defaultes, contempts, omissions, and offences, contrary to the effects aboue writen, and euery of them. And al presentmẽts thereof to be found in any of the said Leets and lawdayes, shalbe certified by the Stewarde, or deputie steward, or court holder of the same leete or lawday, in the nert general Sessions of the peace, to be holden in the countie where such presentment shalbe found or had, or vnto the Custos Rotulorum of the same shire, within the xl.dayes nert after that presentment made: which Justices of peace in their quarter Sessions of the peace, shal haue power and auctoritie by this act, to heare and determine euery such presentment before them selues found, or in any of the said Leets or lawdayes, to be presented and certified, as is aforesaid, as wel by examination as otherwise: & if any such

Mare
Gelding
Little growth

Kill

Iust. of p.

Steward of Leete

Enquire

Certifie

Generall Sessions

Custos Rotulorum

Iust. of p.

Other matter

Examination

Steward Imbeſil Conc. ale

ſuch Stewarde, deputie Stewarde, or court holder aforeſaid, imbeſil or cõceale any ſuch preſentment, or do not certifie the ſame, as is afore written: every of thẽ, ſo offendinge, ſhal forfait & loſe for every ſuch offence xl. s.

Forf. Moitie

Whone halfe for every ſuch forfaiture, & of every other of the forfaitures afore written to be to the kinge, and the other halfe to the perſon or perſons that wil ſue for the ſame, before the ſayde Juſtices of peace in their ſayd quarter Seſſions, by bill or information, which Juſtices ſhal haue ſul power & auctoritie by vertue of this act, to heare & determine every ſuch offence, aſwell by examination as other wiſe, as is before mencioned. And be it further enacted by the auctoritie aforeſayde, that no perſon or perſons, after the feaſt of Saint Michaell the archaungel nert comming, ſhal haue or put to paſture any Horſe, Geldinge, or Mare, infect with ſcabbe or maunge, in, or to, or vpon any of the ſayd Foreſtes, Chaſes, Parkes, marſhes, heathes, commons, waſt groundes, or common fieldes: vpon paine to forfait for every Horſe, gelding, or mare ſo infecte, paſturinge in any of the ſayde groundes x. s. which offence ſhalbe inquirable and preſentable before the Stewardes in every Léete, as other common annoyſaunces bée. And the forfapture thereof to bée to the Lord of the ſame Léete, where the ſayd offences ſhalbe preſented.

Scabbed Horſe

Forf.

Leete

Prouiſo

Prouided alwaye, that this Act or any thinge therein contained, ſhal not extende nor be preiudicial to any perſon or perſons hauinge any ſtoned horſe or horſes, vnder the heightes and altitudes aboue mencyoned, for or concerninge the hauinge or puttinge any of the ſaid horſes to fæding, in, or vpon any common or other waſt grounds where any Mares or fillies be not vſed nor ſuffred to be fed, paſtured or kept, An. 32. H. 8. cap. 13. ſome part of this ſtatute for certayne places in certaine Shires, is repealed and altered by Anno 8. Elizab. cap. 8. hereafter 11.

Stoned horſe

Common No mares

*

7 ¶ Euery Archbiſhop & Duke of thys Realme from and after the feaſt of Saynt Michaell the archangel which ſhalbe in the yere of our Lord God 1544. ſhal haue, find, kepe, ſuſteine and maintaine of their owne proper horſes, and at their proper coſtes and erpences, ſeuen ſtoned trottinge horſes for the ſaddle, euery horſe of the ſame to bee in age thrée yeres and vpward, in height forteéne handfuls, reconinge and accompting to euery handfull fower inches of the ſtanderd, to bée meaſured from the nether part of the heare of the houfe. vnto ỹ vpper part of the widerſons, that is to ſay, the vpper part of the ſhoulders, vpon paine that euery Archbiſhop and duke, lacking the number of the ſayd horſes to them aboue limitted after the ſayd feaſt, by ỹ ſpace of thrée monethes, ſhal loſe and forfayt for euery horſe ſo lacking, as often as they or any of thẽ ſhall ſo lacke them by ỹ ſaid ſpace of 3. moneths xx. li. The one moity therof to the king, & the other moitie, to ſuch as wil ſue for ỹ ſame by bill &c. in which ſuites &c. And that euery Parques and Earle of thys Realme, and alſo euery Biſhop of this realme, the yerelye value of whoſe Biſhoprickes is of the yerely value of a thouſand pound or aboue, ſhall after the feaſt of Saint Michaell the archangel, haue, finde, kéepe, ſuſteyne and maintein of their proper horſes, and at their proper charges and erpences, fiue Stoned trotting horſes for the ſaddels, of thage and height aforeſaid, vpon the payne aboue ſpecified, to bee loſt and recouered to the vſe and in ſuch fourme as is afore remembred. And that euery other Biſhop of this Realme, whoſe Biſhoprycke is of the yearely value of a M. Markes and aboue. And euery Vicont and Baron, hauing lands, tenements, fées, annuities, or offices, for terme of his life, to the clere yerely value of a M. markes or aboue, vpon like paine, as is aforeſaid, ſhall after the ſaid feaſt of Saynt Michaell, haue, find, kéepe, ſuſtayne, and maintaine, thrée Stoned trotting horſes for the ſaddel, of thage and height afore mencioned, vpon the payne aboue ſpecified, to bée loſt, forfait, and recouered, in maner as is aforeſayd. And that euery other Biſhoppe, Vicount, and Baron of this Realme, not afore mencioned. And alſo euery Spirituall perſon, hauinge benefices or promotions, to the yearely value of of v. hundred Markes. And euery Temporall perſon, hauing landes, tenements, offices, fées, or annuities, for terme of hys life, in his owne right, or his wiues, to the yearely value of fiue hundred Markes, after the ſaid feaſt of Saint Michael, ſhal haue, finde, kéepe, ſuſtaine, and maintaine two Stoned trotting horſes for the ſaddell, in maner and forme, and vpon the payne afore rehearſed. And that euery other Spiritual perſon, béeyng vnder the degrée of a Biſhoppe, hauing benefices or promotions, to the clere yearely value

Archbiſhop Duke

vii. ſtoned horſes

Parques Earle Biſhop

v. Stoned horſes

Biſhop

Vicount Baron

1000. marks

3. Stoned horſes

500. markes

600. markes

2. Stoned Horſes

Spiritual perſon

value of a hundzed poundes oz aboue, & not to the yearely value of fiue hūdzed markes: And all and euery other perſon Tempozal not afoze mencioned, whoſe wife, after the feaſt of ſaint Michael the Archangell nert hereafter mencioned in this act, ſhal weare anie golwne of ſilke, oz whoſe wyfe ſhall weare any French hode oz bonet of velvet, with any habilement, paſſe, oz edge of gold, pearle, oz ſtone, oz anie chayne of Golde about their neckes, oz in their partlets, oz in anie apparell of their bodie: ſhall after the feaſt of Saint Michael tharchangell, which ſhalbe in the yeare of our Lozde God 1545. haue, finde, kæpe, ſuſtaine and maintain, as is afozeſayd, one ſtoned trotting hozſe foz the ſaddle, vpon the payne, that euerie ſuche ſpirituall perſon, vnder the degræ of a Bi-ſhop, hauing landes, tenementes, benefices oz pzomotions to the yearely value of a hū-dzed poundes, and not to the yearely value of fiue hundzed markes, as is afozeſayde. And euerie other tempozall perſon, whoſe wife after ỳ ſaid feaſt of ſaint Michael ſhal weare anie golwne of ſilke, oz whoſe wyfe ſhall weare any Frenche hode, oz bonet of velvet, with any habilement, paſſe, oz edge of gold, perle, oz ſtone, oz anie chaine of gold about their necks, oz in their partlets, oz in anie apparel of their body: ſhal loſe and foz-fait foz euerie time that anie of them ſhall want oz lacke by the ſpace of thzæ moneths one trotting ſtoned hozſe of the heyght and age afozeſaid, tenne poundes: the one moi-tie thereof to the king, & the other to ſuch as will ſue foz the ſame in ſuch fourme as is afoze mencioned. And bee it enacted by auc-thozitie afozeſayd, that the Juſtices of aſſi-ſes, and Juſtices of peace, ſhall haue po-wer and auctho zitie within the limittes of their auctho zitie, to heare and determine the defaultes done contrarie to this acte, as well by pzeſentment as infozmation, and to make ſuch pzoces vpon any pzeſentmēt & infozmation afoze them, as in anie other caſes of treſpaſſes and contemptes done a-gaynſt the fourme of anie eſtatutes: & ſhall ſet no leſſe fine noz paine vpon ſuch perſons as ſhalbee conuict by confeſſion oz tryal foz offendyng this acte, then is aboue limitted. And foz the better obſeruation of thys acte, bee it further ozdeyned by auctho zitie afoze-ſayde, that euerie Sheriſe in anie ſhire of this realme ſhall do his diligence and good endeuour to ſearch and knowe by vertue of his office, all defaultes done oz committed by anie perſon oz perſonnes, in lackynge of hozſes contrarie to this acte, as ſhall hap-pen within the ſhire where he is Sheriſ, and ſhall once in the yeare, that is to ſay, in the terme of ſaint Michael, certifie the ſayd de-faultes if anie bee, into the kynges Eſche-quer, by wzyting vnder his ſeale, to the in-tent that pzoces may be made agaynſt the offendours accozdinglye. And that euerye ſuche certificat of the Sheriſe, ſhall be of as good fozce and effect againſt the offendours of this acte, as anie infozmation thereof in the ſayd Eſchequer. And in caſe anie ſhalbe conuict vpon any ſuch certificats by confeſ-ſion oz tryal, accozdinge to the courſe of the lawe, then the Sheriſe making ſuch certify-cates, ſhal haue one moitie of ỳ fozfaiture, & the kings maieſtie the other moity there-of. Pzouided alwaies, that no perſon ſhal-be impeached, moleſted oz troubled foz anie offence done contrarie to this act, by bil, ac-tion, infozmation, pzeſentment, oz certify-cates of the Sheriſe, vnleſſe that ſuch bil, ac-tion, infozmation, pzeſentment, oz certify-cates be made oz had, within one yere nert after the offence done contrarie to this act, any thing in this act to the contrarie there-of notwithſtanding. Pzouided alwaies, ỳ this act noz anie thinge therein contemed, ſhall extende to anie ſonnes and heires apparant of anie Duke, Marques, Earle, Vicount, oz Baron, noz to the ſonnes oz heires appa-raunt of anie other perſon, hauing landes, tenementes, oz hereditaments, to the yere-ly value of fiue hundzed marks oz aboue, to binde oz compell any ſuch heires apparant, to fynde oz kæpe anie hozſes by vertue of this acte in the lyke of their fathers, excepte ſuche ſonnes & heires apparant haue lands, tenements, annuities, fees, oz offices, to the yearelie value of fiue hundzed markes, but that euerie ſuche ſonnes and heires appa-rāt (except beſoze excepted) may do as they did oz mought doe afoze the making of this acte, anie thinge in this acte to the cōtrary thereof notwithſtanding.

Pzouided alwaies, that if any ſuch ſonne and heire haue landes, tenementes, here-ditamentes, fees, offices, oz annuities, foz terme of lyfe in hys owne right, oz in the right of his wife, to the cleare yerelie value of fiue hundzed markes, ỳ then ſuch ſonnes and heires hauyng ſuch landes, tenements, hereditamentes, fees, offyces, oz annuities, to the cleare yearely value of fiue C. marke as is afozeſaid, ſhall finde, kæpe, ſuſtaine, & maintaine

Golwne of ſilke
French hoode
Habilement
Chaine of gold
One ſtoned hozſe
Foꝛf.
Moitie
Juſtices Juſt. of p.
Oier & ter.
Pzoces
Fine
Shirife
Certifie defaultes Eſchequer
Conuict
Shirife Moitie
Within one yeare
Heires
600. marke
500. marke
Sonne
500. marke

One ſtoned horſe. maintaine one trotting horſe for the ſaddle in fourme aforeſaid, vpon the paine of xx.li. to be loſt & forfait for euery three monethes, ỹ any ſonne and heire ſhall lacke and want a trotting ſtoned horſe, as is aforeſaid.

Forf. And bee it prouyded and enacted by aucthoritie aforeſaide, that if the wife of anie perſon or perſonnes, weare anie velvet in ỹ lining or other part of her gowne, other thẽ in the cuffes or purfles of ſuche gowne, or els weare anie velvet in her kirtle, or weare anie peticote of ſilke, that then the husbande of euerye ſuche wyfe, ſhall finde one ſtoned horſe of the ſtature above in this actrecited, or ſhall incurre the aboueſaide penaltie and forfaiture of x.li. to bee levied and recovered as is afore declared.

wife Velvet Kirtle Peticote One ſtoned horſe Forf.

Prouided alſo that this act or any thinge therein conteined ſhal not extend to charge any perſon or perſõs, whoſe wife or wives ſhall weare anie of the apparell or thinges above rehearſed, during the time ſuch wife or wives ſhalbee devorced from their husband or husbands, or ſhall willingly abſent her ſelfe from her ſaid husband, and during ſuch abſence ſhall weare any of the apparel or other thinges afore recited.

Devorced

Prouided alwaies that heirs within age, being wardes, whoſe landes, tenementes, and hereditamentes, amount to the yerelie value of cc.li. ſhall not be compelled by auctheritie of thys acte till they come to their full age, to keepe anie Horſes, although the wives of ſuch heires within age weare any gowne of ſilke, or anie frenche hode or bonet of velvet võ anie habilement, paſte, or edge of golde, pearle, or ſtone, or anie chaine of gold about their necks, or in their partlets, or in any apparel of their body, any thing in this act to the contrary not withſtanding.

Heires 200.li.

Prouyded alſo that if all or any the horſes kept by vertue of this act, ſhall happen to be killed, maimed or loſt, in the ſeruice of the kinges warres, that then in euery ſuch caſe the owners of ſuche horſe or horſes ſo killed, maimed, periſhed or loſt in ỹ warres ſhall haue libertie by the ſpace of two yeres next after ſuch chaũce of killing, maiming, periſhing or loſinge their horſes, to prouyde other horſes in the ſtede and place of ỹ horſes ſo killed, maimed, periſhed or loſt in the warres, without anie daunger, loſſe, or penaltie of this act, any thing in this act to the contrary therof notwithſtanding. Prouyded alſo, that cart horſes, or ſumpter, ſhall not be takẽ, reputed or reckened for any ſuch horſes, which any perſon is, or ſhalbee bouñden to keepe by vertue of this act, An. 33. H. 8. cap. 5. This ſtatut ſeemeth to be repealed by 4. & 5. P. & M. ca. 2. which See Armor, 8 8 ¶ Foraſmuch as before this time divers ſubiects haue conveied as wel into Scotlãd as into other forein realmes great multytude of horſes, geldings & mares, whereby the kings enemies haue bene ſtrengthened, and the god breede of horſes & mares here decated. Be it &c. That if any perſon or perſons after the firſt day of January next cõming, do ſel, eſchange, geve, convey, or deliver into the Realme of Scotland to ỹ vſe of anie Scottiſh man, or do carie, geve, eſchange, ſell, ſende, convey, or deliver into any place beyond the ſea oute of this realme, or the dowminions of ỹ ſame, any horſe, gelding, or mare, without ſpecial licence therefore to be obteined of the kynges highneſſe, or his heires, vnder the great ſeale of thys Realme, or vnder the prỹy ſignet, or if any perſon or persons after the ſayd firſt day of Januarie, do ſell, exchaunge, geve or deliver to any Scottiſh man within this Realme of England, or Wales, the towne of Barwike or the marches of the ſame, to thẽtent to be conveyed into Scotlande, any horſe, gelding, or mare, or do convey or carry any horſe, mare, or gelding into any forevne parties beyond the ſea, wout like ſpecial lycence obtained of ỹ kings highnes, or of his heirs, vnder the great ſeale, or prỹy ſignet, as is aforeſaid: that then the ſame perſon & persons ſo offending contrary to this acte, ſhal loſe & forfait to our ſoveraigne lord and his heires, the ſame horſe, mare, or gelding ſo caried & conveyed, & ſhal alſo loſe & forfait the ſũme of xl li. for every ſuch horſe, gelding or mare, ſo to be cõveied & caried in fourme aforeſaid, whereof the one moity to bee to ỹ king, & ỹ other moitie to him or them ỹ wil ſue for the ſame, by information, action of debt, or detenue, in any of the kinges courts of recorde, wherein &c. And that alſo al and euerie perſon and perſonnes ſo offendynge contrarie to this act, ſhall ſuffer impriſonment by the ſpace of one whole yeare. And bee it further enacted by auctheritie aforeſayde, that it ſhalbee lawfull aſwell to the warden and wardens of the Eaſt, Weſt, and midle marſh for the time being in their wardein courtes, as alſo to all and euerye the kinges Juſtices of peace, in euery ſhire, as well in Englande as in Wales, in their quarter ſeſſions, to enquire of al and euerye offence

Sell Convey Scotland Beyond ſea Horſe Licence Exchange Scotiſh man Convey Forf. Moitie Impriſon Wardens of the marches Juſt. of p. Wales Quarter ſeſſions

offence or offences hereafter to be perpetrated, cõmitted or done, contrary to this acte. Euery perſon And that it ſhalbe lawfull to all & euery other perſon & perſons being the kinges ſubiects, to arreſt and impriſon euery Scottiſh man, and all, & euery other perſon or perſons, which ſhal lead or conuey contrary to the meaning of this act, any ſuch horſe, gelding, or mare, out of this Realme into the ſaid realme of Scotland, or into any other foreine place beyond the ſea, other then ſuch perſons as hereafter ſhal haue ſufficiẽt warrant, by, or from the kings highneſſe or hys heires, vnder his or their great ſeale, or priuy ſignet, according to the meaning of thys act. Prouided alwaies, and be it enacted by thauctoritie aforeſaide, that if the king our ſouereigne Lord, his heires or ſucceſſors, at anie time hereafter vnder his great ſeale or priuy ſignet, do geue licence to any perſõ or perſons, to carie or conuey any horſes, mares, or geldings, into Scotland, or into any other partes beyond the ſea, or els do geue auctoritie or cõmaundement to any perſõ or perſons, by warrant, vnder ỳ kings great ſeale, to licence any other perſon or perſons to cary, or conuey any horſes, mares, or geldinges into Scotlande, or into any partyes beyond the ſea: ỳ thẽ it ſhalbe lawfull aſwel to all & ſinguler perſon or perſones, hauyng ſuch licẽce vnder ỳ kings great ſeale, or priuy ſignet, as to al and euery other perſon or perſõs hauing licẽce in writing vnder ỳ ſeal of ſuch perſon or perſons to whom the king ſhall geue auctoritie, power, or cõmaũdement in fourme aboueſayd: to licence other perſon or perſones, to carye or conuey anie horſes, mares, or geldings into Scotlande, or into any other parties beyond the ſea, to cary and conuey ſuch number of horſes, geldings or mares, or any of them into Scotland, or into any other parties beyõd ỳ ſea, as ſhalbe mencioned in any ſuch licences as before ſpecified: any thing mẽcioned in this act to ỳ contrary in any wiſe notwithſtãding. Prouided alwaies, & bee it enacted by auctority aforeſaid, ỳ this act ne any thing therein conteined ſhall in no wiſe extend to any perſon or perſons, which at any time hereafter ſhal cary or cõuey any horſe, mare or gelding into Scotland, or into any other forein parties beyõd the ſea, to ſerue ỳ king in his warres, with the ſame horſes, mares or geldings, any thing mẽcioned in this act to the contrarie in any wiſe notwithſtanding. And to the intent the kinges maieſtie ſhall not hereafter be deceyued in ỳ number of ſuch horſes, mares, or geldings, which hereafter ſhalbe caried, & cõueied into Scotland, ne that ỳ parties which hereafter ſhal obteine anie licence by force of this act for ỳ cariage or conueiance of any horſes, mares, or geldinges, to bee caried or conueyed into Scotland. Be it therefore enacted by ỳ auctoritie aforeſaid, that all & euerie ſuch perſon and perſons, which hereafter ſhalbe lycenced according to this act, to cary or conuey anie horſes, mares, or geldinges into Scotlande, ſhall (before the ſame cariage or conueyance, vpon the paine of forfaiture of the ſaid horſe, mare, or gelding, or the double value thereof, whereof the one moity to bee to the king, & thother moitie to him or them that wil ſue for the ſame by ſuch like action as is before limitted in this act) ſhew his or their ſaid licence to one of the iij. wardens of the three marches of England, to the intent that one of the ſaid wardens ſhal cauſe ỳ nũber of ỳ ſaid horſes, mares, or geldings ſo licenced to be cõueyed into Scotland, not onely to be kalendred in a booke to remaine in his owne cuſtody, but alſo to be endorced & written on the backſide of the ſaid licence, & the ſame endorcement to be ſigned wᵗ the hand of ỳ ſaid wardein. Prouided alwaies, that it ſhalbe lawfull to euery of the kinges ſubiects, that ſhal paſſe ouer beyond the ſea, to ſhip & cary with them horſes, or geldings for their only occupation in their iourneys, & not to the intent to ſell the ſame beyond ỳ ſea. And that intent to be iudged by the othe of him or thẽ, ỳ ſo will cary ouer any horſe or gelding, which othe ſhalbe taken before the cuſtomers or their deputies, or ſearcher of euerie ſuch port, where the ſame horſe or gelding ſhalbe ſhipped, before the ſhypping therof, (But this laſt prouiſo is repealed by 5. of Eliz. cap. 19. hereafter. 10.) Prouided alwaies, that the wardein of the fiue portes now being, or ỳ hereafter ſhalbe, may yerely at his pleaſure, geue vi. horſes or geldings, & no more, within one yeare, at one or dyuers times, vpon like paine as is aforeſaid, to any perſon or perſons, in the partyes beyond the ſeas, being in amitie wᵗ the kings highneſſe or his ſucceſſours, this acte or anie thing therin to ỳ contrary notwithſtãding.

Deceyued

Euery perſon

Arreſt Impriſon Scottiſhmẽ Conney

Perſõ licẽced

Warrant

Scotland Forf.

Prouiſo

Licence

Shew his licence

Wardens of the marches

Kalender Endorſe

Prouiſo

Horſes to trauel on

Intent Iudgement Othe

Cuſtomers Searcher

Prouiſo

Warden of v. portes

Geue vi. horſes

Prouiſo

Seruice

Warres

Prouided alſo, that this act, nor any thing therin mencioned, be in any wiſe hurtfull or prẽiudicial to ỳ maſter of the kings horſes, now & hereafter to be, for ſuch thinges & cõmodities, as ſhall and do concerne his office

Prouiſo

Maſter of the horſe

anie

his office, any thinge in this act to the contrary notwithſtãding. Prouided alſo ẏ it ſhal be lawful to any the kings ſubiects to carry or ſend into any parties beyond the ſea, any Mares, whereof the price of any one mare ſo to be carryed, doth not exceed x.s. in ſuch like maner as mares being of ẏ prices of 6. s.8.d. ben, or might haue ben, conueied ouer ẏ ſeas, before the making of this act (vvhich See heere before 2.) any thing in this act, or in any other act or acts heretofore made to the contrarye here of, not withſtanding. An. 1. E. 6. cap. 5.

Prouiſo

Mares x.s.

But note that the ſelling, exchanginge or deliuering of any horſe, gelding or mare into Scotlande without licence, is felony at this day by 1. Elizabeth. cap. 8. here next following.

☞ 9 ¶ Where in the parliament holden at London the third day of Nouember, in the xxj. yere of the raygne of the late kinge of moſt worthye memory kinge Henry the eight, and from thence adiourned and prorogued to Weſtminſter, and there continued by diuers prorogations, vntil the 15. day of Januarye in the xxiij. yere of the raygne of the ſayd late king, amongſt other things (vvhich See before in Felony 13.) there was one act or ſtatute made whereby the ſelling exchaunging, or deliuerie of any horſes, geldinges, or mares into Scotland by any Engliſhman, ſhoulde be felonye, which act or ſtatut is intituled, an act that no Engliſh man ſhoulde ſel, exchange, or deliuer to be conueyed into Scotland, any horſe, gelding or mare, without the kinges licence, as by the ſame act and ſtatut more at large doth and may appeare. And although the ſame eſtatute was a very good & neceſſarie law for the maintenãce of ẏ ſtrẽgth of this Realme, & for ẏ due preſeruation of ẏ ſtate of the ſame, yet ẏ ſaid ſtatut by a certein act of repeale, made aſwell in the time of ẏ late King Ed. the 6. as alſo in ẏ time of Quéene Mary, was by certeine generall words repealed and made voide, by reaſon whereof, diuers wicked & euill diſpoſed perſons, haue of late tyme for their owne priuate gayne, conueyed diuers Horſes, geldings & mares out of this realme into Scotland, to ẏ great ſtrength and boldening of the Scottiſh, and much to the detriment and hinderaunce of this realme. Wherefore be it enacted &c. ẏ the ſaid act & ſtatut made in the ſaid 23. yere of the raygne of the ſayd late kinge Henry the eight, and al & euery braunch, ſentences, articles, wordes, matters and clauſes, therin contained, ſhal from the firſt day of May next comming, ſtand, remaine, & continue in ful force and ſtrength, to all intentes and purpoſes, as fully and as wholy as euer the ſame was at any time heretofore, any act or ſtatut of repeale, or any other matter or cauſe whatſoeuer to ẏ contrary notwithſtanding. An. 1. El. cap. 8.

Horſes Scotlande Felony

23. H. 8. c. 18. Reuiued

10 ¶ Where in the parliament holden at weſtminſter in the firſt yere of ẏ raigne of the late king Ed. the 6. brother to our ſoueraigne lady the Quéenes maieſtie ẏ now is, amongſt diuers other ſtatuts, there was one act and ſtatute made againſt the carying & conueying of any horſes, geldinges, or mares, out of this Realme (vvhich See here before 8.) in which act amongſt other things there is one prouiſo or braunch conteined in theſe words hereafter following. That is to ſay. Prouided alwayes, that it ſhalbe lawful to euerie of the kings ſubiects that ſhal paſſe ouer beyond the ſea, to ſhyp & carry with them, Horſes and Geldings for their onely occupation in their iourneis, and not to the intent to ſel the ſame beyond the ſea, & the intent to be iudged by the Othe of him or thẽ that ſo will carry ouer any horſe or gelding, which othe ſhalbee taken before the Cuſtomer or ſearcher, or their deputies, of euery ſuch port where the ſame horſe or gelding ſhalbe ſhipped, before the ſhippyng therof, as by the ſame act & Prouiſo it doth & may appeare. And although &c. that al the ſaid Prouiſo & braunch before rehearſed, mẽcioned & conteined within the ſaid act & ſtatut, & euery article and ſentence conteyned within ẏ ſaid Prouiſo, ſhal from henceforth be repealed, made voide, & of none effect, & that all the reſidue of the ſaid act & ſtatute, ſhal ſtand, remaine, and be in full ſtrength: any thing herein ſpecified to the contrarie notwithſtandinge. Anno 5. Elizab. capitulo 19.

11 ¶ For aſmuch as the Moores, Mariſhes, & fenne grounds of the ſhires hereafter mencioned, by reaſon of their rottennes and waterye ſhnes, are not able to breede, beare, or bringe forth, ſuch great breede of Stoned horſes, as by the Statute of 32. H. 8. (before 6.) is expreſſed, without perill of miryng and peryſhinge of them, and other horſes dare not bee put for the fear of Promoters, whereby the breede of horſes, tillage and carriage decayeth in thoſe places.

☞ Be it enacted &c. That as much of ẏ aforeſaid eſtatute made in the ſayd xxiij. yere of king Henry the eight (before 6.) or any part, braunch, or article, or any parcel therof, touchinge or concerninge any the marches and ſeggey Fenne groũds within the ſayd Iſle of Ely, ſituate, lyinge and beinge in the ſayd county of Cambridge, together with al other the Marches & ſeggy Fenne groundes within the ſaid Shires of Cambridge, Huntington, Northampton, Lyncolne, Norfolke, and Suffolke, ſhalbe from henceforth vtterly repealed, fruſtrate, void and of none effect in the lawe. Any thing in the ſayd former act expreſſed to the contrary, notwithſtanding. Neuertheleſſe, bee it ordeyned and enacted by the aucthoritye of this preſent Parliament, that no perſon or perſons whatſoeuer he or they bee, at any time after the laſt day of March next cõming, ſhal haue or put to paſture into or vpon any Marſh or ſeggye Fenne grounde within the ſayd Iſle of Ely, or into or vpon any Marſh or ſeggy Fenne grounds within the ſayde counties of Cambridge, Huntington, Northamptõ, Lincolne, Norfolk & Suffolk, or any of them, any ſtoned horſe or horſes being aboue the age of 2. yeres, & not being of altitude & height xiij. handfuls, to be meaſured from the loweſt part of the hoofe of the forefote, vnto ẏ higher part of ẏ wither, & euery handful to cõteine 4. inches of the ſtandard, to paſture, fede, or to be norriſhed in or vpon any the ſaid marſhes or ſeggie Fenne grounds, within ẏ ſayd Iſle, & within the ſayd counties of Cambridge, Huntington, Northãpton, Lincoln, Norfolk, & Suffolk, or any of them, vpon ſuch & the like paine as by ẏ ſaid former act is limitted & expreſſed. An. 8. El. cap. 8.

Cambridge

Repealed

Put to paſture

Fen groũds Cambridge

Stoned horſes 2. yeres old

13. handfull

Forf.

¶ Hoſpitalles & hoſpitallers.

FOr aſmuch as many hoſpitalles within the realme of England, founded as well by the noble kings of ẏ ſame realme, & lords & ladies both ſpirituall & tẽporall, as by diuers other eſtates, to the honour of God & of his glorious mother, in aid & merite of ẏ ſoules of the ſaid foundours, to the which Hoſpytals the ſame foundours haue giuen a great part of their mouable goods for the edifications of the ſame, and a great part of their landes and tenementes, therewith to ſuſteyne impotent men and women, lazars, men out of their wittes & minde, and poore women with childe, & to nouriſh, relieue, and refreſhe other poore people in the ſame, bee nowe for the moſt parte decayed, and the goodes and profittes of the ſame by diuers perſonnes as wel ſpiritual as tẽporall, withdrawen and diſpended in an other vſe, whereby many men and women haue dyed in great miſerye for defaulte of ayde, lyuing, and ſuccour, to the diſpleaſure of God, and peril of the ſoules of ſuch manner of ſpenders. The king our ſouereygne Lord, conſideringe the meritorious and deuout entent of the foundours aforeſaid, and the inſolent gouernances in the ſame, hath by the aduiſe and aſſent aforeſayd, ordeyned and eſtabliſhed, that as to the hoſpitals, which be of the patronage & foundation of the kinge, the ordynaries by vertue of the kinges Commiſſions to them directed, ſhal enquire of the maner and of the foundation of the ſaid hoſpitals, and of the gouernance and eſtate of the ſame, & of al other matters neceſſarie and requiſite in this behalfe, and the inquiſitions thereof taken, ſhal certifie in the kinges Chauncery. And as to other hoſpitals, which be of another foundation & patronage then of the king: the Ordinaries ſhal enquire of the maner of the foundation, eſtate, and gouernance of the ſame, and of al other matters and thinges neceſſarie in thys behalfe, and vpon that, make thereof correction and reformation, after the lawes of holy Church, as to them belongeth. An. 2. H. 5. cap. 1. Stat' 1.

Goods

Lands

Poore people K. foundation Ordinarie Enquire

Certifie Chauncery

2 ¶ An. 2. H. 6. cap. 2. It was enacted, ẏ ẏ hoſpital of S. Leonards in Yorke, might gather thinges, & haue an action for them.

3 ¶ Be it enacted, that Robert Earle of Leiceſter, his heires, executors, or aſſignes, at his or theyr willes and pleaſures, ſhall haue full power, ſtrength, licence, & lawful auctority, to erect, found, and eſtabliſh one Hoſpitall or Meaſondieu, within the ſayd Towne of Warwike, or els wythin the ſaid Towne of Kenelworth, at his or theyr choiſe and election, for the finding, ſuſtentation, and reliefe of poore, needie, and impotent people, to haue a continuance forever. And that the ſame Hoſpital or Meaſondieu ſo founded, ſhalbee incorporated, and haue a perpetuall ſucceſſion for euer, in fact, deede, and name, of ſuch head members, and numbers of poore, needy, & impotent people, as ſhalbe appointed, aſſigned, limitted, or named by the ſaid Earle, hys heires, executors, or aſſignes, vnder his or their

Earle of Leiceſter

Erect

their handes and ſeale. And further, that the ſame hoſpital or Meaſondieu, ſhalbee named & called by ſuch name, as ỹ ſaid Earle, his heires, executours, or aſſignes, ſhal ſo limit, aſſigne, & appoint. And the ſame hoſpitall or meaſondieu being ſo incorporated & named, ſhal by the name of the incorporation thereof, haue ful power, auctoritie, and lawful capacitie & habilitie, to purchaſe, take, holde, receiue, enioy, and haue to them and to their ſucceſſours for euer, mannors, lãds, tenements, and hereditaments, ſet, lying, & being wỹn any countie within this realme of Englãd, ſo that the ſame exceede not the yearely value of two hundreth poundes, aboue al charges and repriſes, and ſo that the ſame or any part or parcell thereof, bee not holden of our ſoueraigne Ladye ỹ Quéene, her heires and ſucceſſours, immediatlye by knightes ſeruice in chiefe, or els by knights ſeruice, and not in chiefe. And further, that the ſame hoſpitall or meaſondieu beeinge ſo incorporated, founded, and named, ſhall haue full power and lawfull auctoritie by the true name of the incorporation thereof, to ſue, and to be ſued, impleade, and to be impleaded, to aunſwere, and to be aũſwered vnto, in all maner of courtes that now are, or hereafter ſhalbee within thys realme, aſwel tẽporal as ſpiritual, in al maner of ſuits whatſoeuer they be or ſhalbe: & that the ſame hoſpitall or meaſondieu ſhall haue & enioy for euer, ſuch a common ſeale or ſeales, as by the ſaid Earle his heires, executours or aſſignes, ſhalbe in writting vnder his or their hand and ſeale aſſigned, named or appointed, whereby the head of the ſame incorporation, with the mẽbers therof, ſhall & may ſeale any manner of inſtrument touching the ſame incorporation, and the landes, tenementes and other thinges thereunto belonging, or in any wiſe touching or concerning the ſame: and further, ſhalbe ruled, gouerned, ordered, directed, and viſited by ſuch perſon or perſons, as ſhalbee ſo nominated, aſſigned, or appointed thereunto, by the ſaid Earle, his heires or aſſignes, according to ſuch rules, ſtatutes, and ordynaunces, as ſhalbe ſet forth, made, deuiſed, and eſtabliſhed by the ſaid Earle, or by hys heires or aſſignes, in writting vnder his or their hande and ſeale: anie lawe, ſtatute, cuſtome, vſage, or other thinge whatſoeuer to the contrarie in anie wyſe notwythſtanding.

Capacitie to purchaſe.

200. li. land

knights ſeruice.

Sue

Common ſeale.

Ruled

Sauing alwaies to all and euerie perſon and perſons, bodies politike and corporate, their heires, & ſucceſſours, & the heires & ſucceſſors of euery of them, all ſuch right, title, claime, poſſeſſion, intereſt, rents, annuities, ſeruices, commons, leaſes, conditions, offyces, fées, actions, intereſts, demaunds, profits, & cõmodities, which they or any of thẽ ſhal haue, or of right ought to haue, of, in, or to, anie maners, lands, tenements, or hereditaments, hereafter to be geuen, limitted, or aſſured, vnto the ſaid Hoſpitall or meaſõdieu in fée, in fourme aforeſaid, (other then to the ſaid Earle and to his heires, & other then any other perſon or perſons, and their heires, that ſhalbe the geuers or graunters of the ſaid maners, lands, tenements, & hereditaments, rentes & ſeruices, & other profits, in forme aforeſaid) in as ample, large, & in ỹ ſame maner & forme, as they or anie of them ſhal haue & enioy, or of right ought to haue & enioy the ſame: as if this ſtat had neuer bene had or made. An. 13. El. ca. 17.

4 ¶ An. 14. El. was made an act for the aſſurance of giftes, graunts &c. made and to bee made for the poore in hoſpitals &c. which is not in print.

5 ¶ There were alſo two other ſtatuts made An. 18. El. the one concerning an hoſpital at Leiceſter, and the other for the hoſpital of S. Croſſe nere Wincheſter, neither of which two ſtatutes are in print.

¶ Hounſloe heath.

AN. 37. H. 8. ca. 2. an acte was made for the partition of Hounſloe heath, wherein is appointed certaine parcels to certaine perſons for copy hold landes, and that thoſe parcels ſhalbe ſet as copy hold lãds, by leaſe for xxi. yeares. Leaſe

¶ Hull.

AN. 27. H. 8. ca. 3. An act was made for taking away the cuſtomes & tolles take by the Maior and comminaltie of ỹ towne of Hull, which they take for fiſh brought into that towne. But this acte in Anno 33. H. 8. cap. 33. was from thenceforth made voide. And it is there further enacted that from henceforth it ſhalbe lawful to ỹ maior and burgeſes of the kings ſayd towne vpon Hull, and their ſucceſſours, maiors and burgeſes of the ſame, and all other officers and miniſters there for the time beinge, from time to time, at al times herafter to receiue haue, & take of al and euery the inhabitants and Cuſtomes Tolles Maiors

Fish

and fishermen of the said counties of Suff. and Norff. and of all other places to the said towne of Hull for such herring, sprats, saltfish, & for all other vitailes by them or anie of them hereafter to be brought to bee solde vnto the kinges said towne of Hull, suche summes of money, as hereafter followeth, that is to say, for euery last of herrings of euery person priuiledged xx.s. for ỹ last. And for euery hundred saltfish viii.s. and for euery last of sprats. viii.s. And of euery person not priuileged for euery last of herrings. ii.s. 4. d. & for euerie hundred saltfish iiii.d. & for euerie last of sprats viii.d. as afore ỹ said acte made in the xxvii. yere of the raygne of our said soueraigne lord the king, the said maior and burgeses haue vsed and accustomed to take: any thing expressed or contayned in ỹ said act to the contrarie notwithstandinge. Prouided alwaies, & be it &c. that this act or any thing therin cõtained or expressed, shal not extende nor in anye wise bee hurtfull or prejudiciall to charge or onerate any Citie, borough, or towne within this realme, or ỹ inhabitants of the same or any of them, for any more or other custome, impositiõ, or paiment, otherwise then they or any of thẽ of right were charged or chargeable. before ỹ making of the said act & estat. made in the said xxvii. yere, any thinge expressed or contened in this present act to the contrarye in any wise notwithstãding. An. 33. H. 8. ca. 33.

Tolle
Herring
Saltfish
Sprats

¶Hundreds.

That bailiwickes & hundreds of ỹ kings, nor of other great lords of ỹ land be not let to ferme at ouer great sũmes, whereby the people may be ouercharged by makyng contribution to such farmes. Articuli super chartas. An. 28. E. 1. ca. 14.

Ferms

¶Hunters & Hunting.

FOr as much as diuers artificers, labourers and seruants, kéepe greyhoũds and other dogges, & on the holy daies whẽ good people be at church, they hunt in other mẽs parkes, warrens & conigers, and vnder such colour at times make assemblies, conventions and conspiracies to ryse & disobey their allegeance, It is ordeyned, that no manner of artificer, labourer, nor other laye man, which hath not lands or tenementes to the value of xl.s. by yere, nor no priest nor other clark if he bée not aduaunced to the value of x.li. by yeare, shall haue or kéepe from hẽceforth any greyhound, hounde, nor other dog for to hunt, nor they shall not vse ferettes, heyes, nettes, harepypes nor cordes, nor other enginnes for to take or distroy déere, hares nor conyes nor other gentlemans game, vpon paine of one yeares imprisonment, and that the Justices of peace haue power to enquire, & shal enquire of the offẽders in this behalfe, and punish them by the paine aforesaid. An. 13. R. 2. ca. 13.

Artificer
Priest
Greyhound
Ferets
Nettes
Imprison
Iust. of p.
Enquire
Punish

2 ¶ For as much as both redde déere & fallow haue bene greatly & chiefly distroied wt netts called Déerehayes & Buckstalles, stalking with beastes to the destruction of forests, chases, and parkes. Be it &c. That no person spirituall or temporall hauyng no parke, chase, nor forest of their owne, kepe or cause to be kept anie nettes, called Déere hayes, or Buckstalles, by the space of a moneth next after proclamation of this acte made, vpon paine to forfayt for euery moneth that he or they kéepe or cause to be kept the same nettes, hayes, or buckstalles, tenne pounde. And that no person from hẽceforth stalke nor cause anie other person to stalke with anie bush or beastes, to anie Déere beinge in anie parke, chase, forest, or without, (but if it bée within his owne groũd, chase, forest, or parke) without licence of the owner master of the game, or kéeper of the same grounde, chase, forest or parke: vpon payne of forfayture for euerie time that hée or they so stalke tenne pound. And furthermore that no persõ or persons wythout his own ground, slea, take, or cause to bée taken by meane of craft or enginne any herons without it bée with hauking or with a long bowe, vpon payne of forfayture for euerye Heron taken or slaine fyre shillinges eyght pence. And that no person or persons without his or their owne groumde take anie yong herons out of the nest without licence of the owner of the groumde where the said nest is, vpon paine of forfaiture for euerie heron so taken out of the nest ten shillings, and that euery man that will, may and shal be admitted to sue for any of the said forfaitures by action of debt, and like proces to be hadde and made therein as in other actions of debt at the making of this acte. And that the defendant bée not admitted to tend, nor do hys lawe in anie suche action. Nor anie essoigne nor protection to bée allowed for the defendaunt in the same. And ỹ two Justices of peace in their sessions shall haue

Stalke
Licence
Forf.
Kill
Herons
Forf.
Yong Herõs
Forf.
Sue
Proces

auctoritie

Iust. of P.

auctho*r*itie to call be*fo*re them any person
suspected of the p*re*misses, & to their discre-
Examine cions to examine them in the p*re*misses.
And if by their examination the parties so
examined, be found in default, contrary to
the p*re*misses: thē the person so found in de-
Imprison fault to be committed to p*ri*son, til he haue
found suertie fo*r* payment of the same fo*r*-
feitures to the king. And that those Justices
p. Parts that so examin thē, shal haue the tenth part
of euery such fo*r*feiture fo*r* their labour in
that behalfe. An. 19. H. 7. cap. 11.

☞ 3 ¶ Fo*r* almuch as the game of Hun-
ting of hares, wherein the king & his nobles
haue heretofore taken their disport, is now
almost vtterly distroyed, by the excessyue
killinge of them, with tracing in the snow.
Be it &c. that no person o*r* persons, of what
estate, degrée, o*r* condicion they be, frō hēce-
Trace Hare forth trace, destroy, & kill no hare in ẏ snow
with any dogge, bitch, o*r* other wise. And ẏ
Just. of p. the Justices of peace, wīn euery shire at e-
uery Sessions of the peace, & Stewardes of
leetes shal haue full po*w*er & auctho*r*itie to
Enquire enquire of such offēdo*r*s. And after such in-
quisitions found, the said Justices of peace &
Steward Stewardes of Leetes fo*r* euery hare so kil-
led, shall assesse vppon euery such offendour
Fo*r*f. vj. s. viij. d. to bée fo*r*fayted to our said sou-
raigne Lord ẏ shalbe so found by the Justi-
ces of peace in their sessions, & the fo*r*faiture
found in euery leete to bee to the lo*r*d of the
* leete. An. 14. H. 8. cap. 10.

¶ Husbandry & Tillage.

The kinge desirous to redresse the great
inconueniences that grow, by the wast-
ting of Townes, in turning tillage to pas-
ture, whereby idelnes increaseth, husbandry
decayeth, churches decay, & the defence of ẏ
realme feebled & impaired, hath ordeyned ẏ
no person, of what estate, degree, o*r* condi-
House cion that he bee, that hath any house o*r*
houses, that at any tyme wythin iij. yeres
passed, hath bene, o*r* that now is, o*r* that
xx. Acres land hereafter shalbe letten to ferme, wyth xx.
acres of land at least, o*r* mo*r*e, lying in til-
lage & husbādry, that the owner o*r* owners
of euery such house o*r* houses & land, be bou̇nd
to keepe, sustaine, & maintaine houses and
buyldings vpon the said ground, & land, cō-
uenient & necessarie, fo*r* mainteining & vp-
holding of the said tillage & husbandry. And
if any such owner o*r* owners of any such
house o*r* houses & land, take, keepe, & occupie
any such house o*r* houses and land, in his o*r* Vpholde houses
their owne handes, that the said owner o*r*
owners by the said auctho*r*itie be bound in
likewise to keepe & maintaine houses & buil-
dinges, vpon the said ground & land, conue-
nient & necessarie fo*r* the mainteining & vp
holding of the said tillage & husbandry, & if
any man do contrary to ẏ p*re*misses, o*r* any
of them: ẏ then it be lawfull to the kinge (if King
any such lands o*r* houses be holden of hym
immediatly) o*r* to the Lords of the fées, (if Lord of the fee
any such lands ben holden of them imme-
diatly) to receiue yerely halfe the value of ẏ Halfe the issues
issues & p*ro*fits of any such lands, whereof
the house o*r* houses bene not so maintayned
& sustayned. And the same halfe deale of the
issues & p*ro*fits, to haue, hold & keepe to hys
o*r* their owne vse, without any thing there
fo*r*e to be paied o*r* geuen, to such time as ẏ
same house o*r* houses be sufficiently buylded
o*r* repayred againe. And that no maner of
freehold be in the king, ne in any such Lord Freehold
o*r* Lords, by ẏ taking of any such p*ro*fits, of
o*r* in any such lands, in no maner of fo*r*me,
but onely the king & the said lo*r*d, o*r* lords,
haue po*w*er to take, receiue, & haue the sayd
issues & p*ro*fits, as is aboue said. And there-
fo*r*e ẏ king, o*r* the said lo*r*d o*r* lords, to haue
po*w*er to distraine fo*r* the same issues and Distreyne
p*ro*fits, to be had and perceiued by them, in
fo*r*me aboue said, by auctho*r*itie of this p*re*-
sent act. An. 4. H. 7. cap. 19. See this statut
confirmed here 3. & 7. and in certein parts
of it also explaned.

2 ¶ Fo*r* the auoyding of letting downe
of Townes. Be it &c. that all such townes, Townes
villages, bo*r*oughes, and hamelets, tything
houses, & other habitations in any parishe,
o*r* parishes, within this realme, wherof the
mo*r*e part, the first day of this p*re*sent Par-
liament, was o*r* were vsed & occupied, to til-
lage & husbandry, by the owner & owners
thereof, fo*r* their singuler p*ro*fit, availe, & lu-
cer, wilfully sithen ẏ said first day be, o*r* here
after shalbe suffered, o*r* cause to fal downe &
decay, whereby the husbandry, of the sayde Decay
townes, villages, bo*r*oughes, hamlets, ty-
thing houses, & other inhabitations and pa-
rishes wīn the realm. ben, o*r* hereafter shal
be decayed, & turned from the said vse & oc-
cupation of husbādry & tillage into pasture,
shalbee by the said owner o*r* owners, their
heires, successours, o*r* assignes, o*r* other fo*r*
them, wīn one yere next after such wilfull
decay, redified & made againe, mete & con- Reedifie
uenient fo*r* people to dwel & inhabite in the

same, & to have, vse, and therein to execute husbandry & tillage, as at the said first day of this present parliament, or sithens was there vied, occupied, & had after the maner & vlage of the countrey, where the said land lyeth, at the costes & charges of the same owner or owners, their heires, successors, or assignes. And if sithen the first day of this present parliament, any lands, which at the same first day, or sithen, were commonly vied in tillage, ben inclosed, or from henceforth shalbe enclosed, be turned only to pasture, whereby any house of husbandry, wtin this realme, is or shalbe hereafter decayed, ỳ then al such lands shalbe by the same owner or owners, their heires, successors, or assignes, or other for them, within one yere next ensuyng ỳ same decay, put in tillage & erercised, vied, & occupied in husbandry & tillage, as they were the same first day of this present parliament, or any time sithen, & after ỳ maner & vlage of the countrey where such land lieth. And if any person or persõs do contrary to the premisses, or any of thẽ, ỳ then it be lawful to ỳ king (if any such lands or houses ben holden of him immediatly) after office or inquisition founden thereof, cõprehending the same matter of record, or to the Lords of the fees (if any such landes or houses ben holden of them immediatly) wout office or inquisition thereof had, to receiue yerely halfe ỳ value of ỳ issues & profits of any such lands, whereof the house or houses of husbandry, be not so maintayned & susteyned, and the same halfe scale of the issues & profits to have, hold, & kepe to hys or their owne vse wout any thing therof to be paid or geuen to such time, as the same house or houses be sufficiently reedified, builded, or repaired againe, for the exercising & occupying of husbandry. And immediatly after that, aswel the interest & title giuen by this act, to our soueraigne Lord the king, as to the Lords of the fee, to cease, & no longer to endure. And that it shalbe lawful to the owner & owners of such lãds, house or houses, holdẽ immediatly of our said soueraigne lord the king, to haue & enioy the same, & to take the issues & profits thereof, as if no such office or inquisition had never ben had ne made. And that no maner of freehold bee in the king, ne in any such Lord or Lordes, by vertue of this act, or taking of any such profits, of, or in any such land, in no maner of fourme, but onely the king & the said Lord or Lords, have power to take, receiue, and have ỳ said issues & profits thereof, as is aboue said, & therfore the king, or the said lord or lords, to have power to distrayne for the same issues & profits to be had & perceyued by them, in fourme aboue said, by auctority of this present act. Be it et. ỳ if any of the said Lord or Lords immediat, do not execute the premisses, according to the tenour of this act: that then the Lordes immediate aboue them, within halfe a yere next after that, to have, receiue, & take the moitie of ỳ issues & profits thereof, in like maner and forme, as is aforesaid, of the said Lords immediat, & so euery Lord or Lords from one to another, to have like time & aduantage of & in the premisses, as in the said act is contayned. Prouided alway, that this act extend not, nor be preiudicial or hurtful to any parke or parkes for deere, made or to be made, or to any Marsh or Marshes, for walling & enclosing, or for any lands contayned in the same within this realme. This act to continue & endure for euer. An. 7. H. 8. ca. 1. See here after 3. & 7. more, where also this stat'is cõfirmed, & in some points explaned.

Enclosure

King

Office found

Lord of the fee

Halfe the rents

Cease

Freehold

Distrayne

Lord immediat

Parke

Marsh

3 ¶ For asmuch as the good Statute of 4. H. 7. cap. 19. (before 1.) hath taken little effect, but in such landes as be immediatly holden of the king, partly by the negligence of other Lords, & partly by reason of ỳ litle benefit that is therin geuen vnto them. Be it et. that the king, his heires & successors, from & after the feast of S. Michael tharchangel, which shalbe in ỳ yere of our Lord God 1538. shal take & have the moitie of all issues, reuenues, rents, & profits, comming & growing of al & singuler meases, lands, & tenemẽts, now & then remayning inclosed, decayed, or cõuerted frõ tillage into pasture, contrary to the tenor & true meaning of the said act, made in ỳ said 4. yere of king H. 7. being at this present day found already by office & verdict of xij. men, or which hereafter at any tyme by like office and verdict shalbe found, of whom soeuer they be holden, which have bene decayed and conuerted from Tyllage into pasture, sith three yeares next before the foresaid 4. yeare of the Raigne of the sayd noble king Henry the 7. vntill such time, as the owners of the sayd meases, landes, and tenementes, shall have buylded and reedified againe, in and vpon conuenient places of the said meases, lands, and tenements, for euery fifty acres xl. acres or xxx. acres of land, one sufficyent tenement, mete for an honest man to dwel

King

Moity

Decayed

Office Verdict

Myte

Tenement

dwel in, & alſo vntill ſuch time as the ſame owners haue conuerted, or cauſed al the ſaid lands ſo miſuſed to be conuerted from paſture into tillage againe, according to ẏ nature of the ſoile, & courſe of huſbandry vſed in the country, where any ſuch lands do lie, & according to the true intent & meaning of ẏ ſaid act. Prouided alwaies, & be it &c. that if any owner of lands & tenements, at any time after the laſt day of Aprill, in the yere of our Lord God 1536. decay any houſe of huſbandry, haning xx. acres of errable land at the leaſt thereunto lying in tillage, or cõuert the ſame land into paſture, contrary to the true intent & meaning of the ſaid acte, then if the Lord, of whom any ſuch houſes and landes by them holden immediatly, do not take the benefite of the ſaid act, concerning taking of the moitie of the profits of ẏ ſame houſe & lands ſo miſuſed, as is aboue rehearſed, within one yere next after ẏ ſaid decay, or within one yere next after ẏ conuertinge of the ſaid land from Tillage into paſture: The kings highnes in default of ẏ ſaid Lords immediat, ſhal & may from and after any office founde thereof, haue & take the one moitie of al the iſſues, reuenues, and profites, comming & growing of the ſame houſe & lands ſo decayed or conuerted from tillage into paſture, vntill ſuch time as the owner of the ſaid houſe & lands ſo myſuſed, haue rẽdified the ſame houſe, & conuerted & put the ſame lands againe into tillage, according to the nature of the ſoile, & courſe of huſbandrie vſed in the countrey there, as is aboue rehearſed. Prouided alway, that the kings highnes ſhal not haue, claime, or challenge any frẽhold, or tenure, in or to any of the premiſſes, by taking of the moitie of any ſuch profits, nor that any Lord, of whom any ſuch meaſes or landes be holden, ſhall loſe ne forfait any their tenures, ſeruice, or other their right, of & in the ſame, but onely that his highnes, his heires & ſucceſſors, ſhal haue full power by vertue of this preſẽt act, after the findinge alwayes of any office or offices, from time to time, onely to diſtrain for payment of the moitie of the yerely iſſues, reuenues, & profits, of al ſuch lands, & tenements, as be vnto the kings highneſſe limitted & appointed by this act, according to the true intẽt & meaning of the ſame act, vntill ſuch time as the true intent & purpoſe of this preſent act, ſhalbe onely and truely put in execution in euery behalfe, to al intents, as is before declared.

Owner

Decay houſes

Lord immediat

One yere

King

Haſte the iſſues

Reedifie

Freehold

Diſtraine

Prouided alſo that this act, nor any things therin contained, be in any wiſe prẽudiciall or hurtfull, to any infant within the age of xxj. yeres, nor to any perſon or perſons, being out of the kings Realme, for any iſſues and profits to be leuied, perceiued, or taken, by vertue of this preſent act, as long as they ſhalbe within age, or out of this Realme: Nor ſhall extende to any Marſhe or ſenne grounds, nor to any manors, lands, or tenements, being incloſed at this preſent day, with any foreſt, parke, or chace, wherein be deere, belonging vnto the kings highnes, or to any tẽporal Lord, Knight, or Squire of this realme of England or Wales, ſo that they haue licence obtayned at this preſent day, of the kings ſaid highnes, or of any his noble progenitors to imparke the ſame, and alſo haue compounded with the owners ther of, that the ſame owners be ſatiſfied for the ſame, any thing in this act to the contrarye notwithſtanding. Prouided alwaies that this preſent acte extend not, nor be in any wiſe hurtful or preiudicial to any owners of any lands or tenements, in any counties of this realme of England, but onely vnto all & euery the coũties hereafter ſpecified, that is to ſay, the coũties of Lincolne, Notingham, Leiceſter, Warwick, Rutlãd, Northampton, Bedford, Buckingham, Oxforde, Berkſhire, the Iſle of Wight, Worceſter, Herford, and Cambridge. An. 27. H. 8. cap. 22. See here after 7.

Infant Perſons out of the Realme

Marſh

Foreſt Parke

Licence

Into what counties this act doth extend

4 ¶ That there ſhalbe yerely, after the feaſt of ẏ Annunciation of our Lady, which ſhalbe in the yere of our Lord God 1553. as much land, or more, put wholly in tillage & vſed, and ſowen, according to the cuſtome of the countrey, & nature of the ground, & ſo ſhalbe continued & vſed for tillage, & ſowen for euer, by the owners, fermors, or occupiers thereof, in euery towne, pariſh, village, & hamlet, within the Realme of Englande & Wales, as was or hath ben put to tillage in any one yeare, & ſo kept in tillage by the ſpace of iiij. yeres, any time ſince the firſt yere of the raigne of king Henry 8. vpon paine to forfait to the king & his heires, for euery acre not put in tillage vſed & occupied, according to the forme & effect of this preſent acte v.s. for euery yeare ſo offending. And for the better execution of this act. Be it &c. that the king his heires & ſucceſſors, at his & their wil & pleaſure, from time to time may direct his, & their ſeuerall Commiſſion and Commiſſions, vnder the great ſeale of

Tillage

Forf.

Commiſſions

England, to such persons as it shall please them. And that the same Commissioners, or iij. of them at the least, shal haue power & auctoritie by vertue of this act, & of ẏ said commission, to enquire, search, & trie, by the othes of xij. lawful & indifferent persons or more, in euery Hundred, Rape, or wapentake: such as may dispend yerely xl.s. of free holde, what lands and tenements in euery towne, parish, village, or hamlet, win ẏ lymits of their charge, haue (against ẏ forme & effect of this present act & statute) at any time or times, since the said first yere of the raigne of king H.8. ben conuerted & turned from tillage to pasture, & so lying conuerted & turned from tillage to pasture, & is now, & hereafter so shalbe continued & occupyed in pasture. And that the said xij. persons or more, vpon their othes, shal make true and lawful presentment & certificat, aswel of all and singuler the premisses, as of the names or surnames, of the owners, fermours, and occupiers of ẏ same, in writing vnder their seales, to the said Commissioners, at such day, time, & place, as shalbe limited to them by the said Commissioners. And ẏ the said Cõmissioners, after such presentment there of had & made, shall cause the same presentments to be engrossed in parchment, indẽted & sealed with their seales, whereof ẏ one part thereof shalbe delivered to the foreman of the Jury, and the other part thereof, shal be certified in the kings court of Chauncery within two moneths next after such presẽtment so had & made. And ẏ from thẽceforth the said presentments wt conuenient spede, shalbe certified & streated out, & sent frõ the said court of Chaũcery, into ẏ Court of the Eschequer, there to remaine of record, among the kings Maiesties Records, of the same Court of Eschequer, to the intent that this statut shalbe the more diligently, & indifferently put in execution, according to ẏ true meaning thereof. And be it &c. that such Commissioners, as shall hereafter be auctorized by vertue of the kings Cõmission, to put this act in execution, shal before such tyme, as he or they shall sit vpon the same commission, take a corporal othe, before the Lord Chauncelor of England, or the Lord Keper of the great Seale, for the time bẽing, or before such other person or persons, as shal haue auctority from the lord Chãcelor of England, or the keper of the great seale for the tyme being, by Dedimus potestatem, to receiue, & take his or their othes truely, faythfully, indifferently, & iustly, according to the vttermost of his or their wits, learnings, and cunnings, to endeuour them selues, for and to the true execution of this statute, and of all and euery thing, contepned in the same, for the better maintenance of Tillage, and increase of Corne to bee had, according to the true meaning of this act. And be it further enacted &c. that the said Commissioners, or two of them at the least, shal haue auctority and power, to direct their precept to the shrife of the coũtie, being within the limits of their Commission, to warne such, and as many honest men of his Baliwicke, as is aforesaid, by whom the trueth may best be knowen, to enquire, and true presentments make, of all and euery the premisses, and to set such reasonable fines, issues, and amerciaments, vpon such persons, as shall make default of their apparances, or making their apparances, shall neglect to do their duities, in and about the execution of the Premisses, as to the same Commissioners, or fower of thẽ, shalbe by their discretions, thought meete & conuenient, so that the same fine or amerciament, for any one default, exceede not the summe of xx. s. And that the same fines, issues, & amerciaments, so by them tared & set, shalbe yerely well and truely streated, into the said court of the Eschequer, & there to be leuied to the kinges vse, as other fines and amerciaments, haue bene there accustomed and vsed to bee leuied. Prouided alwayes &c. that the putting of any lands or tenements hereafter, from pasture to Tillage, according to the forme and effects of this act, shal not in any wise extend to be any cause of breach, or forfaiture of any bond couenant, payment, or condicion, made, or hereafter to bee made, betwene any person or persons, which in any wise is, or shalbee repugnant or contrariant to this act. Prouided alwaies &c. that this act, ne any thing therein contayned, shall not in any wise extend to any land, converted, or to be converted into pasture, that shalbe kept wythout fraud or couin, onely for the maintenance of the houses and hospitalitie of any person or persons, nor to any land that commonly or vsually, hath lien to pasture, by the space of xl. yeres last past, nor to any waste grounds or heathes, nor to any common downes, fennes, moores, or marishes, which haue not bene commonly and vsually, for ẏ most part sowen, or put in tillage, within xl. yeres last

Enquiris

Othes Presentment

Cõmissioners

Indented

Chauncery

Exchequer

Cõmissioners

Othe L. Chãcelor

Dedimus potestatem

Precept Sheriffs

Enquire

Fines

Amercement

Eschequer

Breach of couenant

Pasture for household

xl. yeres waste grounds Marishes

last past, nor to any land now being lawful Warren, or now vsed & kept for Cunnyes, nor to any ground stubbed, or wone from wood, bushes, broome, or firze, into ỳ kynd of pasture, nor to any land now inclosed in any parke, commonly vsed with deere, and that without fraud or coune hath bene vsed for any parke, within iiij. yeres last before this present session of the Parliament, nor to any salt Marshes, nor to any marshes that commonly within x. yeares hath bene once surrounded or ouer flowen with water, nor to any ground inclosed by the licēce of our souereigne Lord the king, or any of his noble progenitors, nor to any orcharde, garden, pole, or pond yard, nor to any meadow ground yerely mowen, or to be mowen for haye, nor to any land set, or to be set with saffron, or with hopps, nor to any lād sowen, or to bee sowen with hempe, flaxe, woad, or madder, nor to any land without fraud or couin, sowen, or to be sowen with acornes, or set, or to bee set with wood, during such time as the same shalbe vsed, or put to the vses and intents before specified. Prouided also ỳ this act, nor any thing therin contained, shal in any wise extend, or be prejudicial or hurtfull, to any person or persons, which at any time heretofore hath cōuerted, or at any time or times hereafter, shall conuert any arable land to pasture, in any parish, towne, village, hamlet, or other place or places of this Realme, for ỳ which such person or persons, haue already, or within one yere after the feast of Easter next comming, or within one yeare next after any such inquisition hereafter to be found, after such conuerting of arable ground into pasture, hath, or shal turne, or conuert to tillage and arable ground, as much pasture grouⁿd or lesse, within the same parish, towne, village, or hamlette, or within any of them, where any such land so hath ben, or hereafter shalbe cōuerted from tillage to pasture, and do suffer the same land so turned from pasture to tillage, so to continue in tillage, and be arrable, without turning the same to pasture againe, so long as the lands turned to pasture, as is aforesaid, shalbe vsed in pasture: any thing in this present acte contayned, to the cōtrary hereof not withstanding. And it is &c. that as wel al Commissioners, Justices of assise, Justices of Oyer and determiner, as Justices of the peace in theyr Sessions, and none other, shall haue full power and authority, to enquire of the premisses, & shall certifie all presentments that shalbe had before them, into the Court of Chauncery, and from there to be estreated in conuenient time, into the kings court of the Eschequer, and that the party grēued, if he will, may haue and tende his trauerse, according to the lawes of this realme in the same court, whether the said landes or tenements so founden by any inquisition, be holde of the king immediatly or not. Prouided also, and be it &c. that this act, nor any thing therein contayned, shall or may in any wise extend, to geue any authoritie to any Sheriffe, Vndersheriffe, or any other Officer, Bailiffe, or Minister, to entrynge, breaki, or enter into any liberties or liberties, for the execution of any precept, or other proces, which shalbe hereafter to him or them awarded, by authoritie and vertue of this acte, other wise then he or they myght haue done, before the making of the same, any thing herein contayned, to the contrary in any wise not withstanding. Prouided also &c. that if any person or persons, offending this act, be at any time hereafter impeached, or sued, by forme of this act, for any offence or offences, committed or done, or to be committed or done contrarie to thys acte: that then the party offending so sued, shal not be impeached by the king &c. or by any other for the same offence, by vertue of any law, acte or actes, statute or statutes, heretofore had or made, for the reformation of any the articles, or braunches, conteined in this act: any thing in this act, or any other act or actes, had, or made to the contrarie, in any wise not withstanding. Prouided also &c. that this act, or any thing therin conteyned, shal not extend to charge any person or persons, with any penaltie, or forfeiture, for, or concerning any offence done, or to be done, contrarie to the tenour of this act, vnlesse he or they so offending, be sued, or impeached for the same, within iij. yeres next after the same offence be found by inquisition, as is aforesaid: This act to endure for v. yeres, and from thence vnto thend of the next Parliament. An. 5. E. 6. ca. 5. But this Statute is repealed by 5. Elizab. cap. 2. hereafter 7.

5 ¶ The said act (s. of An. 4. H. 7. ca. 19. before 1.) and euery braunch therein, shalbe from henceforth put in due execution, & remaine & continue in force for euermore. And whereas the prouision in the said acte, doth onely extende to house or houses, ha-

Warren
Cunnes
Stubbed grounds
Parke
Salt Marshes
Licence
Orchard
Meadow
Saffron
Hoppes
Hempe
Flaxe
Woad
Madder
Acornes
Wood
Conuert arable to pasture
From pasture to tillage
Cōmissioners
Justices
Just. of p.
Enquire
Chauncery
Eschequer
Shyrife
Bailiffe
Penaltie
iij. Yeres

ning xx. acres of land at the least or more, lying in tillage and husbandry, vpon the interpretation of which wordes, some doubt hath risen. Be it &c. that the said statut (s. of An.4.H.7.cap.19.before 1.) and the penaltie and pursuitte of the same, shal from hencefoorth extend to houses to be decayed, that have or hereafter shall have xx. acres of ground or more, to them lying or belonging whether the same, or any part thereof bee, hath bene, or shalbe vsed or put in tillage or not, the said xx. acres to be accompted and measured after the quantity, rate, and measure, of the statut or ordinance, called the statut, treatice, or ordinance, De Terris mensurandis, & not other wise: any vsage, or custome, or other thing whatsoeuer, to the cõtrarie thereof not withstanding. And for a further prouision, for reedifying of houses decayed, reforcing of pasture into tillage, & for encrease of corne. Be it &c. that the king and Quenes highnes, and the heires and successors of the Quenes Maiesty, shal and may at all times hereafter, as often as to them shal seeme needeful and conuenyent, award their highnes Commission or commissions, vnder the great seale of England, to bee directed to such persons, as to them shall seeme meete, hable, and conuenient, whereof three at the least shalbe of the Quorum, authorizing them thereby, or fower of them at the least, whereof two to bee of the Quorum, to execute, and see executed this present act, according to the true intent, effect, and meaning of the same, the whych Commissioners, or iiij. of them at the least whereof two to be of the Quorum, by vertue of the said Commission, & of this present act, shal have full power & authoritie, to enquire, heare, and determine, by the othes of xij. men, or by information, or other lawful waies and meanes (vsed in other cases in any of the king and Quenes highnes ordinarie Courts of record) all and singuler defaults and offences, cõmitted or done, since the feast of saint George the Partir, in the xx. yere of the raigne of the late king of famous memorie king Henry 8. or hereafter to be committed or done, aswell contrarie to the tenor & effect of the said former act, as contrary to one other act, made in ỹ parliament, holden in the seuenth yere of the raigne of the said late king H.8. (s.ca.1.before 2.) intituled, An act to auoide lettynge downe of Townes. And also to enquyre, heare, order, & determin, by the said wayes and meanes, al groundes whatsoeuer, conuerted from tillage to pasture, since the said feast of Saint George the Marter, in ỹ said xx. yere of the said raigne of the said king H. 8. or hereafter to be conuerted from tillage to pasture: and also of al ground, in or neere any Corne fielde newly vsed or employed, sithence the said feast, or hereafter newly to be vsed, imploied, or conuerted, to the keping of Cunnies, not being lawful warren, & whereby any corns of any person or persons, other then the owner of the same cunnies, sithence the said feast hath ben, or hereafter shalbe decayed, destroyed, or cõsumed, & the said Commissioners, or iiij. of them, whereof two to be of the Quorum, shal and may, take order and direction, for the reformation of such offences, decayes, & defaults in maner & forme following, that is to say: They or fower of them at the least, whereof two to be of the Quorum, shal and may bynde by recognisance, in good summes of money, to be knowledged to the vse and behoofe of our soueraigne Lord the king, & soueraigne Lady the Quene, her heires and successors (which recognisance by this acte, they shalbe enabled to take) ỹ person or persons, first offending, & guiltie in any of the forelaid decaies, or defaults, & then being or continuyng owner in fee simple, fee taple, for terme of life, for terme of yeares, or by copie of court rol, in possession, or in reuersion, or remainder, after any estate or estates for terme of yeares, or for terme of life, of such decayed house or houses, & ground there vnto lying, or of x. acres parcel therof, or of such ground conuerted from tillage to pasture, or of such ground which is or shalbe vsed or imploied to the keping of cunnies, as is aforelaid, or any of them: in such summes of money, as to such Cõmissioners shal seeme reasonable for the reedifying of such decaied houses, & for the conuerting of such ground so conuerted from tillage to pasture, into tillage againe, and for the diminishing & destroying of Cunnyes, within such conuenient tyme, and in such maner and fourme, as to the same Commissioners or fower of them, whereof two to bee of the Quorum, shal seeme meete and conuenient, and by theyr discretyon shalbee set, lymitted, and appoynted. And if the offendour or offendours do dwell in anye other Shyre, or cannot bee gotten to bee bounde by Recognisaunce, before the sayde Commyssioners, as is aforesayd: That then the said Com-

House with xx. acres

Commissions

Enquire Oier & ter.

Conuerted from tillage to pasture

Cunnies

Recognisance

Owner

Cunnies

Reedifying of houses

Tillage

Commissioners or fower of them, whereof two to be of the Quorum, shall take such other order, for the rædifying of the houses, & converting the ground into tillage, & destroying of Cunnies, according to this estatute, as shalbe thought mete by their discretions, & shal cause the same their order to be entred of record, within one moneth after their said order made, & shall within the same moneth deliuer, or cause to be deliuered, the copy of their said order, signed and sealed by them, or fower of them, to the tenant, fermer, or seruant, keeping, relloing, or inhabitinge the ground or place, for the which the order shalbe made: to the intent the same may be deliuered ouer, or declared to the saide owner or owners, that shall or ought to be charged, by, or with the same.

Recorde

And if the place in which any such decayed house or houses hath ben, or shalbe scituate, shalbe found in the hands of any person or persons, other then such person or persons, as first dyd suffer or make the said decaye, then the saide Commissioners or fower of them, whereof two to be of the Quorum, shal and may order and enioyne all & euery person or persons, hauyng the immediate and present inheritance, in the said grounds & places, wherein any of the aforesaid decayes shalbe found, as is aforesaid, to rædifie and build again, the same decayed house, either in the said place where it was decayed, or nere vnto the same, within the same towne, parish, or hamlet, within such time, and in such sort, as to the said Commissioners or fower of them, whereof two to bee of the Quorum, shall seeme reasonable and conuenient. And shal further assesse & tare, al and euery person & persons, hauing any particuler estate, in the said groundes, belonging to any such house decated, for terme of life, yeres, or by copy of Court roll, to bee contributorie towards the said rædification and building, in such summe or summes of money, to bee paied to the foresaid person, hauinge the immediat and present inherytance, and being ordred and enioyned to redifie the same, as to the said Commissioners or fower of them, whereof two to be of the Quorum, shal seme mete and reasonable, hauing respect and regarde to the seuerall estate, and termes of all and euery the said particuler tenants, and to the commodities, profits, and emoluments, thereto seuerally and respectiuely belonging, and also hauing respect to such conuenants, graunts, agreements, and condicions, as be, or shalbe conteyned in any lawfull writinge made, concerning the estate of any of the persons to be charged for the said rædification, or for the contribution of any thing towarde the same freehold, estate, remainder, or reuersion, as is aforesaid, according to their seuerall interest, estates, commodities & profits.

Decayed houses

Rediffie

Tare

Order

Couenants

And be it enacted by the aucthoritie aforesaid, that al and euery person and persons, bodies politike and corporate, that shal haue any estate or interest, in any of the sayde houses, places, or grounds, wherein any of the aforesaid decayes shalbe committed and found, or presented, as is beforesaid, from or by any person or persons, so ordered & enioyned, as is aforesaid: shalbe charged and chargeable, according to hys or their estate or estates, commodities and profits in the same, in like sort and maner, as he or they from whom, or by whom the same estate or estates, shalbe by any meanes deryued, or conueyed, should or ought to haue bene, by force of the said commaundement and iniunction. And also that the person or persons, that shalbee appointed or charged by the said orders and iniunctions, or by thys estatute, to rædific any of the decayed houses beforesaid, and to haue any contribution, rate, or summe of money, or other thing of any others, towards the same, shall & may by vertue hereof, haue one action of debt for the same, against the partie or parties, appointed to pay the same, and against theyr heires, executours, or assignes, in any of the king and Quenes Maiesties ordinarye Courts of Record, or shall sue for the same, by information before the said Commissioners, or fower of them, whereof two to bee of the Quorum. In which suit no iniunction, wager of lawe, protection, nor essoine shalbe allowed for the defendāt. And if any party or parties, ẏ should or ought to pay or geue any summe of money, or other thing in contribution, as aforesaid, shal vppon a reasonable requeste thereof to be made, wilfully refuse or delay to pay, or geue ẏ same: that then the plaintife vpon his suit, to haue & recouer treble damages against the sayd defendant. And further be it &c. that if the said ground or grounds, so converted from tillage to pasture, or vsed, or emploied to the keping of cunnets, to ẏ destruction of corne, as is aboueslaid, shalbe found in the hands or possessions of any person or persons, other then such as did conuert the said groundes

Action of debt

Refuse

Damages

Cunneys

from tillage to pasture, or vse or imploy the said grounds with cunnyes, as is aforesaid, that then the said Commissioners, or fower of them, whereof two to be of the Quorum shal & may order & enioyne the occuppers of the said ground or groundes, so converted frō tillage to pasture, or so vsed or imploied to the kæping of Cunnies, as is aforesayd, to turne the same againe into tillage, or to distroy or diminish the said cunnies, kept vpon the same ground, wythin such time, & vpon such paines, as by them shalbe limitted and appointed. And be it &c. that every such order and iniunction aboue mencioned, Records shalbe entred of record, & the copy thereof wrytten in parchment, & signed and sealed by the said Cōmissioners or fower of them, whereof two to be of the Quorum, & deliuered to the occupier or occupiers of the ground or places, wherein any of the aforesaid offences, decayes, or defaults shalbe found, as is aforesaid, to the intent the same may be deliuered over, or declared to al such other persons, as shal or ought to be bounden or charged by the same. And further be it &c. that the saide Commissioners or iiij. of them, whereof two to be of the Quorum, shall and may haue power & authoritie, by force of the said Commission, & of this acte, to commit every person refusing to be bound Refuse by recognisance, as is aforesaid, & every the said particuler tenaunts refusing to declare to the said Commissioners, or fower of thē, whereof two to bee of the Quorum, how long, or what his said particuler estate is, to Imprison prison, into the next gaole in the said county, there to remaine without baile or mainprise, vntil he shalbe bound in recognisance Recognisāce as is aforesaid, or shew or declare his or their particuler estates or estate in the premisses, to the said Commissioners or fower of thē, whereof two to be of the Quorum, as is Sheriffes aforesaid. And be it &c. ỳ the Sheriffes, & al other ministers, wōn the coūties where such Sessions shalbe appointed, shalbe attendāt vpon ỳ said Cōmissioners, & shal returne before them, al such proces & precepts, as they Proces shal haue in cōmaundement to do, & be obedient vnto thē, as they are bound to be to ỳ Justices of peace, or of Oier & determiner, at al times & places, for the execution of the said Commissions & of this act. And ỳ same Commissioners or fower of them, whereof two to be of the Quorum, shal haue power & authoritie, to enquire, heare, & determine Enquire Oier & ter. as is aforesaid, of, for, & vpon al forfaitures, recognisāces, & breaches of orders, & intromcions, ỳ shalbe taken, knowledged or made before the said Commissioners or fower of them, & to assesse such fines & amerciamēts, Amerce as to them shal sæme mæte & conuenient, vpon the sheriffe, & other officers and persons Sheriffe whatsoeuer making default, & for contēpts & other misdemeanors before them. And Reforme impanels shal haue authority to reforme al impanels to be returned before them, as the Justices of peace may do. And further be it &c. that euery of the Commissioners shall haue for Cōmissioners euery day he shall sit to execute this Com- for. s. for. euery mission r. s. & to the Clerke that shall serue day & writ al proces & other records before the Clerke iii. s. iiij. d. said Commissioners for euery day he shall attend vpon the said Commissioners iii. s. Sheriffe iiij. d. the same to be payde by the sheriffe or clerke of the Court, of the fines, forfaitures, & amerciaments, that shal arise or be leuied for any matter or default before the said cōmissioners, & the sheriffe to be allowed vpon his accompt for ỳ same: So that the same be noted & specified in the estreat, signed by the said Commissioners or iiij. of them, whereof two to be of the Quorum. Prouided alwayes, & be it enacted &c. that ỳ said Commissioners or any of them, by vertue of this act, shal not haue power or authority, to do any thing touching the offences or defaults aforesaid, contrarie to the ordinance or pur- uepance of any estatut heretofore made, or to the exclusion or taking away, of any benefit or libertie, permitted or saued to any maner of person by any prouision, in any of the said statuts, or contrary to the effect of any licence heretofore graunted by the king & Quēnes highnes, or any of ỳ auncestors or predecessors of ỳ Quēnes highnes, so ỳ Licence shewed the same licence be shewed to them, or iiij. of them, vnder Seale, before conuiction of the offence or defaults aforesaid: any thing aforesaid to the contrarie therof in any wise notwithstandinge. And forasmuch as it is Houses of like to be, that some houses having xx. acres xx. acres of grounde or more, to them lying or belonging, bee decayed without any willinge default in them that had the inheritance or possession thereof, as by fire, breaches, and Fire Surrounding surroundinge of waters, or by distruction of Enemyes, or Rebells, or of such as had particuler estates therein, wythout impeachment, of wast, or by such other lyke meanes or waies, and that they who by the ordinace aforesaid, should re edifie the same, Poore are of such powertie, that they cannot by all

entend-

entendment rẽdifie or build vp al the same houses againe. And for asmuch also as some perchaunce haue erected and builded vppe new houses in some other places vpon the same lands lying to the said houses, or vpõ some other land nẽre thereunto, in lieuwe and place of the house decayed, which are as available to the common wealth, as the new rẽdifying of the decated houses in the old places should be, in which cases equitie requireth, they should not be punished for ẏ said decay. And for asmuch as it is like to be that some ground conuerted frõ tillage into pasture, is deuided into diuers smal parcels remaining & being in diuers & seueral mens hands, so ẏ any one part, will not be sufficyent to kẽpe any plough vpon. And for that some grounds haue bene tilled for destroying of mosse, bushes, brome, fyrzes, heath, & not only to be continued in tillage, & such like. And that also some demeanes in the absence of the owners, haue bene deuyded, to sundrye occupiers, who haue tylled the same, not bẽing commonly vsed to tillage, before the said feast of Saint George, & for that diuers other particuler causes may fortune to be, which the general puruetance of this estatut cannot remedy, without greater hurt then good to be don to ẏ same. And for that also that in some places of this realme, it is not necessarie, the puruey of this estatut to extend & to be fully executed, but in some places and vpon some occasions or causes, it may more conueniently be spared then put in vse, & is therefore necessarie to referre such things withal other circumstãces, to the discretions of the cõmissioners, who may more perfectly vnderstande the same. Be it therefore ordeined & enacted by auctoritie of this present parliament, that the sayd commissioners, or fower of them at the least, whereof two to be of the Quorum, shal and may consider the sayd cases, & such other like, and vse their discretions, in tempering & qualifiyng of the said general puruetance of this or any of the foresaid former estatuts, & in ordering of the said cases, and such other like, and to omit the execution and penalty of this act, and of the other former actes, accordinglye, as to the wisedomes & discretions of them or fower of them at the least, whereof two to be of ẏ Quorum, shalbe thought most necessarie: This act or the aforesaid former acts in any wise not withstandinge. And shall haue power & auctority to cancel recognisances taken before them, & not appearing to them forfayted, if it shall seeme to them or iiij. of of them, whereof ij. to be of the Quorum, meete & conuenient. And it is further ordered & enacted &c. that where as any ground by meanes of this act, shall fortune hereafter to be cõuerted from pasture into tillage, according to the entent of this act, which ground is chargeable with any rent reserued, since the time ẏ same ground was conuerted from tillage to pasture, & which was reserued & made the greater, in consideration ẏ the same was so conuerted from tillage into pasture, or stored with cunnies: ẏ all such rentes, if they bee greater then the ground turned into tillage, or the ground by reason of ẏ destruction of cũnies is worth: shalbe abated & aporcioned by the sayd cõmissioners or fower of them, whereof wee wil two of thẽ to be of ẏ Quorum, according to their discretions, if they shal think ẏ same so meete. Prouided alwaies & be it enacted, by ẏ auctoritie aforesaid, ẏ the retaining or none payment of any such part or porcions of any rentes, that shalbee abated or deducted by the commissioners as is aforesaid, shalbe no breach or forfaiture of any bond, penaltie, couenant, graunt or condition, to bee conteyned in any indenture, bonde obligatorie, or other writinge agreement or promise: whatsoeuer to ẏ contrary not withstandinge. And be it further enacted by the auctoritie aforesayde, that the said cõmissioners or fower of them, whereof two of them to be of the Quorum, shal haue power & auctoritie by vertue hereof, to make & direct forth precepts & processes, as wel to the sherife of the countie, as to all other freeholders & persons that ought to attend or appeare before the sayd commissioners, for the tryall, aunsweringe or proning of any offence against this statut, or against any of ẏ aforesaid former statuts, to appeare before thẽ at any day & time ẏ the said commissioners, or iiij. of them, whereof two to bee of the Quorum, shall limit or appoint, & vppon the apparaunce of the sayd persons to geue day ouer from time to time as they shal thinke meete. And be it further enacted &c. that if any such person or persons as presentlye haue or hereafter shall haue, any houses builded, or redified, or to be redified, or any grounds to be conuerted to tillage, according to the tenure & effect of this estatut, or any of ẏ aforesaid statuts, ẏ then ẏ said person or persõs, their heires, or assignes,

New houses

Pasture to tillage Rent

Cunnies

Abate rent

No forf. by deteyning of rent

Discretion of the commissioners

Proces Sheriffe

Appeare

Omit execution

Cancel recognisances

3. yeres

assignes, shal within three yeres next after ỹ end of this Session of this parliamẽt, demise, or let to ferme, ỹ houses already builded or rẽedified with the xx. acres of ground, which before time did appertaine and lye to the same, or ten acres parcel therof, if there be now no more of the same lands in their handes that hath the houses builded, or rẽedified, or ought to rẽedifie the same, or with so much other lands, lyinge conuenient for the said houses: & shal demise, & let to ferme, the houses hereafter, to be rẽedyfied within two yeres after ỹ same shalbe so rẽedified with the xx. acres of lande, or the ten acres parcel therof, or the lyke number of acres as is aforesaid. And if any of the said houses and landes shal not bee demised or letten to ferme as is aforesayd: That then the sayd commissioners or fower of them at ỹ least, whereof two to bee of the Quorum, shall haue power and auctheritye by vertue of this act, to demyse and let the sayd house & landes, to any person or persons, hauing no other ferme or tenements within the same parish, nor hauing any action or suit at that Parliament against the owner, and requiring the same for 7. yeres, at the most, for such reasonable rent and vppon such reasonable couenaunts, as the sayd Commissioners shal thinke meete for both parties. So that they take good assuraunce for the payment of the rents and performinge of the couenauntes, to the owner of the same, as they shall thinke conuenient: vppon which lease, the owners of the house and landes, so letten, their executours and assignes, and euery of them for the time beinge, and also euery such lessee, their executours & assignes and euery of them, shal haue such remedy and actions, the one against the other, as they shoulde or myght haue hadde, if they them selues had onely bene privie and parties of the said leases. And bee it enacted by the auctheritie aforesayd, that if any person or personnes, shalbe condempned or charged, with, or for, any offence that he or they ought not to be charged withal by this act, or by any of the aforesaid former estatutes, that then the sayd partie and parties, shall and may haue his or their trauers, and remedy therefore, in the Starre Chamber, before the counsel there. And bee it &c. that this estatute shal at the pleasures of ỹ king and Quẽnes maiesties her heires and successors, be put in execution, eyther by commissioners to be appointed according to the tenour of this act, or els by ỹ cõmissioners to be appointed by their maiesties for the execution of certeine statutes therof made, in this session of this present Parliament, Prouided alwaies &c. that this act nor any thinge therein contained, shal extend to any house, or building made or to be made by any tenaunts in dower, or other particuler tenaunt, without the assent of him or them in reuersion or remainder, of estate of inheritance, vnlesse the same house or buyldinge be, or shalbe made & erected according to ỹ intent & purues of this estatute. Any thing in this estatut to the contrary not withstãding. And be it &c. that if any person or persons shalbe conuicted or condempned of or for any offence or forfeiture, of any recognisaunce, or other matter conteined & specified in this act, vpõ any information at the suit of any partie or parties, that then the one moitie of al such forfeitures & summes of money, as shalbee due for the offence or forfaiture, conteyned in the informatyon, shalbe to the partie or parties, that shal exhibite and prosecute the same. Any thing in this act or in any of the aforesaid actes to ỹ contrary not withstandinge. And be it further enacted &c. that the said cõmissioners or fower of them at the least, whereof two of them to be of the Quorum, shal inroll, or cause to bee inrolled of record, all such orders, prouisions, paines, penalties, forfaytures, fynes, amerciamẽts, condempnatyons, and conuictions, as shalbe had, made, set, tared, lost, or forfayted, by reason or occasion of any matter or thing contayned in this act, or in any of the aforesayde former actes, and the same records to be well obserued and kept in such sort and order as the said cõmissioners or fower of them, whereof two of them to bee of the Quorum, shal thinke meete and conuenient. And be it further enacted &c. that the sayd commissioners or fower of them at the least, shall by vertue hereof haue auctheritie to make, or cause to be made proces for the leuyinge of all such amerciamentes, fines, summes of money, and forfaitures, that shalbee due to bee payed, by reason of any presentment, iudgement, recognisance, order, iniuction, assessement, default or other matter whatsoeuer, had, made, geuen, or done, according to the purport and intent of this estatute, as Iustices of peace may do for any fines, or forfeitures before them. And the said cõmissioners or fower of them, wherof

two

Let to ferme

House & land

Demise

7. yeres

Actions

Offence

Trauers Starre Chamber

House T. in dower

Moitie

Inrolle

Proces

two to be of the Quorum, shal yerely at the feast of saint Michael tharchangel, make or cause to be made estreats indēted, of al such forfaitures, penalties, fynes, amerciamēts & summes of mony, as shal be due in ỳ yere next before the sayd feast, vpon the forfeyture of any recognisaunce, or for any of the causes or offences aboue said, the same estreates to be subscribed & sealed by the sayd commissioners or fower of them, whereof two to be of ỳ Quorum: the one part therof to be sent into the court of ỳ Eschequer at west. wtin xl. daies after Michaelmas. And the other part therof to be deliuered to the Sherife of the shire, which shalbe a sufficiēt warrant to him and his deputie, to leuie the same, in such sort as he ought or may leuye the summes conteyned in the streates, to ỳ shirifes, directed forth of the court of ỳ Eschequer, and the sherife to discharge therewith his accompt. And be it &c. that if anie offendour shal once be condempned, & pay his fine or forfaiture, for any of the offēces aforesaid, in any court before any Justices or cōmissioner, hauinge auctoritie for that purpose, that then the sayd offendour or offendours, shall not estsones bee charged againe for the offence being passed, but shall and may plead his former paymēt in barre thereof. And be it further enacted &c. that ỳ clerke or clerkes, that shall write the matters and recordes before the said cōmissioners, shal take for the entry of plēs & other his doings, such fees and none other, as shal be appointed by the said commissioners, or fower of them, wherof two to be of ỳ Quorum, & written on a Table that shalbe fixed openly in the place where the Sessions shalbe kept, vpon paine ỳ the same clerke so offending shal lose and forfait, to the partie greeued, treble the value of ỳ which was so taken, & he or they ỳ shal embesil any recognisance or record, shal for euery such offence lose & forfait vl. li. & be committed to prison, vntil he shal pay the said summe of vl. li. and also make such other recompence & satisfaction, as the said commissioners or fower of them, wherof two to be of the Quorum, shal thinke conuenient. Prouided alwaies & be it &c. that this act nor any thing therin contained, shal extend to charge any person or persons ỳ shal keepe any ground in pasture, for the keepinge of his or their owne houses, kine or other cattel, for the only victual to be spent in his or their house or houses. And be it &c. that this act, nor any thing therein contained, shal in any wise extende to rēdifie any chiefe manour place, nor any other houses, or buildinges, but such as shalbe mete & conuenient for the fermours or tenauntes, of any other fermeholdes or tenaunts for the maintenance of ỳ grounds that be or shalbe assigned or layed to be occupied with the said houses, buylded or to be builded, according to the intent of this statut, by the discretion of the said commissioners or fower of them, whereof two to be of the Quorum, nor shall extend to conuert to tillage any groūd not exceeding v. acres, which is or shalbe vsed and inclosed for any gardeine, orchard, hoppard, rape seede, or for coneys, for the only prouision of any mans house, & to be spent in the same, & not being hurtful to the corne of any person or persōs, other then the owners of the said cunneys, so that the said gardeine, orchard, hoppard, or cunney garth, shal lie adioyning or nigh wtin one myle to ỳ dwelling house of ỳ owner thereof, nor shal extend to conuert any ground to tillage, which is or shalbe left vntilled, & not sowen with corne, by reason of the euilnes, barenes, or barrennesse of the same, vntil such time as the said ground shal be apt & meete for tillage, & to beare corne againe, as by ỳ said cōmissioners or 4. of the whereof two to be of the Quorum, shalbee thought conuenient: this estatute or any other estatut to the contrary not wtstanding. And bee it &c. ỳ if any person or persons at any time after the Session of thys present parliament, shal conuert or turne to pasture any ground now being errable, & kept most commonly in tillage, for ỳ space of xx. yeres last past before the Session of this present parliament, and shal not eyze, & break vp to tillage as much other ground nowe beinge pasture wtin ỳ said lordship, or parish, where the said groūd so cōuerted doth lie, wtin one yere next after any such conuersion, & shall not keepe the said new eyzed ground continually in tillage after any such conuersion, vnles ỳ for barrennesse thereof, he or they shal conuert the same to pasture, vpon the like order of eyzing so much other grounde being pasture wtin the said Lordship, where such conuersion shalbe made: shal lose & forfait for euery acre conuerted into pasture cōtrary to the forme of this act yerely v. s. thone halfe therof to ỳ king & Queens maiesties, & the other to him or them that will sue for the same by bill, plaint &c. wherein &c. This act to endure to the last day of the next

Estreates

Eschequer

Sherife

Pay fine

Barre Clerke

Fees

Table

Forf. 3. damages Imbesil record

Forf. Inquision

Satisfaction

Pasture for household

Manour house

v. Acres

Gardein Orchard Cunney

Barren ground

Arrable to pasture

Other ground

Forf.

Moitie

next parliament. An. 2. & 3. P. & M. cap. 2. This act was continued 4. & 5. P. & M. ca. 9. And 1. El. cap. 9. to the end of the next parliament. But See heere the note next following.

Repealed

6 ¶ The 2. statutes (4. & 5. before) are repealed by the statut now following. And yet see a prouiso in the last end, of this next statut here of, whether so much of the sayd two statuts is left in force as forbiddeth cõuerting of Tillage to pasture in such eases vvhere the same is not forbidden by this statut followyng here 7.

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7 ¶ For as much as the statut 4. H. 7. ca. 19. (before 1. & one other statut made 7. H. 8. cap. 1. (before 2.) and the statut made 27. H. 8. cap. 22. (before 3.) are very good & profitable lawes for the cõmon wealth. It is therefore ordeined &c. that the said acts & euery of them, and euery braunch & article in the same, & euery of thẽ contained, shall from henceforth bee put in due execution & remaine & continue in force for euermore. And also where by an act made in the xxbij yere of the raigne of our said late soueraign lord king Henry the 8. wherby diuers and sundry religious houses of Monkes, Chanons & Nunnes which might not dispende in lãds, tenements, & hereditamẽts, aboue the clere yerely value of CC. li. were geuen to the sayd late king Hẽry the 8. his heires or successors for euer (which See monasteries 9.) It is among other things enacted & ordeined, that al & singuler persons, & bodies politike & corporate, to whom the sayd late king Henry the 8. his heires & successours, after the makinge of the same act, should geue, graunt, let or demise any Site or precinct, with the houses thereuppon builded together with ỳ demeanes of any Monasteries, Priories or other religious houses, that should be dissolued or geuen to the sayd late king Henry the eight by that act, & the heires, successours, or assignes of euery such person, bodies politike and corporat, should kẽpe or cause to be kept an honest continuall house and household in the same Site or precinct, and should occupy or cause to be occupied yerely as much of the demeanes in ploughing and Tillage of husbandrie (that is to say) as much of the sayd demeanes which thẽ were commonly vsed to be kept in Tillage by the gouernours, Abbotes, or Priours of the same houses, Monasteries, or priories, or by their fermour or fermours occupyinge the same, within the tyme of xx. yeres next before that act, vppon payne to forfait to the kinges highnesse, for euery moneth so offendinge vi. pounde thirteene shillinges, and fower pence, to bee recouered to his vse, in any of his Courts of Recorde. And ouer that, by the same statute it is enacted that al Justices of peace in euery shire where any such offence should be committed and done contrary to the true meaning and intent of that act or statut, should in euery quarter & general Sessions within the limittes of their Cõmission, enquire of the premisses, and should haue ful power and authoritie to heare and determine the same, and to tax and assesse no lesse fine for euery the said offences, then is before limitted for the sayd offence, and estreates therof to be made and certified into the kinges Eschequer, accordinge and at such time and fourme, as other estreates of fynes, issues and amerciamentes bee made by the same Justices, as by the same act more at large doth appeare. Which part of the sayd act concerning keepinge of house and household in the said Sites and precinctes, & occupying of such demeanes of the same in tillage, as is aforesaid, then was & yet it is thought very beneficial to the common wealth, and most needefull to bee put in due execution. Be it therefore enacted by the authoritie aforesaid, that the sayd braunches & articles of the sayd estatute last aboue mencioned, made in the said seuen and twentye yere of our sayde late Soueraigne Lorde kinges Henry the eyght, and euery penaltie and thinge touchinge the same, bee also from henceforth put in due execution and shal remayne and contynue in their full force and vertue, accordinge to the good entent and meaning of the same last recyted Statute: Any thinges in this present act to be hereafter contayned to the contrarye notwithstanding. ✱

And for as much as there hath bẽne sithen the making of the said statut, certaine other lawes and statutes made in the tyme of our late soueraigne Lord kinge Edward the first, (vvhich See before 4.) & in ỳ time of our late Soueraigne, king Philippe and Quẽne Mary, (vvhich See before 5.) for the rẽdifying of decayed houses of husbandry, and for the encrease of Tillage, which being in some partes therof vnperfect, and in some places to mylde & gentle, haue not brought to ỳ decated state of tillage & of houses of husbandry, ỳ long looked for remedy, which

Religious houses

CC. li.

Graunt Demeanes

Household

Plough Demeanes

xx yeares Fort.

vi. li. xiii. s. iiii. d.

Just. of p.

Generall sessions.

Enquire

Oier & ter.

Fine

Estreates

Eschequer

which was then hoped for. Be it therefore enacted by thauctority aforesaid, ẏ the said lawes and statutes made in the times of the said late kinge Edwarde the firt, and king Philip and Quéene Mary, touchinge and concerning the decay of houses of husbandry, and for the encrease of tillage, and euery article and thinge in them & euery of them contained, shalbe from henceforth repealed and made void to al ententes & purposes. And be it &c. that from and after the feast of ẏ Annunciation of our Lady, which shalbe in the yere of our Lord God, 1564. al such landes and groundes, or so much in quantitie as in any Towne, village, Hamlet, Lordship, place knowen, or parish with in the Realme of England or Wales, haue bene eyred or plowed and put in Tillage in any one yere and so kept in Tillage by the space of fower yeres, any time sithence the feast of S. George the Martir in ẏ xx. yere of the raigne of king Henry the eight (other then the said demeanes of the said late monasteries priories, and Religious houses, geuen as is aboue rehearsed to the said late king Henry the eight in the said xxvij. yere of his raygne) shalbée eyred, plowed, vsed and kept in Tillage or caused to bee eired, plowed, vsed and kept in tillage for euer, according to the nature of the soyle and custome of the Countrie, by the occupier or occupiers thereof, without fraude or collusion, vppon paine that euery offendour contrarie to this act, shal lose and forfait perelye for euery Acre x.s. which forfaiture shal goe and bée in manner and fourme followinge. That is to say, to such personne or personnes as bée nert in reuersion or remainder therof, for terme of life, liues or in taile, their executours or administratours. And that by the auctority of this act, it shalbe lawfull for him or them to leuye the same penaltie and forfaiture of x. s. for euery acre by distres, and to iustifie or make their auowries or cognisaunces for ẏ same, in such manner and fourme as any person or persons may do for rentes reserued vpon estate, or estates made for terme of yeres of any lande or tenementes: or otherwise shal and may sue for the same penaltie and forfaiture by action of debt, bill, plaint, or information in any court of Recorde of the Quéene our Soueraigne Lady, her heires or successours, wherein no wager of lawe, essoigne, or protection, shalbée allowed or admitted for the partie defendaunt. And yf they or any of them do not distrayne, or otherwise clayme or demaunde the said penaltie and forfayture by any the wayes or meanes aforesayd, within the space of one whole yere nert after the offence done in fourme abouesayd, and pursue for the same with effect, without fraude or coum, and do not recouer (and might haue recouered the same) with such spéede as may bée by the due order of the lawe: That then after such default, it shalbe lawfull for him or them to whome the reuersion or remaynder of the fee simple of the sayd land shall appertaine, their executours or administratours, to distraine, auow, or make cognisaunce, and iustifie, or otherwise to sue for the sayd forfayture and paynes in fourme aforesayd, at any time within one yere nert ensuing any such default. And in hys or their default, the said penaltie or forfaiture, to go and bée to the immediat Lord or Lordes of the fee or fées, of whom the said landes béene holden, to be recouered in manner and forme aforesayde, so that hée or they do take and sue for his or their remedy therein, within one yere nert ensuinge any such default, in manner and fourme aforesayd. And in hys and their default, the sayd penaltie and forfaiture to goe and be to the Quéenes hyghnesse, her heires, and successours, to be recouered by any of the meanes or remedies aforesayde, at any tyme or times at her or their willes and pleasures, or otherwise to any other person or persons that wil sue, as well for the Quéenes maiestie, her heires and successors, as for him or them selues, for the same pain and forfaitures, vpon which suit, the one moitie shal be, and go, to the Quéenes maiestie, her heires, or successors, and the other to him or them that so will sue for the same, by action of debt, bill, plaint, or information, in any of ẏ Quéens courts of recorde, wherein no essoigne, protection, or wager of lawe, shalbée admitted or allowed for the party defendant. And be it &c. that if any person or persons being an occupier & owner of any such landes & grounds as is aforesaid, of any estate of inheritance, shal offend against the fourme of this act: That thé the said penaltie & forfaiture, shal go and be to the nert immediate Lorde or Lords of the fee or fées thereof, his or their executours or administratours, to bee recouered by such waies and meanes, as before is limitted and appointed, so that he or they dw pursue and take their remedye for the same

Decay of houses for husbandry

Repealed

Lands

4. yeres

Demeanes Religious houses

Forf.

Distres

Sue

Do not claime

One yere

Default Tenant remainder

Distraine

One yere

Immediat lord

Queene

Moitie

Occupier Owner

Forf. Immediat lord

One yere

lame in fourme aforesaid, within one yere next after such offence cõmitted. And if any such occupier & owner shalbée a copiholder, or a customary tenant, ỳ thẽ the said penaltie or forfaiture to go & bée to the Lorde or Lords of the mannour of whom the same copy or Customary tenemẽts ben holden, their executors or administrators, so that he or they do pursue and take their remedy for the same in such maner and fourme, & within the time last before limitted. And in every such default of the said lord or lords of ỳ fee or fées, & of the lord or lords of the said manour or mannours as is aforesaid: ỳ sayd penalties & forfaitures to go & be to ỳ Quéens Maiestie her heires and successours, or to such other person or persons as will sue for the same, as wel for the Quéene, her heires or successors, as for him and them selues, in such manner & forme, as before is declared. In every which suit none essoigne, protection, or wager of lawe shalbée admitted or allowed for the partie defendant. Prouided alwaies that this act or any thinge therein contained shal not be prejudicial, ne shal extende to charge any person or persons that hath or shal turne any ground from tillage to pasture, and shal kéepe such grõud in pasture, whole & not converted to tillage, for ỳ onely maintenaunce and kéeping of his or their owne Horses, Geldinges, Mares, or draught Oxen, or for the maintenaunce or kéeping of kyne or other cattel, for the only victualles to be spent in his or their owne houses, so that the same person or persons hath, or shall not have in his or their possession, occupation or disposition, other sufficient pasture ground for ỳ purpose, within v. miles of his or their mansion house. Prouided also &c. ỳ no person or persones ỳ shal commonly fæde & sell yerely bétwes or muttons to a greater number then hée or they shal yerely spende in victuall, in his or their own mansion house or houses, or that shalbe a common fatter of béeues or muttons, or any of them, as a common grasier or shepemaister, to be cõmonly sold in markets and faires, or to the cõmon Butchers: shall not be taken expounded or understãd to be such person or persons, as by this prouiso last aboue mencioned, may kæpe any ground or pasture whole and not converted to tillage, for the maintenance and kepinge of kine or other cattel for ỳ only victuall to be spent in their owne houses, but bene and shalbee excepted out of the same prouiso:

Copholder

Tillage to pasture

Maintenãce of houshold

Set breders Muttons

Grasier

Markets Faires Butchers

Any thinge in the same prouiso contained to the contrary notwithstanding.

Prouided also &c. that this act or any thing therin contained shal not extende vnto any lawful parke or parkes, or auncient Warrens now vsed with Deere or Connies, or any Parke or Parkes heretofore lawfully vsed as parkes, and being now disparked, or to any other grounds that heretofore haue bene by any her highnesse progenitours, or hereafter shal forfaite to be made Parke or warrens by licence of our soueraigne Lady ỳ Quéene, her heires & successors, with sufficient clause of dispensation for conuerting of Tillage into pasture, & ben or shalbe laid bestowed & employed to the maintenaunce and kéeping of déere and Connies, without fraude or couyn, and not to the findinge or kéepinge of any other cattel or beastes, but onely milche kyne for him or them selues, or his or their kéeper of such Parke or warren for the prouision of his or their house or houses, or for kéeping of his or their horses, Geldinges, Mares, Coltes, or Swine, ne shal extende to any wast grounds, commons, heathes, downes, fennes, mazes, commonlye vsed as common, nor to any heathes, fennes, mazes, marshes, beinge nowe vsed in seueraltie, & not cõmonly vsed to be sowen & put in Tillage since the sayd feast of S. George, in the said xx. yere of ỳ raigne of king Henry ỳ 8. nor to any fresh marshes being surrounded with water within the space of vi. yeres next before the first day of this present Parliament, nor to any Orchard, Gardeine, Pale, or Pondyarde, nor to any ground set or sowen with saffron, Hoppes, Garlike, Onions, Flare, Woade, or Madder, or being without fraude or guile sowen with Acornes, or set wyth any kind of yong Woods, nor to any wood grounds which be not stubbed, or wherein the wood hath bene felled, or hereafter shall be felled, and the roots & stubbes thereof yet remayninge vndigged vppe, nor any meadowes or other groundes without fraude or couin accustomably vsed to be mowen for Hay once in the yere at the least, during such time as al & euery the same shalbe vsed or put to the vses and intentes before specified: Any thing in this act contained to ỳ contrary notwithstandinge. And where in the said first prouiso it is mencioned ỳ thys act or any thing therein contained shal not extend to be prejudicial to any person or persons for kéeping of any grounde or pasture

Parke Warren

Licence

Milch kyne

Horses Swine Wast grounds

Fresh marsh

Orchard Gardein Saffron Hoppes

Acornes Wood grounds

Medowes

or

or medow for the only maintenance or hepinge of his or their owne horses, mares, Horses Draught Open
geldings or draught oxen, or for ỳ maintenance or keping of kyne or other cattel for the only prouision or victuallinge of his or For houshold
their mansion or dwelling house or houses: Be it declared and enacted by auctority aforesaid, that if it shal fortune any such person or persons to be absent & not resident at, or vpon his or their vsual mansion or dwelling house or houses, wt his familie or houshold for & by occasiõ of seruice or attendãce R. seruice
to be done by any such person or persons, by ỳ expresse cõmaundement of the Quenes maiestie, her heires or successours within ỳ Realme or without, or els hauinge two or Mansion house
three mansion or dwelling houses, & shalbe resiant & dwellinge with his family but at Within age
one of them, or shalbee within age: That thẽ during, & for the time of such seruice, attendance, minority, & absence (and one yere next after) from any his said dwelling houses, or during & for ỳ tyme ỳ he or they shal be resident & dwelling with his family, but at or vpon one of thẽ, shal & may kepe such grounds in pasture or meadow belonginge or vsually occupyed with any of the said ij. or iij. houses and with no mo, nor others in his or their owne handes or occupation, or let it out to any other person or persons, wout incurring of any daunger or forfayture by vertue of this act, so that the same person or persons shal and do kepe the same mansion & dwelling house or houses vnlessen: & Mansion house
in good and sufficyent reparations, & meete & conuenyent for him or them to repaire & Repaire
resort vnto at all tymes for hys or their dwelling & abode: Any thinge in the sayde prouiso, or in any part of this Acte to the contrarye thereof in any wyse notwithstanding.

Prouided alwayes that the repeale of any act or statut nowe repealed by this present act, nor any other matter or thinge therein contained, shal in any wise extend, or be interpreted, iudged or expounded, to hinder, Suit
hurt, or take away any suit, information, or informations exhibited, & now depending in the Quenes maiesties Court of Eschequer, or in any other Courte of Record, Eschequer Court
for, or in any wise concerning the decaye of any houses or tenementes of husbandry, or for the converting of any Landes or tenements from Tillage into pasture contrary to the fourme & effect of any statute or statuts heretofore made: But ỳ al & euery such suits & informations shal stand, remaine & be of as good force & effect in the lawe, to all intents constructions and purposes, as the same & euery of them were before the making of this act. And that the sayd acts and statutes nowe by this present act repealed shal for and in respect only of the said informations and suits, & euery of them, so nowe depending, stande, remayne, and be in such lyke force and effect, as they and euery of them were before the makinge of this act, Any thing herein contained to the contrary thereof notwithstanding. And whereas some doubt & question hath heretofore risen and bene moued vpon certaine words contained in the said statut made in the said 4. yere of the raigne of our late kinge Henry the vij. that is to say vpon these wordes: house or houses letten to ferme, with xx. acres of land at the least, or more, lyinge in Tillage and husbandry, whether the same xx. acres of lande or more, shoulde bee accompted and taken to be al eyrable lande, & wholly put in tillage or not, and also what quantitie and measure euery acre shoulde be of, and containe. For a plain and perfect declaration and interpretatyon whereof: Be it enacted and declared by the auctoritie of this present parliament, that the said statute is, and shalbe expounded and taken, to extend to house or houses, that now haue, or hath, or at any time heretofore, sithence the first yere of the raygne of the sayd late king Henry the vij. haue or hath had or that hereafter shal haue, twenty acres of ground to the same house or houses lying or belonging, or with the same commonly occupied or vsed, although the same ground hath not bene, is, or shalbe al wholly vsed as eyrable lande, & put in Tillage, but onely some part thereof, and that the content of euery acre, shalbee taken and rated after the rate and measure limitted and appointed in the ordinaunce or treatice, De terris mensurandis (vvhich See after in Weightes 5. and 6.) Any ambyguitie, doubt, or thing whatsoeuer to the contrarye thereof notwythstanding. Informations
Remayne in force
Houses let to ferme
xx. Acres
Eyrable
Measure
Exposition
xx. Acres
De terris mensurandis

Prouided alwaies &c. that if any person or persons hath, or at any tyme hereafter shal sustain any penaltie, forfaiture, or losse for, or by reason of any offence committed or done contrary to the tenour or effect of this act, or any other of the acts beforerecited and confirmed: That then he or they shal not be effsones sued, vexed, or impeched for

for the same offence: Any thing in this act, or in any other of the acts aforesaid, had or made to the contrary therof notwithstanding. And be it enacted ẏ the Lord Chauncelour or Lorde keper of the great seale of England for the time beinge, shal haue full power & auctoritie by vertue of this act, from time to time to awarde & direct a cõmission or cõmissions vnder the great seale of England, into euery shire or county wtin this realme and Wales, to such persons as by his wisdome & discretion shalbe thought most mete and conuenient, auctorisinge them, or fower of them, at the least, by vertue therof, & of this act, to enquire & search out, within euery Towne, Village, parish, & hamlet, within their Commission, by the othes of vi. lawful & indifferent persons or otherwise, according to their good discretiõs, of ẏ offences committed or don against this statut, or any other the statuts before mencioned, & by this act confirmed, & whether any person or persons to whom any penaltie or forfaiture is genẽ, limitted or appointed by the same, or any of them, haue taken the benefit or aduantage of the said forfaytures & paynes or not, according to ẏ same lawes & statutes. And that within iii. monethes next after euery such enquirie and search, ẏ sayd cõmissioners or iiii. of them at the least, shal make certificat therof, & of their doinges by vertue of the said cõmission, vnder their hands & seales, into the high court of Chauncery vppon paine of forfayture of euery such Commissioner xx. li. sterling to the Quenes Maiestie, her heires & successors. And that the same cõmissioners, or two of them at the least, shall haue auctoritie & power by vertue of this act, to directe their preceptes to the sheriffes of the countie, being within the limits of their cõmission, to warne as many honest men of his bailiwik as the said commissioners shal appoint, by whom the truith in ẏ premisses may be best knowen, to enquire & true presentment make of all and euery offences committed or done contrary to the said acts or any of thẽ, & to set such reasonable fines & amerciaments vpon such persons as shal make default of their appraces. or making their apparances, shall neglect to do their duities in & about ẏ execution of the premisses, as to ẏ same cõmissioners or iiii. of thẽ shalbe by their discretions thought mete & conuenient, so that the same fines or amerciaments, for any one default exceed not the

1. Chauncelor or Keper

Cõmission

Wales

Enquire Townes

Othes

3. Moneths

Certifie

Chauncery Forf.

Precepts Sheriffe

Enquire

Amerce

Fines Excesse

summe of xx. s. and that the same fines and amerciament so by them taxed & set, shalbe verely wel & truely estreated into the court of Eschequr, and there to be leuied to ẏ vse of our Soueraigne Lady the Quẽne, her heires & successors, as other fines & amerciaments haue bene there accustomed & vsed to be leuied. And that if ẏ sheriffe to whom such precept, shalbe awarded, shalbe remisse or negligente in serueinge of the precept and returning of the same, at the time and place appointed & prefixed in the same precept, ẏ then the said commissioners or fower of thẽ shal for euery such default, assesse & taxe vpon the said sheriffe x. li. and shal estreat the same into the said court of Eschequr, to be leuyed to the Quenes Maiesties vse, her heires & successours, as is aforesaid. Prouided alwaies that it shal not be lawfull to any sheriffe, vndersheriffe, or sheriffes deputy, to infringe or enter into any lyberties, or fraunchises, for the execution of any such precept: But shall make his Mandatum to the bailife of the fraunchise or libertie, for the executing & serueing of the same, & that the bailife of euery such fraunchise & libertie shall serue & execute the sayd precept, according to the tenour therof, in such like manner & forme, as the sheriffe shoulde or ought to haue done, if it had bene within his bailiwike, vppon paine of forfaiture of v. li. to be estreated & leuied as is aforesayd. Prouided also &c. that putting of any landes or tenementes hereafter from pasture to tillage, according to the tenour and effect of this act, shal not in any wise extend to be any cause of breach or forfaiture of any bond couenaunt payement or condition made, or hereafter to be made betweene any persõ or persons, bodies politike or corporat, which in any wise is or shalbe repugnãt or cõtrariãt to this act. Prouided alwaies that this act or any thing therein contained, shal not extend to gene any benefit, aduantage or libertie to any person or persons which at any time sithence the sayd feast of S. George the Martyr, hath conuerted or employed, or hereafter shal conuert or employ any more ground to the keping of Conyes not being lawful warren, then v. acres at ẏ most. & the same to be wtin one myle of his dwelling house, & also not noysome or hurtful to the come of any person or personnes other then of the owner of the same grounde, so ẏ he or they put & kepe in tillage as much or as many acres of his owne proper ground.

not xx. s.

Estreated Eschequer

Sheriffe

Negligence

Cõmissioners Taxe

Eschequer

Sheriffe Liberties

Mandatum

Bailife

Forf.

Pasture to tillage

Conyes v. Acres Dwelling house

lyng

lying within the said manor, Lordshyp, or parish, as the said Conygrey shall contein above the said number of v. acres, that hath not heretofore ben lyable, to be continued in tillage by force of any lawe or statute: any thing in this acte before mencioned, to the contrary hereof notwithstand. And where also by the said Statut of H. 7. the meaning of the makers thereof appeareth to bee, that every house of husbandry, having xx. acres of land or more, belonginge or lying thereunto, or with the same commonly occupied, used, or demised, the same xx. acres or more should not be severed or deuided from ỹ said house or houses, but should bee demised, occupied, or used together, for the better maintenance of every such house or houses, and of tillage and husbandry. Be it therefore enacted, that no person or persons whatsoeuer, having or that hereafter shal have, any such house or houses of husbandry, with xx. acres of lande or more, belonging or lying thereunto, or with the same commonly occupied, used, or demised, shal from and after the first day of this present Parliament, sever, or deuyde, the saide xx. acres of lands or more, nor any part thereof, from any of the saide house or houses, vnlesse the same bee kept in tillage, or otherwise for the profit of husbandry, accordinge to the nature of the ground, or according to the custome of the manors, where the same land shal so be, vpon the paines and forfaitures contained in the said estatute of Henry the 7. to be taken in such forme, as by the same Statute appeareth, except hee or they shal lay and assigne to the said house or houses, or to any other house or houses, being within the same parish or Lordship, or within two miles of the said houses (being also not bound to bee mainteined and vpholden by fourme of the said statute of kinge Henry the seuenth) as much other land within the same parish, or Lordshipe, wythin two miles, as is aboue-said, for and in lieu of such, or so much of the former land, as ought to haue continued by force of the said statut, vnto the former house, & cannot conueniently be returned to ỹ said former house. And bee it &c. that if any such house or houses of husbandry and land, bee deuided or severed, the one from the other, by reason of any lease or leases, for terme of life, lives, or for terme of yeares, made or graunted before the first day of thys present Parliament: that then, whensoeuer ỹ sayd lease or leases shall ende or determyne, by any maner of meanes, so as the same house or houses, & lands thereunto belonging, shal be discharged of al such leases: ỹ same house and houses and landes so demised, shall not afterwardes be severed or deuided, the one from the other, but shal go, be kept, and occupied together at all times after, according to the declaration before mencioned, vppon the paines and forfaitures last before specified, and to be taken also, as in the said statut is mencioned. Except by the returning, or remitting of the same lande to the sayde house, there shal or may grow any manifest decaye of any other houses newly edified, or of any other fermes that hath bene by meanes of distribution or seueraunce of the land or lands, or any part thereof made or assygned, to bee seuerall tenementes or holdes. And where in the said Statut made in the sayd seuenth yere of the raigne of the said kinge Henry the eyght, among other thynges in the same it is enacted, that if sithence the first day of the same Parliament, any landes which at the same first day, or sithence the same fyrste daye were commonlye vsed in Tyllage, were inclosed, or from thencefoorth should bee inclosed and turned onely to pasture, whereby any house of husbandry then was, or hereafter should be decayed, that then all suche lands should bee by the owner or owners thereof, their heires, successors, or assignes, or other for them, within one yere next ensuyng the same decay, put in tillage, and exercised, used, and occupied in husbandry and tillage, as they were the first day of ỹ same parliament, or at any time sithence, and after the manner and vsage of the countrey where such lands did lye, as by the said acte more playnely may appeare. And for as much as vpon the said part of the said Statut, diuers doubts and questions haue bene moued heretofore. Be it therefore enacted and declared by auctoritie aforesaid, that if at any time sithence the making of the said act, & before the said feast of S. George, in the said xx. yere of the raigne of the said late king Henry the 8. any landes belonging to any such house of husbandry, as is aforesaid, haue bene turned from tillage to pasture, by any person or personnes: that then the same lands, or so much other landes, beyng within the same parishe, lordship, or mannour, that heretofore was not lyable or bound by any lawe or statute to be kept in tillage: shalbee turned againe into tillage,

Decay of other houses

Deuyde xx. acres

Enclosed

Other land

Tillage to pasture

Lease

within one yere

within one yere next after the Sessions of this present parliament, and kept in tillage for curr, according to the custome of the countrey, and nature of the soyle, whether the said house whereunto the said lands doo belong, be decayed or no, or whether ỳ same lands were inclosed or not inclosed, or whether some part thereof and not the whole, were kept in tillage or not, upon the paines contained in the same Statut, made in the said 7. yeare of the raigne of the saide late king Henry the eyght. Prouided that if any person or persons whatsoeuer, hauing any pasture, heath, wast, or barren ground, which hath not bene heretofore commonly vsed to be eared or tylled for corne, and yet neuertheless the same person or persons, to the entent to better and amende the sayde ground, and not to vse the same for tillage, haue or hath at any time heretofore turned or put the same into tillage, or at any tyme hereafter shall turne or put the same into tillage, & hath or shal kepe the same ground for that cause onely in tyllage, by the space of fower yeares togethers, that this act, or any thing therein conteined, shal not compell any such person or persons, to contynue or put in tillage the said pasture, heath, barren or wast ground so eared: any thing before expressed in thys acte, to the contrarie thereof notwithstandinge. Prouyded alwaies, that this act, or any prouision, clause, or article therein contained, shal not be vnderstand or expounded to extende, or bee in any wise prejudicial to those partes or portions of groundes, wherein any Ore of Leade, Tinne, Iron, or Coles, commonly called Sea cole, Stone cole, or More cole, haue bene, are, or hereafter shalbee vsually gotten, by meanes whereof the same groundes cannot conueniently bee put and kept in tillage: This act, or any other law, vsage, or custome to the contrarie in anye wise notwithstanding.

Pasture
Wast ground
Barren grounds

4. Yeres tillage

Lead
Tinne
Iron
Cole

Prouided also, that this act, nor any thing therein contained, shall extende to compell any person or persons to put in tillage, any lands or groũds within any forest or chase, (except the Forest of Sowden in Northwales) otherwise then before the making of this Statut, he or they ought, or were bound to do: This acte to endure to the end of the next Session of Parliament.

Forest
Forest of Sowden

Prouided alway that this statute, or any thing therein contayned, shal not extend to compell any inhabitant of the Counties of Northumberland, westmerland, or Cumberland, to reedifie, maintene, or to kepe in manurance, any house or ground that shal be ouerthrowen, burned, destroyed, wasted or decayed by enemies, or by any occasion of warres, or invasions, during the warres, or within fower yeares after the conclusion of peace next following such ouerthrowing, burning, destruction, or wasting: any thing in this present acte to the contrarye notwithstanding. And for asmuch as this act shal continue but to the end of the next session of Parliament. Be it therefore enacted &c. that no person or persons, shall from henceforth, conuert from tillage to pasture, any ground which was in tillage, the first day of this Parliament, other then such as they might lawfully haue conuerted from tillage to pasture, before the making of this acte: any thing conteined in this acte, to the contrarie notwithstanding. Anno 5. Eliz. cap. 2. This vvas discontinued 8. Eliz. and 13. Eliz cap. 25. reuiued, and continued to the end of the next Parliament, & 14. Eliz. cap. 11. this Statut of 5. of Eliz. vvas continued to the end of the next Parliament.

Northumberland: Westmerland Cumberland

Decayed by enemies Warres

4. Yeres peace

Continued

¶ Idemptitate nominis.

FOr the great mischiefes which often haue happened, & daily do come, of that the Eschetors, Sheriffes, & other the kinges Ministers, do seise the landes, goods, & cattels of many, surmising that they be Outlawed, where they be not outlawed, because that they beare such names, as those which bee outlawed, for default of good declaration of the surname: It is ordeyned, that if any complaine him in such case, he shal haue a writ of Idemptitate nominis, in the manner as hath bene vsed in the tymes past. And if any mans landes, goodes, or cattells, be seised in such case by Eschetour, Sheriffe, or other minister, hee shall fynde suertie before the Minister, which hath the warrant to seise, to aunswere to the kynge of the valour of such lands, goodes, and cattels, in case that he may not discharge him, without taking any thing of the party. And if such minister do not the same, and thereof bee attaynted, the partie shall haue the suit against such Minister, and recouer bys double dammages, and neuertheles he shal be greeuously amerced towardes the king. An. 37. E. 3. cap. 2.

Eschetors Sheriffes

Suertie

Attaint

2. Damages

Amerce

2 ¶ A writte of Idemptitate nominis, may

may be graunted and gëuen, good & maintenable for the executors of euery testatour aswel of the same effect, as the same action of Idemptitate nominis was maintenable before this parliament for any person hym selfe, which was or might haue ben molested or grëeued, by cause or colour of any such outlagarie. And this ordinance haue relation and force by auctho|ritie afore|saide, for the executors of euery testatour, aswell of euery outlagarie pronounced in any person at any time before this parliament, as of al maner of outlagaries to be pronounced in any person in tyme to come. Anno 9. H. 6. cap. 4.

Executors

¶ Ieofayle.

Verdict

IF any verdict of xij. men or more shalbe hereafter gëeuen in any action, suit, byll, plaint, or demaunde, in any Court of Record, the iudgement thereupon shal not bee stayed or reuersed, by reason of any default in forme, or lacke of forme, touching false laten, or variance from the Register, or other defaults in forme, in any writ original or iudiciall, count, declaration, plaint, byll, suit, or demaund, or for want of any writ original or indicial, or by reason of any imperfect or insufficient returne of any Sherife, or other Officer, or for want of any Atturney, or by reason of any maner of default in proces, vpon or after any ayde prier, or voucher, nor any such Record or iudgement after verdict, to be gëeuen hereafter, shalbe reuersed for any the defectes or causes aforesaid: any law, statute, or vsage to the contrarie notwythstanding.

Forme
False laten
Variance
Writ original

Returne of Shirifes
Warrant of Atturney
Ayde prier
Voucher

Reuerse

Prouided alwayes, and bee it further enacted by the auctho|ritie afore|said, that this Acte, or any thing therein conteyned, shall not extend to any writ, declaration, or suite of appeale of Felony, or Murder, nor to any Indictment or presentment of felony, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writ, bill, action, or information, vpon any popular or penall Statut: any thing afore|said to the contrarie notwithstanding.

Appeale
Indictment of Felony
Murder
Treason
Proces

Prouided also, and bee it enacted by the auctho|ritie afore|said, that all Atturneis in any suit or action, in any Court of Record, shal deliuer in the warrant of Atturnei, in such action or suit, wherein they be named atturneis, to bee entred or filed of Record, in such maner and forme, as heretofore by the lawe or statutes in that behalfe made, they should or ought to haue done, vpon paine to forfait x. pounde for euery such offence. The one moitie thereof to be to the Quëens Maiestie, her heires and successors, and the other moitie to such Officer or Officers, to whom, or in whose office the same warrant should be deliuered, entred, or yled, and to suffer imprisonment, by the discretion of the Iustices of the Court for the tyme beinge, where any such default shall fortune to be had or made: the said x. pounde to be recouered by action of debt, bill, or information, in which no essoine, protection, nor wager of law shalbe allowed. Anno 18. Eliz. cap. 14.

Atturneys Warrant

Forf.
Moitie
Imprisõn

¶ Isle of Wight.

NO manner of person, of what estate, degree or condition he is or shalbe, take any seuerall fermes moe then one, of any manors, lands, and tenements, personages or tythes, within the said Isle of Wight, whereof the ferme of them altogether shal excëede the summe of x. Marks yerely. And if any seuerall leases afore thys time haue ben made to any person or persons, of dyuers sundry ferme holdes, ouer the said yerely valne of ten Markes: then the person or persons that now holde the same, to chose one or mo of the saide fermeholdes at hys pleasure. So that the ferme of them al so chosen, be not aboue the yerely valne of x. Marke, to hold after the fourme of his lease, and the remnant from the feast of Saynt Michaell tharchangel, which shalbee in the yeare of our Lord 1490. to cease and bee vtterly voide. And the occupier and fermer of them from thence to be discharged against hys lessour of the rent reserued vppon the same leases. And if any person do hereafter the contrarie of this act: that then the lessee, in that behalfe forfait to the king for euery such taking x. pound. Prouided alwayes, that they which haue payed any fines, or made any buylding, or done great repara|tion vpon any such ferme, and bee put from the said ferme by reason of this act, shalbee recompenced for such buylding or reparation, as right and good conscience requires, that recompence to be adiudged by the discretion of the Captaine of the said Isle, for the tyme being, or his Lieutenaunt of the same in hys absence. An. 4 H. 7. cap. 16.

Fermes
Leases
x. Marke rent
Voyde
Lessee Forf.
Fines Buylding
Captaine of the Isle

Archbiſhops Biſhops Punish

IT ſhalbe lawfull to all Archbiſhops and Biſhops, and other Ordinaries having Epiſcopall iuriſdiction, to puniſh & chaſtice ſuch prieſtes, clerkes, and religious men being within the bondes of their iuriſdiction, as ſhalbe conuicted afore them by cranymnation and other lawful proſe, requiſite by the law of the Church, of Aduowtrie, Fornication, and Inceſt, or any other fleſhly incontinency, by cõmitting them to warde in priſon, there to abyde for ſuch time, as ſhalbe thought to their diſcretions, conuenient for the qualytie and quantitie of theyr treſpas. And that none of the ſaid Archbiſhops and Biſhops, or other Ordinaries aforeſaid, be therof chargeable, of, to, or vpon any action of falſe or wrongfull impriſonment: but that he be vtterly therof diſcharged in any of the caſes aforeſaid by vertue of this act. An. 1. H. 7. cap. 4.

Conuicted

Aduowtry Fornication Inceſt Impriſon

2 ¶ An. 31. H. 8. cap. 13. It was enacted that if a Prieſt did carnally vſe a woman, to whom he had ben maried, or contracted, or openly kept company, or familiarity wt her, it ſhould be Felony in him & the woman. And that if any prieſt kept a concubine, as by paying for her borde, maintayning her with money, array, or other giftes or meanes, to ẏ euil example of other perſons, he ſhould forfait al his goods, cattels, & ſpirituall promotions, & be in priſon. And for the ſecond offence therof ſhould be felony, & the woman to haue lyke puniſhment. But theſe clauſes were repealed by 32. H. 8. cap. 10. And there it is enacted, that if any ſuch offendour, as is aboue written hereafter, ſhal happen to be duely conuicted or attainted, by the lawes mencioned in the foreſaid act, or of, or vpon any of ẏ crimes or offences afore written: that then euery ſuch offẽdor ſo being cõuicted or attainted, ſhal from henceforth vpon his firſt conuiction or attainder, onely forfait & loſe to the king, al his goods, cattels, & debts. And if the ſame offender at the time of that his firſt conuiction or attainder, haue any mo benefices or eccleſiaſticall dignities or promotions then one: then the ſame offendor ſo conuicted or attainted, ſhal forfait & loſe for terme of his life, al iſſues, reuenues, & profits of all hys ſaid benefices, or other eccleſiaſtical dignyties or promotions (except one of the ſame benefices or other eccleſiaſticall dignities or promotions) And if it ſhal fortune any ſuch offendor or offendors, at any time after the ſaid firſt conuiction or attainder, to commit do, or perpetrate, any of the ſaid offences be fore rehearſed, & be therof actiones duely conuicted or attainted by the lawes aforeſaid: that then euery ſuch offendor, ſhal onely loſe & forfait to the king, al his goods, cattels, & debts, and alſo during his life all the iſſues & profits of al hys lands, eccleſiaſtical dignities, benefices, offices, and promotions, to hee had, leaſed, perceyued & taken to ẏ kings vſe. And if it ſhal fortune any ſuch offendor or offendors, at any time after his ſaid ſecond conuiction or attainder, to cõmit, do, or perpetrate any of the offences before wtten, & be alſo therof duely conuicted or attainted, by the lawes aforeſaid: that then euery ſuch offendor ſhal onely forfait & loſe to the king, all his goods, cattels, & debtes, & alſo during his life al the iſſues & profites of all his lands and tenements, & of al his eccleſiaſtical dignities, benefices, offices, and promotions, to hee had, leaſed, perceyued, & taken, to the kings vſe, and alſo ſhal further haue and ſuffer continual impriſonment of his body during his life. And euery woman being ſole and vnmaried, with whom any prieſt ſhal ſo offende in any of the offences aboue written, ſhal forfait for their firſt cõuiction or attainder, of, or vpon any of the crimes or offences aforeſaid, all her goodes, cattels, and debts. And for her ſecond cõuiction or attainder, of, or vpon any of the crimes or offences aforeſaid, all her goodes, cattels, and debtes, and alſo the one halfe of al the iſſues, reuenues, and profits of all her lands, tenements, and hereditaments, by al the terme of her life. And for her thyrde conuiction or attainder, of, or vpon any of the crimes or offences aforeſaid, ſhee ſhal forfait al her goodes, cattels, and debts, and alſo during her life, al the iſſues, and profits of all her landes and tenements, and alſo ſhall further ſuffer impriſonment of her body, by all the terme of her lyfe. And if the woman with whom any prieſt ſhall ſo offende, in any of the offences aboueſaid be maried: that then for euery her conuictyon or attainder, of, or vpon any of the crymes or offences aforeſaid, ſhal haue & ſuffer impriſonment of her body, by al the terme of her life, at the kings will and pleaſure: any thing contayned in the ſaid former acte, to the contrary of the ſaid penalties in this act mencioned, in any wiſe notwithſtanding. Saueing to all and ſinguler perſon and perſons, bodies politique and corporate, theyr heires, ſucceſſors, and aſſignes, and to the heires

Felony

Concubine

Forf.

2. Offence Felony

Repealed

Conuict

1. Conuiction

Forf. goods

Forf. Benefice

Forf.

2. Offence

3. Offence

Forf.

Impriſon Woman

Forf.

2. Offence

3. Offence

Impriſon

Maried Woman

Impriſon

Bodies politike

heires, ſucceſſors, and aſſignes, of euery of them (other thē ſuch perſons that ſhal here after fortune to offend, contrary to ẏ tenor of this act) all ſuch right, title, intereſt, poſſeſſion, entre, action, condiction, rentes, remainders, reuerſions, annuities, fées, commons, leaſes, liberties, & cōmodities, which they, or any of them haue, ſhal, or ought to haue, at the time of any ſuch offence cōmitted or done, by any of the ſaid offendors, cōtrarie to the tenour of this act, in as large & ample maner & forme, to al intentes, conſtructions, & purpoſes, as if this act had neuer ben had ne made: any thing in this acte conteyned, to the contrary notwithſtāding.

Quære An. 32. H. 8. cap. 10. Quære if this Statut be repealed by 1. & 2. P. & M. cap. 8. by the generall wordes that repealed all Statutes made againſt the Popes Supremacy.

¶ Incumbents.

THe ſaid Statutes (that is to ſay, An. 25. E. 3. pro Clero cap. 3. which is in Auowſon 5.) bée firmely holden and kept. And moreouer, our ſouereigne Lord the kinge, for the reuerence of God and holy Church, will & graunteth, that if hée preſent to any benefice that is full of any incumbent, that the preſentée of the king, ſhall not be receyued by the Ordinarie to ſuch benefice, tyll the king hath recouered his preſentment, by proces of the law in his owne Court, and if any preſentée of the king be otherwiſe reſceyued, & the incumbēt put out, without due proces, as afore is ſaid, the ſaid incumbent ſhal begine his ſuit within a yeare after the induction of the kings preſentée at the leaſt. An. 13. R. 2. cap. 1.

Preſentee

Incumbent

Proces

2 ¶ As it was ordeyned by the Statute made the 25. yere of king Edward, graund father to our ſouereigne Lord the king, that if the king make Collation or preſentment to any benefice in an others right, that the title, whereupon he grounded him, ſhould be well examined, that it be true, & at what ſoeuer tyme before iudgement gæuen, the title be found by good information vntrue & vniuſt, the collation or preſentment thereof made, ſhalbe repealed & annulled. And moreouer, in a Statute made afterwarde in the time of king Rychard, it was ordeyned and ſtabliſhed, that if the king preſent to any benefice, that is ful of any incumbent, that the kings preſentée ſhal not be reſceyued by the Ordinarie, till the king hath recouered hys preſentment, by proces of the lawe in hys owne Court, and if any preſentée of the king be otherwiſe reſceiued, & the incumbent out, without due proces, as is afore ſaid the ſame incumbēt ſhal commence his ſuit wythin a yeare after the induction of the kings preſentée. Our ſouereigne Lord the king, conſidering the great miſchiefe of the incumbent in this behalfe, hath ordeyned & ſtabliſhed, by the aſſent afore ſaid, that if any ſuch incumbent bee out of his benefice, without due proces in the maner afore ſaid: that the ſaid incumbent ſo out without proces, may be at large, and ſue for his remedy by the ſaid ſtatut, and begine his ſuit in this caſe at what time ſhal pleaſe him wythin the yere, or after at his will, and that aſwel for the time paſt, as for the time to come, notwythſtanding the terme ſo limitted by the ſaid ſtatute. An. 4. H. 4. cap. 22.

Collation

Examine title

R. Preſent

Recouer by proces

Incumbent

Suit

¶ Indicauit.

FOr aſmuch alſo, as pléas in court Spirituall, haue heretofore had many tymes vnreaſonable delayes, by reaſon that our writte that is called Indicauit, was many tymes brought vnto the Iudges of ſuche matters, at the beginning of ſuch ſuites, and thereupon our chiefe Iuſtice could not procéede lawfully nor in due maner, to award a writ of Conſultation, vpon ſuch maner of procéeding. It is agreed, that ſuch a writ of Indicauit ſhal not be graunted from henceforth to any man, before the ſuit hanging in the ſpiritual Court betwene the parties be recorded. And that our Chauncelor be certified thereupon, by the ſight of the lybell. Anno 34. E. 1.

Pleas

Conſultation

Chauncelor

¶ Indictmentes.

FOr as much alſo as Sheriffes fayninge many times, certaine perſons to bée indicted before them in their Turnes, of felonies and other treſpaſſes, doe take diuers perſons that are not culpable, nor lawfully indicted, & impriſon them, to the intent that they may extort money from them, where as they were not lawfully indicted by iiij. men. It is ordeined, that Sheriffes in their Turnes, & in other places, when they are to enquire of offēdors by the kings precept or of office, ſhal cauſe ſuch enqueſtes to bée taken by lawfull men, & by iiij. at the leaſt, which ſhal put their ſeales to ſuch inquiſitions,

Sheriffes

Felony.

Turnes

Enqueſtes

Imprison

ons, and such as shalbee found culpable by such enquestes, they shal take & imprison as they haue vsed afore times to doe. And if they doe imprison other then such as shall be indicted by such enquest, the parties imprisoned, shal haue their action by a writ of false imprisonment against the sheriffes, as they should haue against any other person that should imprison them without warrãt.

Action False imprison

Bailifes

And as it is said of Sheriffes, so shall it bee obserued against the bailifes of any fraunchise. West. 2. cap. 14.

Sheriffes Bailifes

☞ 2 ¶Sheriffes & bailifes of franchises, & all other ỹ take indictments in their turnes or els where, whereas indictments ought to be made, shal take such indictment by rol indented, wherof the one part shal remaine with the indictors, & the other part wt̃ him that taketh the enquest. So that the indictments shal not be imbesilled, as they haue bene in times past. And so that one of the enquest may shew the one part of the indẽture to the Justices, when they come to make deliuerance. An. 1. E. 3. cap. 16.

Roll indented

Enquest

* 3 ¶After any man be indicted of Felony before the Justices in their Sessions, to heare & determine, it shalbee commaunded to the sherife, to attach his body by writ or by precept, which is called a Capias, & if the sherife returne in the said writ or precept, that the body is not found, another writ or precept of Capias shalbe incõtinẽtly made, returnable at iij. wækes after, & in the same writ or precept, it shalbe compriled, that the sherife shal do to be seised his cattals, & safely to kẽpe them, till the day of the writ or precept returned. And if the sherife returne that the body is not found, and the endictée commeth not, the Erigend shalbe awarded & the cattels shalbe forfait, as the law of ỹ Realme demaundeth. But if he come and yeld him, or be taken by the sherife, or by other minister, before the returne of the second Capias, then the goods & cattells shalbe saued. An. 25. E. 3. cap. 14.

Felony

Sherife

Capias

Seise cattel

Returne

Erigent Forf.

Enquestes

Returns

Sanctuarie

Conspiracy

4 ¶Because that now of late enquests were taken at Westminster, of personnes named to the Justices, without due returne of the sherife, of which persons some were outlawed before the said Justices of record, and some fled to Sanctuarie for Treason, and some for felony, there to haue refuge, by whom aswel many offendours were indicted, as other lawfull liege people of the king not guiltie, by conspiracie, abettemẽt, and false imagination of other personnes, for their special aduantage and proper lucer, against the course of the common law vsed and accustomed before this time. Our souereigne Lord the king, for the great ease and quietnes of his people, will and graunteth, that the same indictment so made, with al the appurtenances to the same, be reuoked, annulled, void and holden for none for euer. And that from henceforth no indictment be made by any such persons, but by Enquests of the kings lawfull liege people, in the maner as was vsed in time of hys noble progenitors, returned by the sherifes or bailifes of fraunchises, without any denomination to the sherifes or bailifes of frãchises before hand made, by any person, of the names which by him should bee impanelled, except it bee by the ministers of the said sherifes or bailifs of fraũchises sworne and knowen to make the same, and other ministers to whom it pertayneth to make the same, according to the law of England. And if any indictment bee made hereafter in any point to the contrarie, that the same indictment bee also voide, reuoked, and for euer holden for none. An 11. H. 4. cap. 9.

Void

Enquestes

Sheriffes Bailifes

5 ¶We it enacted &c. that the Justices of the peace of euery shire of this Realme, for the time being, may do to be taken by their discretion, an enquest whereof euery man shal haue lands and tenements to the yerely value of xl. s. at the least, to enquire of the concealements of other enquestes taken afore them, and afore other, of such matters and offences, as are to be enquired and presented afore Justices of peace, wherof complaint shalbee made by bill, or by billes, as well within fraunchises as without. And if any such concealment be found of any Enquest, as is afore rehearsed, had, or made wt̃ in the yere after that same concealmẽt, euery person of ỹ same enquest, to bee amerced for the same concealments, by discretion of the same Justices of the peace, the said amerciaments to bee seised in plaine Sessions. An. 3. H. 7. cap. 1.

Inst. of p

Enquest

Enquire

Concealment

Discretion Amerce

6 ¶From the feast of the Natiuitie of our Lord God next comming, these words, vi & armis, videlicet, cum baculis, cultellis, arcubus & sagittis, or such other like, shall not of necessitie be put or compriled in any inquisition or indictment, nor ỹ the party or parties being hereafter indicted of any offẽce, shal haue or take any aduãtage by writ or writs of error, plee, or otherwise to annul or auoid any such inquisition or indictment, for

Vi & armis

Errous

for that the said wordes, Vi & armis, videlicet baculis & cultellis, arcubus & sagittis, or any of the same, or like wordes, shall not be put or compriſed in the said inquiſitions or indictments, but that the same inquiſitions or indictments, and euery of them lacking the said wordes, vi & armis, videlicet, baculis, cultellis, arcubus & sagittis, or any of them, shal from thencefoorth by the authoritie aforesaid, be taken, deemed, & adiudged to al intents, constructions, & purposes, as good & effectual in the lawe, as the same inquiſitions & indictments, hauing the sayd wordes, vi & armis, videlicet, baculis, cultellis, arcubus & sagittis, compriſed & put in euery of the same inquiſitions & indictmẽts were or heretofore haue ben taken, deemed, or adiudged: any lawe, vſage, or cuſtome heretofore had and vſed to, the contrarie not withſtanding. An. 37. H. 8. cap. 8.

*

¶ Infections.

Proclamation London

PRoclamation shalbe made, aſwell in the Citie of London, as in other cityes, boroughes, and townes as afore, that none of what condicion soeuer he be, do to be set or throwen from henceforth, any such annoyances, iſſues, donge, intrailes, nor none other ordure in the ditches, riuers, waters, & other places aforesaid, and if any do, he shal be called by writ before the Chauncelor at his suit that will complaine, & if he be found guilty, he shalbe punished after the diſcretion of the Chauncelor. An. 12. R. 2. cap. 13.

Anoiance Donge Riuers Waters

Writ Chauncelor

¶ Informers.

☞

FOr redreſſing of diuers diſorders in cõmon Informers, & for better execution of penall lawes. Be it enacted, that euery Informer vpon any penal ſtatut, shall exhibit his suit in proper person, & purſue the same onely by him ſelfe, or by his Atturney in court, and that none shalbe admitted or receiued to purſue against any person or persons vpon any penal ſtatut, but by way of information, or original action, and not otherwiſe, nor that haue ne ble, any deputis or deputies at al, & that vpon euery ſuch information which shalbe exhibited, a ſpecial note be made of the very day, moneth, and yere of the exhibiting therof into any office or to any officer, which lawfully may receiue the same, without any manner of Antedate thereof to be made, & that ỹ same

Proper person

Information Original action

A note of the day

information be accompted & taken to be of recorde from that time forward, & not before. And be it like wiſe enacted for the conſideration aforesaid, that no proces be ſued out, vpon any ſuch information, vntill ỹ information be exhibited in forme aforesaid, & that vpon euery ſuch proces, shalbe indorced aſwel the parties name that purſueth ỹ same proces, as also the ſtatut vpon whych the information in that behalfe made, is grounded. And that euery Clerke making out proces contrary to the tenor & prouiſion of this act, shal forfait and loſe xl. s. for euery ſuch offence: The one halfe to bee to the Quẽnes Maieſtie, her heirs and ſucceſſors, and the other halfe to the partie agaynſt whom any ſuch defective proces shalbee awarded, to be recouered in any court of recorde, by action of debt or information, in which no eſſoine, protection, iniunction, or wager of law, shalbe permitted or allowed. And bee it further enacted, that no Iurye shalbe compelled to appeare, in any of the Quẽnes Maieſties Courts at Weſtminſter, for the trial of any iſſue in any ſuch ſuit vpon any penall law, for any offence committed, aboue xxx. miles from the Citie of Weſtminſter, except in caſe where the Atturney general for the time being, for ſome reaſonable cauſe in that behalfe to be ſhewed, ſhall require the ſame to be tried at the barre, in any of the Courts of the Quẽnes Maieſtie, her heires or ſucceſſors, at Weſtminſter aforesaid: which requeſt shalbe noted on the backſide of the writ of diſtringas thereupon awarded, to the ende the ſheryfe or his Baylife may and ſhall ſignifie the ſame to the Iury, that are in ſuch caſe impanelled. And be it further enacted, that no ſuch Informer or plaintife, shal or may cõpound or agree with any perſon or perſons, that ſhal offend or ſhalbe ſurmiſed to offend againſt any penall ſtatute, for ſuch offence committed, or pretended to be committed, but after aunſwere made in Court vnto the information or ſuit in that behalf exhibited or proſecuted, nor after aunſwere, but by the order or conſent of the Court, in which the ſame information or ſuit ſhalbe depending, vpon the paines and penalties hereafter in this preſent acte ſet downe and declared. And that if anye ſuch Informer or playntyfe as aforesayde, ſhall wyllinglie delay his ſuite, or ſhall diſcontinue, or bee nonſuit in the ſame, or ſhall haue the tryall or matter paſſe againſt hym therein

xxx. Miles

Atturney general

Sheriffe

Compound

Consent of the Court

Delay Diſcontinue Nonſuit

by verdict or iudgement of law: that then in euery such case, the same Informer or plaintife shall yelde, satisfie & pay vnto the partie defendant, his costes, charges, and dammages, to be assigned by the Court, in which the same suit shalbe attempted. For the recouerie and execution whereof, euery such defendant, shall immediatly vpon the same costes, charges, and dammages assigned, haue his Capias ad satisfaciendum, Fieri facias, or Elegit, to be awarded vnto him out of the same Court, in whiche the same shalbe so assigned, as is afore saide, as in other causes of execution.

Costes Damages

Defendant

Capias ad satisfaciendum Fieri fac. Elegit

And be it also enacted, that if any person or persons (except the Clerkes of the court only, for making out of proces otherwyse then is aboue appointed) shal offend in suing out of proces, making of composition, or other misdemeanor, contrarie to the true intent and meaning of this statut, or shall by colour or pretence of proces, or without proces, vpon colour or pretence of any matter of offence against any penal law, make any compositon, or take any money, reward, or promise of reward, for him selfe, or to the vse of any other, without order or consent of some of her Maiesties Courtes at Westminster: that then he or they so offending, being thereof lawfully conuicted, shal stande on the Pillorie in some Market Towne, next adioyninge where the same offence shalbe committed, in the open market time, and there remaine by the space of two howers, and shal from and after such conuiction, for euer be disabled to pursue, or be plaintife, or informer, in any suite or information vpon any statute populer or penall, and shal also for euery such offence forfaite and lose x. pounds of lawfull English money: The one halfe thereof to the Queenes Maiestie, her heires and successors, and the other halfe to the partie greeued thereby, to be recouered in any Court of record, by action of debt, or information, in which no essoine, protection, iniunction, or wager of law, shalbe permitted or allowed. And the Iustices of Oier and terminer, Iustices of Assise in their circuits, and Iustices of peace in their Quarter Sessions, shall haue full power and authoritie, to heare and determine all offences to bee committed or done contrarie to the true intent and meaning of this present acte.

Cōpounding

Reward

Conuict

Pillorie

Disabled

Forf.

Moitie

Iust. of oier and ter. Iust. of ass. Iust. of p. & Sessions Oier & ter.

Prouyded alwaies, and nevertheless be it enacted, that it shall & may be lawfull, to and for any person or persons, greeued by meanes of any manner of maintenance, champertie, buying of titles, or imbracery, to pursue vpon any the statutes prouided & set forth against maintenance, champertie, buying of titles, or imbracery, as he or they might haue done before the making of this act: any thing in this acte contayned, to the contrary in any wise notwithstandinge.

Maintenance Champert & Buying of tities Imbracery

Prouided also, that this act shal not extend to any suit already depending, nor shal restraine any certaine person, body politike or corporat, to whom, or to whose vse any forfaiture, penaltie, or suit, is or shalbe specially limitted or graunted, by vertue of any statut, & not generally to any person that will sue, but that euery such certaine person, body politike or corporat, which might sue or informe, as if this act were not made, may in such case sue, informe, & pursue, as he or they might haue done, if this acte were neuer had nor made.

Bodies politike

And prouided also, that neither this acte, nor any thing therein contained, shal in any wise extend to any such officer of record, as haue in respecte of their offices heretofore lawfully vsed to exhibyte informations, or sue vpon penall lawes, nor to any officers informing or pursuing for matters onely concerninge his or their offices: but that they, and euery of them, may informe and pursue in that behalfe, as they myght haue done before the making of thys acte: any thynge in thys acte contayned, to the contrarie in any wise notwithstanding.

Officer of Record

This acte to take force and effect, from the feast of Easter next comming, & from thencefoorth to endure vnto the ende of the first Session of the next Parliament. An. 18. Eliz. cap. 5. *

This is made perpetuall by xxix°. Eliz. ca. 10.

¶ Inrolmentes.

That al Inrolments of deedes, and other muniments in the rolles of the Chauncery, of either bench, & the Eschequer of our soueraigne Lord the kinge, before this time inrolled, and afterward by Traitors to the king & his Realme, in the insurrection late made within ỳ same realm seditiously moued, borne & rent, or otherwise imbesilled, shalbe in a due forme exemplified, vnder ỳ great seale, wout the fee of the seale thereof to be paid, & ỳ the same Exemplification so had shalbe of the same effect & strength in al things, as the same deedes & muniments

Eschequer Chauntery.

Exemplified

Exēplification

shoulde haue bene, if they were to bee had whole & vnhurt. An. 6. R. 2. cap. 4.

☞ 2 ¶ Be it enacted &c. ẏ from the last day of July, which shalbe in the yere of our lord God 1536. no maners, landes, tenementes, or other hereditaments shal passe, alter or chaunge from one to an other, whereby any estate of enheritance or freehold shalbe made, or take effect in any person or persons or any of them therof to be made by reason only of any bargaine & sale therof, except ẏ same bargaine & sale be made by writing indented, sealed, & inrolled, in one of the kinges Courts of recorde at Westminster, or elles with the same countie or counties where the same maners, landes, or tenementes so bargained & sold, lye or be before the Custos Rotulorum, & two Justices of the peace, & the clerke of the peace of the same county or counties, or two of them at the least, wherof the clerke of the peace to be one, & ẏ same enrolment to be had & made within vj. monethes next after the date of the same writings indented, the same Custos rotulorum or Justices of the peace, & clerke taking for the inrolment of euery such writing indented before them, wher the said land comprised in the same writing exceed not the perely value of xl. s. ij. s. ẏ is to say xij. d. to the Justices, & xij. d. to the clerke. And for ẏ inrolment of euery such writing indented before them, wherein the land comprised exceed the summe of xl. s. in perely value v. s. that is to say, ij. s. vj. d. to the Justices, and ij. s. vi. to the Clerke for the inrollinge of the same.

And that ẏ clerke of the peace for the tyme being within euery such countie shal sufficientli y enrolle & engrosse in parchment the same dēde or writings indented as is afore said, & the inrols therof at thende of euery yere shal deliuer into ẏ said Custos Rotulorum of the same Countie for ẏ time being, there to remayne in the custody of the sayd Custos Rotulorum for the tyme beinge, amongst other records of euery of the same counties where any such inrolments shalbe so made, to the intent that euery party that hath to do there with, may resort & see the effect & tenour of euery such writing so enrolled.

Prouided alwaies that this act nor any thinge therein contayned, extende to any maner landes, tenements, or hereditamēts, lying or beinge within any city, borough, or towne corporat wīn this realme, wherin ẏ Maires, recorders, Chamberlains, Bailifs, or other officer officers, haue authoritie, or haue lawfully vsed to inroll any euidences, dēdes or other writings within theis precinctes or limits, any thing in this act conteined, to the contrary notwithstāding. An. 27. H. 8. cap. 16.

3 ¶ Where in the parliament holden in the xxvij. yere of king Henry the 8. (s. ca. 2. which is in leafe 2.) It was enacted by authoritie of the said parliament amongest other, ẏ no fine, fefferm̄et or other act or acts, hereafter to be made, suffred or done by the husband only, of maners, landes, tenements, or hereditaments, being ẏ inheritance or ẏ freehold of his wife during ẏ coverture betwene them, shal in any wise be or make any discontinuance thereof, or be prejudiciall or hurtful to the same wife or to her heires, or to such as shal haue right, title, or interest to ẏ same by ẏ death of such wife or wifes, but ẏ same wife & her heires & such other to whom such right shall appertayne after her decease shal & may then lawfully enter into al such landes, tenements, & hereditamēts according to ẏ rightes & titles therein. Any such fine, fefferment, or other act to the contrary notwīstanding. Sithence the making of which act diuers doubts, questions & ambiguities haue risen, ẏ is to say, whether the recoueries & dēdes enrolled, which bee in nature of fines & wherupō weomen couert haue ben vsed to be examined, taken, had or knowledged, as wel wīn the citie of Londō as in many other cities, boroughs, & towns within the Realme of Englande shoulde bind al such weomen couert, ẏ should happen to be examined vppon the same recoueries & dēdes inrolled. In auoiding therefore of al such ambiguities & doubts. Be it &c. ẏ al recoueries, dēdes enrolled and releasles heretofore knowledged or taken, or at any time hereafter to bee taken & knowledged, before the Maiors, Aldermen, Recorders, Chamberlaines or other head officer or officers, as wel of the citie of London, as of any other citie, borough, or towne corporate wīn the realme of England hauing power & authoritie to take and receyue the same accordinge to the lawdable vsage and Customes of the sayd Cities, Boroughes and townes, and euery of them, shalbe, stand, & remaine of like force, strength and effect, to al intentes and purposes, as they or any of them were before the making of the sayde act, in the sayd xxvij. yere of the sayd kinge.

Any

Inheritance Freehold

Sale

Courtes of recordes

Custos rotulorum Just. of p. Clerke of p.

vj. monethes

Fee

Clerke of p.

Engrosse

Maior Recorder Chāberlaine Bailifes

Fine Fefferment Husband

Wife Coverture

Entre

Recoueries Weomen couert London

Recoueries Releases

Maiors Aldermen Recorder London

Any thinge in the ſame act to the contrary in any wiſe not withſtandinge. An. 34. H. 8. cap. 22.

¶Intruſion.

Chiefe

When any (that holdeth of the kinge in chiefe) dieth & his heire entreth into the land ꝑ his auncestors held of the king ꝑ day ꝑ he dyed, before that he hath done homage to the king, & receaued ſeiſon of the king, he ſhal gaine no freehold therby, & if he die ſeiſed during ꝑ time, his wife ſhal not bee endowed of the ſame lande, as it came late in vſe by Maude daughter to ꝑ Earle of Herford, wife of Wiłłm Marſhal the Marſhall, which after the death of Wiłłm Marſhal of England, his brother toke his ſeiſon of ꝑ Caſtel & manor of Scrogoil, & died in ꝑ ſame Caſtel before he had entred by the kinge, & before he had done homage to him. Whereuppon it was agreed that his wife ſhoulde not be indowed, becauſe ꝑ her husband had not entred by the king, but rather by intruſion, howe be it this ſtatut doth not meane of ſocage & other ſmal tenures. Prerog. regis. An. 17. E. 2. cap. 13.

¶Ipſwich.

Suffolke Pauements

For that it is very conuenient & neceſſary for the towne of Ipſwich, in ꝑ countie of Suffolk, that the pauementes of the ſtreates there, be repaired & newe made, accordinge to the neceſſitie thereof, the inhabitants of the ſayd towne humbly pray, ꝑ it may be enacted by our ſouereigne lady the Quéene, the lords ſpiritual, & temporal, and commens of this preſent parliament aſſembled, & by the auctoritie of the ſame, that al & ſingular perſons, their heires & ſucceſſors now being, or which hereafter ſhalbée immediat owners, landlords or terretenãts of any houſes, lands, or tenements within the ſaid towne, or the ſuburbes of the ſame, of any eſtate or states, in fée ſimple, fée tayle, for life, or yeres, ſhall from time to time, & at al tymes from & after the laſt day of this preſent ſeſſion of parliament at the aſſignemẽt or appointmẽt of the bailifs of the ſayd towne for the tyme being, as well pane, or cauſe to be paued with good pauinge ſtones, along from and againſt his or their houſes, landes, and tenementes adioyninge to the ſtreete, ſomuch of the ſayd ſtreete in length, as his or their ſayd houſes, landes or tenements ſo adioyning extendeth vnto, and in breadth during all the ſaid length to ꝑ chanel, or to ſuch place as the chanel there ſhal be by the ſaid bailifes for the time being appointed to, vpon paine to loſe or forfayt for euery parde ſquare, not ſufficiently paued in forme aforeſaid, within two monethes after warninge thereof géuen to the Bailifes for the time beinge, ꝑ ſame being preſented before ꝑ bailifs of the ſaid towne for ꝑ time beinge, by the xij. headboroughs of the ſame towne, xij. d. of lawful money of England: & that the ſaid owners landlords, or terretenants, & al and euery perſon and perſons, hauinge or which hereafter ſhall haue any houſe, houſes, lands or tenemẽts, in fée ſimple, fée taile, or for terme of life, or yeres, adioyning to any of the ſtreets within the ſaid towne or ſuburbes, their heirs & ſucceſſors, ſhal from the ſaid laſt day of this preſẽt ſeſſion, ſufficiently from time to time, maynteine & repaire as often as it ſhalbe néedful, the pauemẽt of the ſaid ſtréet & ſtrétes ſo adioyning, with like ſtone, againſt al and euery their lands, & tenements, in ſuch and like maner as aboue is declared, vpon paine of forfaiture for euery parde ſquare of ꝑ ſame not ſufficiently repaired & amended, and prẽſẽted in maner & forme aforeſaid, viij. d. of like money. And where any néede ſhalbe of pauement of any of the ſayd ſtrétes adioyning to any Churches or Churchyards, within the ſaid towne or ſuburbs of ꝑſame: Be it enacted by the auctoritie aforeſayd, that the ſame ſtréete ſhalbe paued & repayred with ſtone from tyme to time, at the charges of the pariſhioners of euery ſuch church & churchyard, the charges therof to be indifferẽtly rated by ꝑ xij. headboroughs aforeſayd, or the more part of them, & the ſame to be leuied in ſuch manner as the forfaitures by this act are to be leuied. And ꝑ al the ſaid forfaitures aboue mẽcioned, ſhal be to the vſes of ꝑ bailifes, burgeſſes, & comminalties of the ſayde towne of Ipſwich, & their ſucceſſors, & for the amendment of the hauen there, at & by the diſcretion of ꝑ ſayd Bailifes, and of the portemene of the ſayde towne, or of the more part of them. And be it further enacted by the auctoritye aforeſayd, that the bailifes for the tyme beinge, and their ſucceſſours, ſhal haue ſul power & auctoritie once euery quarter of ꝑ yere, after the laſt day of thys preſent Seſſyon, within the ſayd Towne, to enquire by the othes of the ſayd xij. headboroughes for the time

Foyſ.

Owners Terretenants

Stretes

Repaire pauements

Foyſ.

Churches Churchyards

Pariſhioners

Vſes

Hauen

Bailifes

Enquire

Fee ſimple
Fee taile

Bailifes

Pauen with ſtone

time being, of euery ſuch default of paying, or of not repairing or amending of the ſaid pauements, and for euery default ſo before them preſẽted by the ſaid xii. headboroughs, ſhal haue alſo power & auctoritie to leuye or cauſe to be leuyed, by diſtreſſe or lawfull meanes within or vpon ẏ ſaid houſes lands or tenementes, the ſaid ſeuerall forfaitures and ſummes of mony aſſeſſed, and that the ſaid Baillifes, ſhal & may make ſuch like anowȝp, cogniſãce, or iuſtificatiõ for ẏ ſame, as may be made for arrerages of rẽt charge by the common lawes of this realme, and ſhal haue like iudgement of & for coſtes damages, & returne. Prouided alwaies, that if the leſſées for yeres, or at will, of the ſayd houſe, landes, or tenementes, or of the houſes, landes or tenementes, within the ſayd Towne of Ipſwich, or ſuburbes of ẏ ſame, do ſufficientlye paue or repaire the ſtrẽtes before the manſions or dwellinge places in fourme aforeſaid: that then they and euery of them ſhall and may defalke, abate, & retaine in his and their owne hands, aſmuch of their rentes due to their leſſours, or others to whom the immediate reuerſion of their ſayd houſes, lands, or tenementes do belonge, as they can duely proue to haue bene expended by them vpon the ſame pauing, and ſo much defaulked, ſhalbe to al intent accompted as payd to their leſſors, in ſuch forme as by their leaſes, is appointed to be payd: & the ſaid leſſors, or they to whõ ſuch rẽt ſhalbe due, to haue no action or tytle of rẽtry, for or by reaſon of ẏ non patmẽt of ſo much of ẏ ſame rent as ſhalbe defalked, except the ſaid leſſées haue otherwiſe couenaunted to make the ſaid pauement at their owne coſtes and charges, or beare harmeles their leſſours of all charges, payments, or duities iſſuing out of, or to be impoſed vpon, ſuch their houſes, lands, or tenementes. And where alſo there are wtin the ſaid Towne of Ipſwich, & the ſuburbes of the ſame, diuers pariſh churches, either nothing or very poorely indowed, & inſufficyent to maintaine cõuenient miniſters: Be it therfore enacted by the Quẽne our ſoueraigne Lady, & the lords ſpiritual & temporal, & by the commons of this preſent parliament aſſembled, & by the auctoritie of the ſame, that the baillifes of the ſaid towne of Ipſwiche, wyth the port men there, or the more part of thẽ, for the time being, calling to them the Churchwardens, & iiij. other of euery of the ſaid ſeuerall pariſhes, ſhal haue full power and auctoritye to tare & aſſeſſe vpon euery houſe, groũd, & tenemẽt, free or copie, ſituate & being within the ſaid ſeuerall pariſhes, ſuch reaſonable ſumme & ſummes of money to be yerely paid, aſwell for & towards the finding & maintaining of a conuenient ſtipendarie miniſter wtin euery of the ſaid Pariſhes, as to & for the reparations of the ſaid ſeuerall churches & chauncels as they ſhal thinke meete. And alſo ſhal lymit & appoint the time & times whẽ the ſeuerall pariſhioners ſhall pay ẏ ſame, & ſhall enter the ſame, with the ſeuerall names and ſummes payable by euery perſon, into a paper booke, which ſhal remaine with the ſaid baylifes, for the time beinge: And alſo ſhall appoint the ſaid churchwardens, to collect & receiue the ſame, from yere to yere, to whõ a coppe of the ſaid booke ſhalbe delyuered by the ſaid baillifes, & euery ſuch churchwarden ſo appointed, to do the beſt of his endeuour to collect & gather the ſaid ſeuerall ſummes: and ſhal haue ful power & auctority by vertue of this act, to diſtraine ẏ goods or cattels of any of the ſaid ſeuerall pariſhioners making default to & for the paiment of the ſaid rates, at ẏ time & times limitted for ẏ ſãe, wtin ẏ charge of their collection: And ẏ diſtres ſo taken, ſhal & may auow or iuſtifie, in ſuch maner & forme, as is vſed for rẽt charge being vnpaied, at the cõmen law. And be it alſo further enacted by the auctoritye aforeſaid, that euery ſuch churchwarden, his executours, and adminiſtrators, ſhalbe accõptable of and for his collection & receipt, before the Churchwardens of the ſaid ſeuerall pariſhes, which ſhal ſucceede them, & before the inhabitants, or the more part of them, of the ſame pariſhe, if they will be preſent there, when & where ſo euer he or they ſhall be thereunto required. And ſhal preſentlye vppon the determination of his or their accompt, pay all ſuch ſummes of money as it ſhall appeare that he or they ſhalbe charged with, to the handes of ſuch other Churchwardens as then ſhall ſucceede. An. 13. El. capit. 24.

Default Headboroughs

Diſtres

Baillifes

Arrerages Rent charge

Leſſees

Pe ſalherent

Pariſh churches Miniſters

Baillifes

Churchwardens

Tare

Miniſter Repairing of churches

Paper

Collect

Diſtraine

Accompts

¶Ireland.

IN the booke of Magna charta, is an ordinaunce for Irelande concerninge diuers matters, entituled Ordinatio pro ſtatu terre Hibernię.

2 ¶An. 17. E. 3 a ſtatut conteining 6. articles was made concerning Ireland.

3 ¶All

Any thinge in the ſame act to the contrary in any wiſe not withſtandinge. An. 34. H. 8. cap. 22.

¶Intruſion.

Chiefe

When any (that holdeth of the kinge in chiefe) dieth & his heire entreth into the land ẏ his auncestors held of the king ẏ day ẏ he dyed, before that he hath done homage to the king, & receaued ſeiſon of the king, he ſhal gaine no freehold therby, & if he die ſeiſed during ẏ time, his wife ſhal not bee endowed of the ſame lande, as it came late in vre by Maude daughter to ẏ Earle of Herford, wife of Wiłłm Marſhal, which after the death of Wiłłm Marſhal of England, his brother toke his ſeiſon of ẏ Caſtel & maner of Scrogoil, & died in ẏ ſame Caſtel before he had entred by the kinge, & before he had done homage to him. Whereuppon it was agreed that his wife ſhoulde not be indowed, becauſe ẏ her huſband had not entred by the king, but rather by intruſion, howbe it this ſtatut doth not meane of ſocage & other ſmal tenures. Prerog. regis. An. 17. E. 2. cap. 13.

¶Ipſwich.

Suffolke Pauements

FOr that it is very conuenient & neceſſary for the towne of Ipſwich, in ẏ countie of Suffolk, that the pauementes of the ſtreates there, be repaired & newe made, according to the neceſſitie thereof, the inhabitants of the ſayd towne humbly pray, ẏ it may be enacted by our ſouereigne lady the Quéne, the lords ſpiritual, & temporal, and commons of this preſent parliament aſſembled, & by the authoritie of the ſame, that al & ſingular perſons, their heires & ſucceſſors now being, or which hereafter ſhalbée immediat owners, landlords or terretenãts of any houſes, lands, or tenements within the ſaid towne, or the ſuburbes of the ſame, of any eſtate or ſtates, in fée ſimple, fée tayle, for life, or yeres, ſhall from time to time, & at al tymes from & after the laſt day of this preſent ſeſſion of parliament at the aſſignemẽt or appointmẽt of the baliffs of the ſayd towne for the tyme being, as well paue, or cauſe to be paued with good paueinge ſtones, along from and againſt his or their houſes, landes, and tenementes adioyninge to the ſtréete, ſomuch of the ſayd ſtréete in length, as his or their ſayd houſes, landes or tenements ſo adioyning extendeth vnto, and in breadth during all the ſaid length to ẏ chanel, or to ſuch place as the chanel there ſhal be by the ſaid bailifes for the time being appointed to, vpon paine to loſe or forfayt for euery yarde ſquare, not ſufficiently paued in forme aforeſaid, within two moneths after warninge thereof géuen to the Bailifes for the time beinge, ẏ ſame being preſented before ẏ bailifs of the ſaid towne for ẏ time beinge, by the vij. headboroughs of the ſame towne, vij. s. of lawful money of England: & that the ſaid owners landlords, or terretenants, & al and euery perſon and perſons, hauinge or which hereafter ſhall haue any houſe, houſes, lands or tenemẽts, in fée ſimple, fée taile, or for terme of life, or yeres, adioyning to any of the ſtrets within the ſaid towne or ſuburbes, their heirs & ſucceſſors, ſhal from the ſaid laſt day of this preſẽt ſeſſion, ſufficiently from time to time, maynteine & repaire as often as it ſhalbe néedful, the pauemẽt of the ſaid ſtréet & ſtréetes ſo adioyning, with like ſtone, againſt al and euery their lands, & tenements, in ſuch and like maner as aboue is declared, vpon paine of forfaiture for euery yard ſquare of ẏ ſame not ſufficiently repaired & amended, and prẽted in maner & forme aforeſaid, vij. s. of like money. And where any néede ſhalbe of panement of any of the ſayd ſtréetes adioyning to any Churches or Churchyards, within the ſaid towne or ſuburbs of ẏ ſame: Be it enacted by the auctoritie aforeſayd, that the ſame ſtréete ſhalbe paued & repayred wyth ſtone from tyme to time, at the charges of the pariſhioners of euery ſuch church & churchyard, the charges thereof to be indifferẽtly rated by ẏ vij. headboroughs aforeſayd, or the more part of them, & the ſame to be leuied in ſuch manner as the forfaitures by this act are to be leuied. And ẏ al the ſaid forfaitures aboue mẽcioned, ſhal be to the vſes of ẏ bailifes, burgeſſes, & comminalties of the ſayde towne of Ipſwich, & their ſucceſſors, & for the amendment of the hauen there, at & by the diſcretion of ẏ ſayd Bailifes, and of the portemene of the ſayde towne, or of the more part of them. And be it further enacted by the auctoritye aforeſayd, that the bailifes for the tyme beinge, and their ſucceſſours, ſhal haue ful power & auctoritie once euery quarter of ẏ yere, after the laſt day of thys preſent Seſſyon, within the ſayd Towne, to enquire by the othes of the ſayd vij. headboroughes for the time

Fee ſimple
Fee taile

Bailifes

Paue with ſtone

Foyl.

Owners Terretenants

Stretes

Repaire pauements

Foyl.

Churches Churchyards

Pariſhioners

Vſes

Hauen

Bailifes

Enquire

time being, of euery ſuch default of pauing, or of not repairing or amending of the ſaid pauements, and for euery default ſo before them preſẽted by the ſaid xii. headboroughs, ſhal haue alſo power & auctoritie to leuye or cauſe to be leuyed, by diſtreſſe or lawfull meanes within or vpon ỳ ſaid houſes landes or tenementes, the ſaid ſeuerall forfaitures and ſummes of mony aſſeſſed, and that the ſaid Bailifes, ſhal & may make ſuch like anowry, cogniſãce, or iuſtificatiõ for ỳ ſame, as may be made for arrerages of rẽt charge by the common lawes of this realme, and ſhal haue like iudgement of & for coſtes damages, & returne. Prouided alwaies, that if the leſſées for yeres, or at will, of the ſayd houſe, landes, or tenementes, or of the houſes, landes or tenementes, within the ſayd Towne of Ipſwich, or ſuburbes of ỳ ſame, do ſufficientlye paue or repaire the ſtrẽtes before the manſions or dwellinge places in fourme aforeſaid: that then they and euery of them ſhall and may defalke, abate, & retaine in his and their owne hands, aſmuch of their rentes due to their leſſours, or others to whom the immediate reuerſion of their ſayd houſes, landes, or tenementes do belonge, as they can duely proue to haue bene expended by them vppon the ſame paning, and ſo much defaulked, ſhalbe to al intent accompted as payd to their leſſors, in ſuch forme as by their leaſes, is appointed to be payd: & the ſaid leſſors, or they to whõ ſuch rẽt ſhalbe due, to haue no action or tytle of rẽtry, for or by reaſon of ỳ non paimẽt of ſo much of ỳ ſame rent as ſhalbe defalked, except the ſaid leſſées haue otherwiſe couenaunted to make the ſaid pauement at their owne coſtes and charges, or beare harmeles their leſſours of all charges, payments, or duities iſſuing out of, or to be impoſed vpon, ſuch their houſes, landes, or tenementes. And where alſo there are wõin the ſaid Towne of Ipſwich, & the ſuburbes of the ſame, diuers pariſh churches, either nothing or very poorely indowed, & inſufficyent to maintaine cõuenient miniſters: Be it therfore enacted by the Quẽne our ſouereigne Lady, & the lords ſpiritual & temporal, & by the commons of this preſent parliament aſſembled, & by the auctoritie of the ſame, that the bailifes of the ſaid towne of Ipſwiche, with the port men there, or the more part of thẽ, for the time being, calling to them the Churchwardens, & iiij. other of euery of the ſaid ſeueral pariſhes, ſhal haue full power and auctoritye to tare & aſſeſſe vpon euery houſe, groũd, & tenemẽt, frẽ or copie, ſituate & being within the ſaid ſeueral pariſhes, ſuch reaſonable ſumme & ſummes of money to be yerely paid, aſwell for & towards the finding & maintaining of a conuenient ſtipendarie miniſter wõin euery of the ſaid Pariſhes, as to & for the reparations of the ſaid ſeueral churches & chauncels as they ſhal thinke meete. And alſo ſhal lymit & appoint the time & times whẽ the ſeuerall pariſhioners ſhall pay ỳ ſame, & ſhall enter the ſame, with the ſeueral names and ſummes payable by euery perſon, into a paper booke, which ſhal remaine with the ſaid baylifes, for the time beinge: And alſo ſhall appoint the ſaid churchwardens, to collect & receiue the ſame, from yere to yere, to whõ a coppe of the ſaid booke ſhalbe delimered by the ſaid bailifes, & euery ſuch churchwarden ſo appointed, to do the beſt of his endeuour to collect & gather the ſaid ſeueral ſummes: and ſhal haue ful power & auctority by vertue of this act, to diſtraine ỳ goods or cattels of any of the ſaid ſeueral pariſhioners making default to & for the paiment of the ſaid rates, at ỳ time & times limitted for ỳ ſãe, wõin ỳ charge of their collection: And ỳ diſtres ſo takẽ, ſhal & may anow or iuſtifie, in ſuch maner & forme, as is vſed for rẽt charge being vnpaied, at the cõmen law. And be it alſo further enacted by the auctority aforeſaid, that euery ſuch churchwarden, his executours, and adminiſtrators, ſhalbe accõptable of and for his collection & receipt, before the Churchwardens of the ſaid ſeuerall pariſhes, which ſhal ſuccæde them, & before the inhabitants, or the more part of them, of the ſame pariſhe, if they will be preſent there, when & where ſo euer he or they ſhall be thereunto required. And ſhal preſentlye vppon the determination of his or their accompt, pay all ſuch ſummes of money as it ſhall appeare that he or they ſhalbe charged with, to the handes of ſuch other Churchwardens as then ſhall ſuccæde. An. 13. El. capit. 24.

Default Headboroughs
Diſtres
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¶Ireland.

IN the booke of Magna charta, is an ordinaunce for Irelande concerninge diuers matters, entituled Ordinatio pro ſtatu terrę Hibernię.

2 ¶An. 17. E. 3 a ſtatut conteining 6. articles was made concerning Irelande.

3 ¶All

Marchants Aliens Denizens

3 ¶All marchants aſwell aliens as denizens may come into Irelande with their marchandiſes, & frō thence frælye to returne with their marchandiſes and vitailes, without fine or raunſome to bee taken of them, ſaninge alwayes to the kinge his auncyent cuſtomes and other duyties. Anno 34. E. 3. cap. 17.

Cuſtome

4 ¶People of England aſwel religious as others which haue their heritage, & poſſeſſions in Ireland, may bringe their corne beaſtes & other vitailes to the ſaid lande of Ireland, & from thence to recarye their goods and marchaundiſes into Englande frælye, without impeachment, payinge their cuſtomes and their duities to the king. Anno 34. E. 3. ca. 18.

Corne Cattel

5 ¶An. 1. H. 5. ca. 8. it was enacted that all Iriſh perſons ſhould void the realme wtin a time, except certeine there expreſſed, & that they ye had benefices or office in Ireland ſhould, dwel vpon them for defence of Ireland.

6 ¶Where as it was ordeyned in the time of the kinges noble progenitours, by a ſtatut made of the lande of Ireland, ye none of the Iriſh nation ſhould be choſen by election to an Archbiſhoppe, Biſhoppe, Abbot, or Priour, nor in none other maner receyued nor accepted to any dignitie or benefice within the ſame land, and now late many ſuch Iriſh people by force of certain letters of licence to them made by the kinges lieutenauntes there, to accept and receyue ſuch dignities, and benefices, bee promoted and aduaunced to Archbiſhops, and Biſhoppes within the ſayd land, which alſo make their collations to Iriſh clerkes of the dignities and benefices there, againſt the fourme and effect of the ſayd ſtatut: And where as they be ſayd peeres of the parlyament in the ſaid land, they bringe with them to the Parliaments and Councelles holden there, Iriſh ſeruants, whereby the priuities of ye Engliſhmen within the ſame land haue ben and be daylie diſcouered, to the Iriſh people, rebels to the king, to ye great perill & miſchiefe of the kings lawful leige people in the ſame land: Our ſoueraigne Lord the king ye now is, deſiring for the ſame to prouide remedy, for the ſuerty of his faithful ſubiectes by the aſſent of the lords aforeſaid, & at the requeſt of the ſayd commons, will & grauntethye ſaid ſtatute ſhal ſtande in his whole force, & wel & duely be kept, and fully executed vpon his greuous indignation. And moreouer he hath ordeined and eſtabliſhed, by the aſſent and requeſt aforeſaid, that if any ſuch Archbiſhops, Biſhops, Abbottes, or Priours, of the Iriſh nation, rebels to the king, haue in times paſt made, or from henceforth ſhall make, any collations or preſentments to benefices of holy Church in the ſayd land of Irelande, againſt the forme of the ſame ſtatute, or bring with them any Iriſh rebels amongeſt the Engliſhmen to the parliaments, counſels, or other aſſembles within the ſame lande, to knowe the priuities and ſtates of the ſayde Engliſhemen, & the ſame to diſcouer to the ſayde rebels: ye then afterwarde from time to time al their temporalties ſhalbe ſeyſed into the kings hands, there to remaine til they haue made fines to the kinge in this partie. And alſo that al the lieutenants of the kinge and of his heires in the ſayd land of Ireland, be vtterly defended & reſtrained frō henceforth to haue any manner power to gœue or to graunt any ſuch benefices or pardōs in that caſe to Iriſh perſons not Engliſh. And that al ſuch licences not executed, made & grauntēd by the kinges lieutenaunts in the ſame lande before this tyme, & alſo to be graunted by them hereafter, ſhalbee voyde and of no force nor valour. Anno 4. Henrici 5. capitulo 6.

Collations

Seiſe temporalties Fines

Lieutenants

Licence

Voyd

7 ¶An. 1. H. 6. cap. 3. an act was made to auoyd Iriſh men out of England except certeine perſons, and they to finde ſuertye of good abearinge. And that from the ſayde feaſt of Saint John forward, no perſons borne in Irelande ſhall enter the Realme of Englande to dwell in the ſayde, Vniuerſities of Orenford or of Cambridge, or elſe where within the Realme of Englande, vnleſſe hee bringe to the ſayd Chauncelour of England, ſuch letters teſtimonials, vpon paine to be puniſhed as a rebell to our Soueraigne Lorde the kinge. Anno 1. H. 6. cap. 3.

Weneſte

Licence

Archbiſhops Biſhops

Peeres

Orford Cambridge

Teſtimoniall

8 ¶That the Chauncelours of the vniuerſities of Orforde and, Cambridge for ye time being, euery of them within his iuriſdiction, ſhal take the ſuerties to be taken of ſcholers within the ſame vniuerſities, and certifie the ſame into the kings Chauncery And that the Juſtices of peace wythin the counties, and Maiors, & Bailifes within cities and Borroughs enfraunchiſed, haue power to take before them ſuch manner ſuerty of good abearing, and to do execution againſt them which ſhal abide, or do againſt the

Chauncelor of the vniuerſitie Orforde Chambridge Suerties

Chauncery Juſt. of peace Maior Bailifs

the saide ordinance from henceforth. An. 2. H. 6. cap. 8.

¶Iron.

English iron

Fol.

Labourers

IRon made in Englande, & yron brought into England and there sold, shal not bee brought out of the realme of England, vpon paine of forfaiture of the double to the king, & ỳ Iustices assigned to enquire of labourers, and the other Iustices whō ỳ king will thereto assigne, shal haue power to enquire of thē ỳ sel the yron at too deere a price & to punish them, after the quantity of the trespas. An. 28. E. 3. cap. 5.

¶Iewes.

Vsury

STatuto Ed. 1. de Iudaismo, is ordeined ỳ no vsury shal returne from henceforth, & diuers matters be there against vsury take by Iewes, & concerning debtes to Iewes & stolen good, in Iewes hands, & where they should dwel, & what signe they should beare & what they should pay to the king, & what they might or might not buy and sel, & purchase, & diuers other matters concerninge Iewes, & they were taken vnto the kinges protection.

¶Iudgement.

Chauncery K. bench Common bench Eschequer Iustices

ITem because diuers mischiefs haue happened of that, that in diuers places, as wel in the Chauncery, as of the kings bench, ỳ common bench, & in the Eschequer, ỳ Iustices assigned & other Iustices to heare and determine deputed, the iudgementes haue ben delayed, sometime by difficulty, & sometime by diuers opinions of the iudges, and sometime for some other cause: It is assented, established & accorded, that from henceforth at euery Parliament shalbe chosen a Prelate, 15. Earles 15. Barons, which shall haue cōmission & power of ỳ king, to heare by peticion deliuered vnto them, ỳ cōplaints of those ỳ wil complaine thē of such delates or greuances made, & they shal haue power to do come before them at Westm. or elsewhere, where the places or any of thē shal be, the tenour al Records & processes of such iudgementes so delayed, & to cause the same Iustices to come before them, which shalbe then present, to heare their cause & reasons of such delates, which cause & reasō so herde, by good aduice of thē selfe, the chauncelour, treasorer, the Iustices of the one bench, & of the other, & other of the kings coūsaile, as many & such as shal seme conuenient, shall procede to take a good record & make a good iudgement. And according to ỳ same record so takē, the tenour of ỳ said record, together with ỳ iudgement, which shalbe accorded shalbe remaunded before ỳ Iustices before whō ỳ plee did depend. And ỳ they shal giue iudgemēt, according to ỳ same record. And in case it semeth to them ỳ the difficultie be so great, ỳ it may not well be determined, vvout assent of the parliament, ỳ the sayde tenour or tenours shalbee by the sayd Prelates, Earles, and barons, in the next parliament, & there shalbe a final accord taken what iudgement ought to be geuen in this case. And according to this accord it shalbee cōmaunded to the iudges, before whom the plee did depende, that they shall procede to geeue iudgement without delay. Anno 14. E. 3. cap. 5.

Treasorer Iustices

Record

And after iudgement giuen in the courts of our soueraigne Lord the king, ỳ the parties & their heires shalbe thereof in peace til the iudgement bee vndone by attaint or by errour, if there be errour, as hath bene vsed by ỳ lawes in the time of the kings progenitours. An. 4. H. 4. cap. 23.

Attaint Errour

¶Iurisdiction.

IF any cause or matter, the knowledge whereof belongeth to a court spirituall, & be definitiuely determined before a spirituall iudge, so ỳ it passe into a iudgement, nor was not in suspēce by reason of any appeale & afterward vpon the same things a case is moued before a temporal iudge & betwene the same parties, & it be proued by witnesse or instruments. The exception shal not bee admitted in a temporall court. The answer, When any one case is debated before iudges spirituall and temporal, as aboue appeareth vpon the cause of layinge violent hands on a clerke: It is thought that notwithstanding ỳ spirituall iudgement, the kinges court shall discusse the same matter, as the party shal think most expedient to him selfe Articuli cleri. 1. ca. 3. An. 9. E. 2.

Court spirituall Spirituall Iudge Appeale

Exception

Whereas the sayd prelates haue shewed & prayed remedy, vpon that that the sayd seculer Iustices do vsurp and accroch to them, cognisaunce of voydaunce of benefices of ryght, which cognisaunce and the dyscussinge thereof appertayneth to the Iudges of holy

Seculer Iustices

Chauncelor

of holy church: & not ỳ lay iudge: The king wil & grauteth, that the said Iustices shall from henceforth receyue such challenges made or to be made by any prelate of holy church in this behalfe, & moreouer thereof shall do right and reason. An. 25. E. 3. pro clero cap. 8.

Challenge

¶ Iuris vtrum.

IN like maner as a writ is to be graunted, whether a tenement be ỳ frankalmoigne of a Church, or the lay fee, so hereafter there shalbe made such a writ, whether it be the frankalmoigne of such a Church, or of another church, in case where ỳ frankalmoigne of one church, is translated into the possession of another church W. 2. cap. 25.

Lay fee Frankalmoigne

¶ Iurours.

COncerning charters of exemption & liberties, that the purchasors shal not bee impanelled in assises, iuries, & enquests: It is prouided, that if their othes be so requisit, that without them Iustice cannot be myniſtred, as in great assises, perambulations, & in deedes, or writings of couenãts (where they be named for witnesses) or in attaints & in other cases like, they shalbe compelled to sweare. Sauing to thẽ at an other tyme their foresaid liberty & exemption. Marleb. cap. 14. An. 52. H. 3.

Exemption

Assises Enquestes

Attaints

2 ¶ From henceforth in one assise no mo shalbe somoned then xxiiij. And old mẽ aboue lxx. yeres, beinge continually sicke, or being diseased at the time of the somons, or not dwelling in the coũtrey, shal not bee put in iuries or petie assises, nor also shalbe put in assises and iuries, though some ought to be taken in their owne shire, ỳ may dispend lesse then xx. s. yerely. And if such assises & iuries be taken out of the shire, none shal passe in them, but that may spend xl. s. yerely at the least, except such as be witnesses in deedes or other writtings, whose presence is necessarie, so that they bee able to trauaile. Neither shal this statut extend to great assises, in which it behoueth many tymes knightes to passe, not resident in the countrey, for the scarcitie of knightes, so ỳ they haue land in the shire: And if the sherife, or his vnderbailifes, or bailifes of liberties, offend in any point of this statute, and thereupon be conuict, damages shalbee awarded to the parties greeued, and shall neuerthelesse be amerced to the kinge. And Iustices assigned to take assises, when they come into the shire, shall haue power to heare the plaints of al cõplamãts, as to ỳ articles cõteined in this statut, & to minister iustice in forme aforesaid. W. 2. cap. 37. An. 13. E. 1.

Old men Sicke men

xl. s. land

Grand assi.

Knights Sherife Bailife

Damages

Amerce

3 ¶ No Sherife, vnder sherife, or other bailifes, nor bailifes of liberties, shall from henceforth put in any recognisaunce aboue said that shal passe out of their proper counties, or bailiwikes, except they haue landes & tenements to ỳ yerely value of an C. s. at the least. And the kinge intendeth not by this statut to restraine ỳ last statut of west. wherein mencion is made of recognisours to be put in iuries & assises, but of such onely as ought to passe in assises, iuries, & recognisances triable out of their proper coũties, so ỳ within the coũty before Iustices of our soueraigne Lord the king assigned to ỳ taking of any such enquestes, iuries or other recognisances, none shalbe impanelled, except he haue lands & tenements to ỳ yerely value of xl. s. And likewise sauinge ỳ before iustices errant ỳ holde comon pleas in their circuit, & also in cities, boroughs, and other market townes where recognisaunces, assise, & iuries do passe vppon any matter touching ỳ said cities, boroughs & other towns, a writ shalbe made like as it hath bene accustomed in times past. An. 21. E. 1.

Sherife Bailife

C. s. land

Enquests

xl. s. land Iustices errant

4 ¶ No sherife nor bailife, shal impanel in enquests & iuries ouer many persons, nor otherwise thẽ it is ordeined by the estatute, & that they shal put in the iurie such as bee next neighbors, most sufficient, & least suspicious. And he ỳ otherwise doth & is attainted thereupon, shall pay vnto ỳ plaintife his damages double, & shalbe greeuously amerced vnto the king. Articuli super chartas ca. 9. An. 28. E. 1.

Sherife Bailife

Attaint

ii. damages

5 ¶ If any iuror, in assises, iuries, or enquests take of the one partie or of the other, & be thereof duely attainted, ỳ hereafter hee shal not be put in any assises, iuries or enquests, & neuertheles he shalbe cõmaunded to prison, & further raunsomed at the kings wil. And the iustices before whom such assises, iuries, and enquestes shal passe, shall haue power to enquire & determine, according to this statut. An. 5. E. 3. cap. 10.

Parcial Attaint

Imprison Fine

Oier & ter.

6 ¶ No indictour shalbe put in enquests vpon the deliuerances of the indicts of felony or tresspas, if he be challenged for ỳ same cause by him which is so endicted. An. 25. E. 3. cap. 3. Sta. 5.

Indictor

7 ¶ Panells

Panels

7 ¶Panells shalbe made of the nexte people which shal not bee suspected nor procured. And that the sheriffes, coroners and other ministers, which doo against the same, shalbe punished, before that ỳ Justices take the said enquest, according to the quantitie of their trepasse, as well against the kinge as agaynst the partye, for the quantytie of the dammage which her hath suffredin such manner. Anno. 34. Edwardi tercij capitulo 4.

Sheriffes Coroners

8 ¶In euery plea, whereof the enquest or assise doth passe, if any of the parties will sue against any of the iurors that they haue taken of his aduersarye or of him, for to say their verdict, he shalbe heard, & shal haue his plaint by bil presently before the iustices afore whō they did sweare, & ỳ the iurour be put to answere without any delay, and yf they plede to the countrey, the enquest shall be taken forthwith. And if any man other then the partie wil sue for the king against the iurrour, it shalbe heard and determined as afore is said: And if the iurrours be attainted at the suit of other then the partie, & maketh fine: the party that sueth shal haue halfe the fine. And ỳ the parties to the plea, shal recouer their damages by taxing of the enquest. And ỳ the iurour so attainted haue imprisonment of one yere, which imprisonment the king graunteth, ỳ it shal not bee pardoned for no fine. And if the partie will sue by writte before other Justices, he shall haue the suit inthe forme aforesaid. An. 34. Ed. 3. cap. 8. See the like statute in Decies tantum I.

Tade reward

Attaint

Moitie

Dammages

Imprison

9 ¶No person shalbe admitted to passe in any enquest vppon trial of the death of a man, nor in any enquest betwirt partie and party in plee real, nor in plee personal, wherof the debt and damages declared, amount to forty markes, if the same person haue no lands or tenements of the perely valour of fortye shillinges, aboue all charges of the same, so that it be challenged by the partie, that any such person so impanelled in the same cases, haue not lands or tenementes of the yearely value of forty shillinges aboue the charges as aforesayde. Anno 2. H. 5. cap. 3.

Murder

Real Personal

pl.s. land

10 ¶For asmuch as our sayde Soueraigne Lord the king at the greuous complaint to him made by hys sayd commons in the same Parlyament, hath conceyued, that diuers persons of great powertie, without conscience and of euil gouernance, now of late dwelling in a place suspect, called the Stewes in the borough of Southwarke, in the countie of Surrey, as well by receipt of comon weomen, theeues, manquellers, and aduowtrers, as by murders and pryy robberies, as well by them selfe as by many other there herberged without pitte, loyaltie, and good conscience there done, haue sodenly come to great ryches by the which they haue purchased great liuings of lands & tenements to great yerely valours, & because of their sufficiency of freeholde so purchased, they haue bene returned by the sherife of the sayd countie, and other bailifes, in enquests, as wel for felony and trespasse betwene the king and the partie, and partie and partie, as in assises and other plees of land before ỳ kings Justices in his courts, and before the Stewardes and marshal of hys house, whereby ouers disheritaunces and wrongfull condempnations of many lawful leiges of our soueraigne Lord the king haue bene had, and many murderers and notorious theues haue ben saued, great murders and robberyes concealed and not punished. And how ỳ same persons suspect inhabite them in common hosteries & tauerns in the high way of the same borough there receiuinge theeues, commen weomē, and other mysdoers, in like maner as they did in the sayd suspect place of the stewes: Our soueraigne lord the king considering ỳ premisses and that such people without cōsciente, be defamed, and may not of reason be entēding to beare witnes of trouth, there where trouth should be enquired, hath ordeined & stablished, that if any such person bee returned by any sherife, bailife, or other minister of our said Soueragne lord the kinge in the said county of Surrey, or by any officer before the steward & marshal of our soueraigne lord the kings house, aswel for the king as for the partie: at al times frō hēceforth he shalbe challenged, & the challenge in that partie allowed for the cause beforesaid. And also for to auoyde murders, robberies, & aduowtries that might by likelyhood happen, It is ordeined, that no such person, which also hath dwelled at the said stewes, be suffred to hold any common hosterie nor tauerne, in other place wthin ỳ said borough of Southwarke, but only at ỳ said stewes. And that the Justices of peace in the same Countye, shall haue power to Enquire of all them that holde hosteries and Tauernes, and them to punish by fine & ransome,

Stewes. Southwarke

Taucrnes

Surrey

Challenge

Hosteris

Just. of p. Enquiry

Imprisoñ

some and by imprisonment of their bodies after the discretion of the said Justices. An. 11.H.6.cap.1.

Inquirie it Voyde

11 ¶Every iurrour from the feast of the blessed Trinitie next cõming, that shall be empanelled & returned within the sayde county of Middlesex in any of ỳ said courts, in any of the sayde actions, at every fourth day of the returne therof, shalbe demaunded and called. And that all persons impanelled in any of those courts that doth appeare at the said day, their apparance shalbe recorded & there entred by the court, & they shall not be amerced nor lose any issues the same day in that suit. And it is ordeined by the same auctoritie, that every default, essoine, and every other delay of any person plaintife or defendãt in any such personall action by the lawe heretofore vsed, by this ordinance shal not bee prejudiced nor taken awaye in any maner, but to be adiudged, adiurned, & allowed, in as ample & large fourme, as they were before the makinge of this statute, This ordinaunce notwithstandinge. An. 8. E.4.cap.3.

Apparance

Default Essoigne

Shirifes Tunes x.s. lande

12 ¶No bailife nor none other officer from hencefoorth, shal returne in any panel any such perso in any such shire within this realme, to be taken or put in, or vppon, any such inquiry in any of the sayde turnes, but such as be of good name & fame, and hauing lands or tenements of freeholde within the same counties, to the yerely value of xx. s. at the least, or els lands, & tenemẽts holden by custome of the maner commonly called copthold within ỳ said counties, to the yerely value of xxvj.s. viij. above all charges at the least. And if any bailife or other officer within the sayde counties, do hereafter returne or enpanell any person contrary to this statut, hee shal lose for every person so enpanelled and returned, not beinge of the sufficiencie aforesayd, at every time that he offendeth xl.s. & the said sheriffe other xl. s. the one halfe thereof to the king our soueraigne Lord, & the other halfe to the partie that will sue in this behalfe. And every man that will sue for the same, shal haue their seuerall actyons of debte for the same, at the common law, aswel against the sheriffe as the said bailife, & that such and like proces be had and vsed in every of the same actions, as is had & vsed in other actions, at ỳ cõmon law. And that no protection nor essoigne bee allowed in the same. And that every such endictment before any such sheriffe in his tourne other wise taken, be voyde and of none effect. This act to take effect at the first day of the said parliament & not before. An. 1.R.3.cap.4. This act was altered in part for the shires of South. Surrey & Sussex. An. 11.H.7.cap.26. & An. 19. H. 7.ca.16. But both these statuts be expired, as appeareth next following.

Bailife

Tournes

xx.s land

Copthold

Returne for.

Sheriffe Mortie

Proces

Shirifes of London Returne panels

13 ¶An. 11.H.7.ca.26. was an act made to endure to the next parliament ỳ sheriffes in their turnes in the shires of South. Surrey, and Suffex might returne iurrours of x.s. freehold, or 13.s.4.d. copthold, & for lacke of such, other of no lande. And after An. 12. H.7.cap.16. this act was continued to endure for the next parliament.

Essoigne

14 ¶The Sheriffes of London for the time being, haue ful auctoritie & power to returne in panels or arraies of al actions & suits now depending, or that shal depend in any of the sayd Courtes of Eschequer, persons being citizens, hauing goods to the value of a C. markes or above, to trie the issues ioyned, or to be ioined in every such action or suit. And the persons so returned, hauinge goods to the value of a C. markes, or above, shalbe sworne and do in al such iuries in likewise in every thing, as other persons shal do hauing lands and tenements at the yearely value of xl.s. ouer all charges. And ouer that be it &c. that the sheriffes of ỳ sayd Citie, for the time being, shal retourne vppon the first distresse in every such action or suit vppon every of the iurors empanelled to trie the issues therof, xx.ti. And vppon the second distres, vppon every of the same iurrours xl. ti. And vppon every distres after ỳ vppon every of the same iurrours the double, til ful iurie in every such action and suit shal appeare & be sworne to try ỳ issues ioyned in the same. And that the sheriffes that shall make any returne vppon such distres cõtrarie to the fourme aforesaid, shall forfait for every such default x.li. the one halfe thereof to be to the king, & the other halfe thereof to the partie ỳ wil sue therfore. And ỳ the defendant in any such action be not admitted to wage his lawe nor protection therein for him allowed. An. 4.H.8.cap.3.

Eschequer

C. Marks goods

First distresse xx.ti.

Seconde iii.s. iiii.d.

Forf. Mortie

15 ¶The said act be expounded, interpreted & taken, ỳ the sheriffes for the tyme being be bound to retorne at every first distresse of Nisi prius, to be had at the sayd S. Martins in every such action or suit, vppon every of the Iurrours impanelled to try the issues therof xx.ti. & vpon the second distres

Sheriffes

Nisi prius

of

of Nisi prius, dyō euery of the same iurrors xl.ō. And vpon euery distresse of Nisi prius after that, euery of the same iurrours ẏ double, til a ful iury in euery such action and suit shall appeare and be sworne to trie the issue ioyned in the same.

iii.s.iiii.d.

And that no sherife of the said citie or other anie thing forfapt, by force or colour of the said estatute, for any returne to be made except onely vaine returnes to be made cōtrary to ẏ forme, declaration, interpretatiō, & exposition of this estatut, ẏ is to say, vpon writs of distresses before Justices or iustice of Nisi prius win the said citie, & that vpon al other writs & processes that be & shalbee awarded out of ẏ said courts or Eschequer, it shalbe lawfull to the sheriffes for the time being to make their returnes according to the order of the lawe, as the sherifes of Lōdon were wont to do before the making of the said statute, without any losse or forfayture. An. 5. H. 8. ca. 5.

Returnes

16 ¶ Euerie person and persons beeyng the kinges naturall subiect borne, which either by name of a citizen, or of a free mā, or anie other name doth enioy and vse the lyberties & priuiledges of anie citie, borough, or towne corporate, where he dwelleth and maketh his abode, being worth in mouable goods and substance to the cleare value of xl. li. be from henceforth admitted in triall of murders and felonies in euery sessions and gailes of deliuerie, to be kept and holden in & for the libertie of such cities, boroughes, or towne corporate, albeit they haue no freeholde: anie act, statute, vse, custome, or ordinance to the contrarie hereof notwithstanding. Prouided alway, that this act do not extend to anie maner of wise to anie knight or esquier dwelling, abyding, resorting in or to anie such citie or borough corporate, anie thing in the same act mēcioned or declared to the contrarie hereof notwythstandinge. An. 23. H. 8. ca. 13.

Citizen

Triall of murder Felony

No freehold

Knight Esquier

17 ¶ In euerie case where such persons as should passe vpon the tryall of anie issue ioyned in anie of the kynges courtes of recordes, commonly holden at Westminster ought by lawe to dispend xl.s. by the yeare, of free holde for terme of life, that the writs of Venire fac. which from and after ẏ first day of Aprill next comming shalbee awarded and directed for the empanelling of such persones as shall trie the same issue, shalbee in this forme. Rex &c. Precipimus &c. quod Venire facias coram &c. xii. liberos & legales homines de vis. de W. quorum quilibet habeat quadraginta solidorum terre tenemētorum vel redditum per ānum ad minus, per quos rei veritas melius sciri poterit. Et qui nec &c. And so forth the residue of ẏ sayd writ after the auncient fourme. And in euerie case where it is not requisite, that ẏ persons that shall passe vpon the tryall of any issue ioyned in any of the kinges courtes aforesaid, shall dispend forty shillinges by the yeare of freeholde, that then the writtes of Venire facias, that shalbe awarded after the saide first day of Aprill shalbee made after the fourme aforesaide, omitting this clause quorum quilibet habeat quadraginta solidorum terre ten. vel redditum, per ānum ad minus. And that vpon euerie such writ and writtes of Venire facias they shall haue the sayde clause. Quorum quilibet &c. the sherife or other minister or ministers, to whom the making of the panell shall appertayne, shall not returne in anie suche panell anye person, vnlesse hee may dispend forty shyllinges by the yeare at the least of estate of freeholde out of auncient demesne within ẏ countye, where the issue is to be tried. And also shall returne in euerie such panell vpon the same Venire facias, sixe sufficient hundredours at the least, if there be so manye hundredours within the said hundred where the beneu liyeth vpon paine to forfait for euery person beinge returned in anie suche panell, that cannot dispend forty shillinges by the yeare, as is aforesaid, xx.s. And for euerie hundredor, that shalbe omitted in such returne of the number aforesaid, xx.s. And in euery writte of Venire facias wherin the saide clause, Quorum quilibet &c. shalbee omitted, the sherife or other minister or ministers to whom the making of the panell shall appertaine, shall not returne in anie such panell anie person, vnlesse hee may dispend some landes or tenements of estate of freeholde, oute of auncien demesne, wythin the countie where ẏ issue is to be tried. And also shall returne in euery such panell vpon the same Venire facias, sixe sufficient hundredours at ẏ least, if there be so many hundredours within the said hundred where the beneu liyeth, vpon like pain as is aforesaid. And furthermore be it &c. that vpon euerie first writ of Habeas corpora or Distringas with a Nisi prius, delinered of record to the sherife or other minister or ministers, to whom ẏ making of the returne shal appertaine, the said sherife & other minister and

xl.s.freehold

Venire fac.

Sherife

Auncien demesne

Forf.

vi. Hundredours

Habeas corpora Distringas

Iſſues

v.s.

x.s.

xiii.s.iiii.d.

Fort.

Tales

Challenge

miniſters ſhall from & after ẏ ſaid firſt day of Aprill, returne in iſſues vpon euery perſõ impanelled & returned vpon any ſuch writ, at the leaſt v.s. And at the ſecond writte of Habeas corpora or Diſtringas, with a Niſi prius, vpon euery perſon impanelled and returned vpon any ſuch writ x.s. at ẏ leaſt. And at the third writ of Habeas corpora or Diſtringas, with a Niſi prius, ẏ ſhalbe further awarded vpon euery perſon impanelled and returned vpon ſuch writ xiii.s.iiii.d. And vpõ euery writ ẏ ſhalbe further awarded to trie any ſuche iſſues, to double ẏ iſſue laſt before ſpecified, vntil a full iury be ſworn or the proces otherwiſe ceſſed or determyned, vpon paine to forfayt for euery returne to be made contrarie to the fourme aforeſaid fiue pound. And for a more ſpeedy trial of iſſues to be tried by the verdict of xii.mẽ hereafter to be had. Be it further &c. that in euerie ſuche writ of Habeas corpora or Diſtringas with a Niſi prius, where a full Jurie ſhall not appeare before the Juſtices of aſſiſe or Niſi prius, or els after appearance of a full iury, by challẽge of any of the parties, ẏ iury is like to remain vntaken for default of iurors, that then the ſame Juſtices vpon requeſt made by the partye playntife or demaundant, ſhall haue auctoritie by vertue of this acte to commaunde the ſherife or other miniſter or miniſters to whom ẏ making of ẏ ſaid returne ſhal appertain, to nãe and appoynt as often as nede ſhal require ſo many of ſuche other able perſones of the ſayde countie then preſent at the ſayd aſſyſes or Niſi prius, as ſhall make vp a full iurie, which perſons ſo to be named & impanelled by ſuche Sherife or other miniſter or miniſters ſhalbe added to the former panell and their names annexed to the ſame. And that euerie of the parties ſhall & maye haue his or their challenge to the iurours ſo named, added, and annexed to the ſayde former panell by the ſayde ſherife or other miniſter or miniſters, in ſuch wiſe as they had bene enpanelled vppon the Venire facias awarded to trie the ſayde iſſue. And that the ſayd Juſtices ſhal and may proceede to the triall of euerie ſuch iſſue with thoſe perſons that were before impanelled and returned, and with thoſe newly added and annexed to the ſayd former panell by vertue of this act in ſuch wiſe as they might or ought to haue done, if all the ſayde iurours had bene returned, vppon the writ of Venire facias, awarded to trie the ſaid iſſue. And that al and euerie ſuche triall had after the firſt daye of Aprill, ſhalbe as good and effectuall in the lawe, to all intents, conſtructions and purpoſes, as if ſuch tryall had bene had and tried by twelue of the iurors impanelled and returned vppon the writ of Venire facias awarded to trie ſuche iſſue. And in caſe ſuche perſonnes as the ſayde ſherife, miniſter or miniſters ſhall name and appoynt as is aforeſaide, or ame of them after they ſhalbe called, be preſent and do not appeare, or after his or their apparance, do wilfully with drawe him or themſelues from the preſence of the court, that then ſuch Juſtices ſhal and may ſet ſuch fine vpon euerie ſuche iurrour default, or wilfully withdrawing himſelfe as is aforeſaid, as they ſhall thinke good by their diſcretion, the ſaide fine to bee leuied in ſuch maner and forme, as iſſues forfaited and loſt by iurours for default of their apparaunce at the common lawe, haue bene accuſtomed to bee leuied. And be it further &c. that where any urie ſhalbee returned by the ſherife or other miniſter or miniſters, ſhalbee made full by the commaundement of the ſayd Juſtices by vertue of this preſent acte, that yet neuertheleſſe ſuch perſones as were returned in the ſaide panel by the ſherife or miniſter or other miniſters to trie anie ſuche iſſue that ſhall not appeare, but make default, ſhall loſe the iſſues vpon the retourned in ſuche wiſe as though the ſame Jurie hadde remayned for default of Jurrours.

Appeare
Depart without licence
Fine
Default
Iſſues

Prouided alway, and bee it enacted that vppon a reaſonable excuſe for the default of apparaunce of anie iurour or iurroures, ſufficiently proued before the Juſtices of aſſiſe of Niſi prius at ẏ day of their apparãce by ẏ othes of two lawfull and honeſt witneſſes, that the ſame Juſtices ſhall haue auctoritie by their diſcretions to diſcharge euerie ſuch Jurrour of euerie ſuche forfeiture of iſſues vppon him returned. And that the ſherife and ſherifes or other miniſter or miniſters, hauing commaundement by the ſayd Juſtices to omit ẏ retourning of ſuch iſſues as is aforeſaide, vppon ſuche iurrour or iurrours, ſhalbe therein diſcharged of the penalties aforeſaid, for the nen returning of ẏ ſaid iſſues, and that yet notwithſtandynge ẏ ſaid returne to be good and effectual in the lawe, any lawe, vſage, or cuſtome to the cõtrary notwithſtanding.

Excuſe
Witneſſes
Diſcharge
Sherife

Prouided alſo that if the ſayde Juſtices, afore whõ anie ſuch iurie ſhould appeare in the

Juſtices

the countie where such issue is to be tried by vertue of a writ of Nisi prius, do not come at the day and place appointed, but that the assise or Nisi prius for that time shalbee discontinued for not coming of the said Justices, or for anie other occasion, other then by default and lache of iurours: that then euerie one of the same iurours shalbee discharged for forfeiting of anie issues vpon him returned in ỳ same writ. And the sherife or other minister or ministers shalbee likewise discharged of the penalties of this estatute, for that non returning of such issues, as are before limitted in this acte: anye article or sentence herein conteined to the contrarie notwithstanding. And be it &c. ỳ if vpon any such writ of Habeas corpora or Distringas, with a Nisi prius, issues be returned vpõ any hũdredours, iurour or iurours by the sherife or other minister or ministers, to whom the execution of the same writ or writs shall appertaine, where as the same hundredours & iurrours shall not bee lawfully summoned, warned, or distrained in that behalfe: ỳ then euerie such sherife or other minister or ministers aforesaid, shal lose for euery such offence cõmitted, double so much as the sayde issues returned vppon suche hundredours or iurrours not lawfully summoned, warned, or distrained, shal amount vnto: the moytie of all which forfaitures cõteined in this present act, other then the issues to be returned vpon the iurrours as is aforesaid, shalbee to the king, & the other halfe to hym that will sue for ỳ same by action of debt &c. in which &c. Sauing to all maner of persons and bodies politique & corporate, their heires and successours (hauyng lawfull right, title, and interest, to haue such issues, to be before any suche Justices of assise or Nisi prius at anye tie or times herafter lost or forfaited) al such right, title, & interest as they or any of them should or might haue had to such issues to be lost & forfaited, as though this act had neuer bene had or made. Prouided also ỳ this acte nor any thing therin conteined, shal not extend to anie citie or towne corporate, or anye sherife, minister or ministers in ỳ same, for ỳ return of any inquest or panel to be made & returned of persons inhabiting in the said cities or towns corporate, but ỳ they & euerie of thẽ, shal & may returne such persones in euery such inquest or panel, as before this time they might & haue bene accustomed to do, & as this act had neuer ben had or made, so that ỳ same sherife, minister or ministers returne vpon such persons as shalbe impanelled, like issues as are mencioned in thys act, any thing in ỳ same to the cõtrary notwithstanding. This act to endure to ỳ ende of the nert parliamẽt. An. 35. H. 8. ca. 6. This act is continued. 37. H. 8. ca. 22. & after 2. E. 6. ca. 32. is made perpetuall.

Discharge of forf. Sherife

Habeas corpora Distringas Issues Sherife

Forf.

Not summoned

Moitie

Bodies politique.

Citie

Returne

18 ¶ Bee it enacted &c. ỳ frõ & after the first day of June nert cõming, ỳ Justices of assise & Nisi prius before whõ any trial shalbee made by vertue of any writ of Habeas corpora or Distringas wt a Nisi prius, where a full Jury shal not appeare, or after appearance of a ful Jury, by challenge, the iurie is like to remayne vntaken, for default of iurrours: shal haue auctority by vertue of this act, vpõ request made for ỳ king & Quẽne, her heires or successors, by anye auctorised thereunto, or assigned by the Justices of the court before whom the said enquest shalbee taken, or vpon request to be made by ỳ partie ỳ followeth aswel for the king & Quẽne her heires & successors, as for himselfe vpon any penal statut, or his, or their Attorney: to commaunde the sherif, or other minister or ministers, to whom the making of the said returne shal appertaine, to name & appoint, as often as nede shal require, so many of such hable persons of the said countie then present at the said Assises, or Nisi prius, & to adde & anner the names to ỳ former panel, as shall make a ful Jurye of xij. men, for the triall of euery such issue. And ỳ al & euery clause, sentence, article, & prouiso comprised in the said former act (s. the acte in An. 35. H. 8.) shalbe taken, interpreted, & expounded to geue the like and the same aduantage & cõmodity to the king & Quẽnes Maiesties, her heires & successors, & al & such person & persons, as shal pursue any action, bil, plaint, or information for the king and Quẽns Maiesties, her heirs & successors only, or for thẽ & the partie, as ỳ party plaintif in any other actiõ, should or might haue, by vertue of the said act, in forme & condicion, to al intentes & purposes, as if such actions or suits for the king had ben specially & particulerly mencioned & declared in the sayd acte. An. 4. & 5. P. & M. cap. 7.

Iust of all.

Habeas corpora Distringas

Full iury

Challenge

Penal statut

Sherife

Tales

19 ¶ Beit enacted, that in euery of the shires of Wales, that is to say, Pembroke, Karmarthen, Cardigan, Brecknock, Anor, Glamorgan, Mountgomery, Denbigh, Flint, Merioneth, Angleſey, Carnaruan, & in ỳ countie palantine of Chester, & in ỳ said county palantine of Durham, & in the sayd

County pa.

county palantine of Lancaſter, where a full iury ſhall not appeare before the Juſtices of the great ſeſſion in any of the ſaid ſhires or countye palantines, or their deputies there, or els after apparance of a ful iurie, by chal-
Challenge lenge of any of the parties, the iury is lyke to remaine vntaken, for ẏ default of iurors: that then the ſame Juſtices, in euerie of the ſame ſhires, & county palantines for ẏ time being, or their deputy or deputies, vppon requeſt made by the party plaintife or demãdaunt, ſhal haue ful auctheritie by vertue of this act, to cõmaund ẏ ſherife or other myniſter or miniſters to whom the making of the ſaid returne ſhal appertaine, to name & appoynt, as often as nede ſhall require, ſo
Tales many of ſuch other able perſons of the ſayd counties then preſent at the ſaid great ſeſſion, as ſhal make vp a full iurie, which perſons ſo to be named & impanelled, by ſuche ſherif or other miniſter or miniſters, ſhalbe added to the former panell and their names annexed to the ſame. And that euery of the parties ſhal & may haue his or their challẽge to the iurours ſo named, added, & annexed to the ſaid former panel, by the ſaid ſherif or other miniſter or miniſters, in ſuch wiſe as if they had bene impanelled vpon ẏ Venire facias, awarded to trie the ſaid iſſue. And ẏ
Juſtices the ſaid Juſtices, and euery of them, & their deputie or deputies, ſhall and may proceede to the triall of euery ſuch iſſue vñ thoſe perſons that were before impanelled & returned, and with thoſe newly added & annexed to the ſaid former panell, by vertue of this acte, in ſuche wiſe as they might or ought to haue done, if all the ſayde iurours had bene returned vpon the writ of Venire facias, awarded to trie the ſaide iſſue. And that all & euery ſuche triall had, ſhall bee as good and effectual in the lawe, to all intentes, conſtructions, and purpoſes, as if ſuch triall had bene had & tried by xii. of the iurours impanelled and returned vpon the writ of Venire facias, awarded to trie ſuch iſſue. And in
Venire fac. caſe ſuch perſons as ẏ ſaid ſherife, miniſter or miniſters ſhall name and appoynt as is aforeſaide, or any of them, after they ſhalbe called, be preſent and do not appeare, or after his or their apparance, do wilfully withdraw him or themſelues from the preſence of the court, that then ſuch Juſtices or their
Appeare Depart Without leence Fine deputies, ſhall and may ſet ſuch fine vppon euerie ſuch Jurour makinge default or wilfully withdrawing him ſelfe as aforeſayde, as they ſhall thinke good by their diſcretion, the ſayd fyne to be leuied in ſuch maner and fourme, as iſſues forfayted, & loſt by iurours for default of their apparance: as is prouyded by the lawe and cuſtome of the ſaid coũtries of Wales, and counties Palantynes aforeſayd where ſuche iſſues are forfayted. And be it further enacted by the auctheritie aforeſaide, that where any iurie that ſhalbe returned by the ſherife or their miniſter or miniſters, ſhalbee made full by the commaundement of the ſayde Juſtices or other deputies, by vertue of this preſent act, that yet neuertheleſſe ſuche perſons as were returned in the ſaide panell, by the Sherife, or other miniſter or miniſters, to trie anie ſuche iſſue, that ſhall not appeare, but make defaulte, ſhall loſe the iſſue vppon them returned, in ſuche wyſe as though the ſame iurye hadde remayned for default of Iurours.

Prouided alwaies, and be it further enacted, that vpon a reaſonable excuſe, for ẏ de- Excuſe fault of appearance of any Jurour or Jurors, ſufficiently proued before the Juſtices of the great Seſſions, or their deputies, in the countries and counties Palantines aforeſaid, at the day of their appearance, by the Othes of two lawfull and honeſt wyt- Witneſſes neſſes: that the ſame Juſtices ſhal haue auctheritie by their diſcretions, to diſcharge euery ſuch Jurour, of euery ſuch forfaiture of iſſues vppon hym returned, and that the ſaid Sherife or Sheriffes, or other miniſter or miniſters, hauyng commaundement by the ſaid Juſtices, to omit the returninge of ſuch iſſues, as is aforeſaid, vppon ſuch Jurrour or Jurours, ſhalbee therein diſcharged of the penalties aforeſaide, for the none Diſcharge retourning of the ſaide iſſues, and that yet notwithſtanding, the ſaid returne to be good and effectuall in the lawe: any law, vſage, ordinance, or cuſtome, to the contrary notwithſtanding.

Prouided alſo, & be it enacted by the auctheritie aforeſaid, that if the ſaid Juſtices or deputies, afore whom any ſuch Jury ſhould appeare in the ſhires or Counties Palantines, where ſuch iſſues to be tried, doe not Juſtices do not come come at the day and place appointed: ẏ then euery one of the ſame Jurors, ſhalbee diſcharged, for forfaitinge of any iſſues vppon hym returned in the ſame writ. And ẏ ſherife or other miniſter or miniſters, ſhalbee likewiſe diſcharged of the penalties of this eſtatut, for ẏ none returning of ſuch iſſues, as are before limitted in this act: any article

or

or ſentence herein contained to the contrarie notwithſtanding.

And alſo bee it further enacted by ỹ auctho*r*itie afo*r*eſaid, that if vpon any ſuch writ of Habeas corpora o*r* Diſtringas iſſues bee returned vppon any hund*r*edours, iurour o*r* iurours by the Sherife o*r* other miniſter o*r* miniſters, to whom the execution of the ſame writ o*r* writs ſhall appertaine, where as the ſame hund*r*edours and iurours ſhall not be lawfully ſummoned, warned o*r* diſtrained in that behalfe, that then euery ſuch ſherif o*r* other miniſter o*r* miniſters afo*r*eſaid, ſhal loſe fo*r* euery ſuch offence ſo committed, double ſo much as the ſaid iſſues returned vppon ſuche hund*r*edours o*r* iurours not lawfullye ſummoned, warned, o*r* diſtrayned ſhal amount vnto, the moitie of al which fo*r*faytures contayned in this preſẽt acte, other then the iſſues to bee retourned vppon the iurours as is afo*r*eſaide, ſhall bee to the Quæne our ſoueraigne Ladye, her heires and ſucceſſoures, and the other halfe to hym that will ſue fo*r* the ſame by action of debt, bill, playnt, o*r* info*r*mation, in the Quæne her graces great Court within the ſayde countie where ſuche fo*r*fayture ſhall happen to bee befo*r*e the ſayde Juſtices, his o*r* their deputy o*r* deputies, in which no Wager of lawe, eſſoigne, o*r* p*r*otection ſhalbee allowed ne admitted. Sauing to all maner of perſons and bodies politike and co*r*po*r*at, their heires and ſucceſſours, hauing lawfull right, title, & intereſt to haue ſuche iſſues to be befo*r*e any ſuch Juſtices o*r* their deputies at any time o*r* times hereafter loſt and fo*r*faited, all ſuch right, title, & intereſt as they o*r* any of them ſhould o*r* ought to haue had to ſuche iſſues to bee loſt and fo*r*fayted, as though this act had neuer ben had o*r* made. P*r*ouided alſo that this acte no*r* any thinge therein conteyned ſhall not ertende to anie citie o*r* towne co*r*po*r*ate, o*r* to anie ſherife, miniſter o*r* mynyſters in the ſame, fo*r* the returne of any inquell, o*r* panel, to bee made & returned, of perſonnes inhabitinge in the ſayde Cities o*r* townes co*r*po*r*ate, but that they and euerie of them, ſhall and may returne ſuch perſons in euerie ſuch inquell o*r* panell, as befo*r*e this time they myght and haue bene accuſtomed to do, & as if this acte had neuer ben had o*r* made, ſo that the ſame ſherife, miniſter o*r* miniſters, retourne vpõ ſuch perſõs as ſhalbe impanelled, ſuche lyke and reaſonable iſſues as they ought to returne: any thinge in the ſame contayned to the contrarie notwithſtandinge, Anno. 5. El. cap. 25.

Habeas corpora

Not warned

Sherife

Moitie

Bodies politike

Citie

See Triall. 4. 12. vvhat ſtraungers ſhal & may be Iurours,

Fo*r* the auoiding of great and chargeable delayes oftentimes happenynge vnto tenauntes, and defendauntes: Bee it enacted, that in all caſes whereas the partye playntiſe o*r* demaundaunt, by any ſtatute heretofo*r*e made, maye haue vppon his o*r* their requeſt made vnto ỹ Juſtices of Niſi prius within this Realme of Englande, o*r* to the Juſtices of Oier, o*r* of aſſiſes, of the twelue ſhires of Wales, and the counties Palantines of Lancaſter, Cheſter, and Durham, & Tales de circumſtantibus, that in al and euerie ſuch caſe and caſes, the partie and parties, tenauntes, actours, auowaunts, and defendauntes (if the playntifes o*r* demaundauntes ſhall vppon the calling of the p*r*yncipall pannell o*r* iurie, fo*r*beare o*r* refuſe to pay the ſame) ſhall and may vppon hys o*r* their requeſt o*r* deſire, haue vppon the ſame reco*r*de, and by the ſame Juſtices, the tales o*r* taleſſes vnto them graunted in lyke maner, fourme, and degree, to all reſpects and purpoſes as the playntife o*r* demaundaunt in any ſuit o*r* actyon may haue the ſame, by anye ſtatute o*r* o*r*dinance heretofo*r*e made, o*r* ſette fo*r*th, and the rather fo*r* the ſpeedye tryall of the iſſue and iſſues ioyned o*r* hereafter to be ioined, in any plee, ſuit, o*r* action, any law, cuſtõe, o*r* vſage heretofo*r*e vſed to ỹ cõtrary therof in any wiſe notwĩſtãding.

Wales

Counties pal.

Tales de circumſtantibus

Tales

P*r*ouided alſo, and bee it further enacted by the auctho*r*itie afo*r*eſaide, that all populer actions, info*r*mations, billes o*r* ſuites, commenced o*r* had o*r* hereafter to bee commenced o*r* had in anie the Quænes Mateſties Courtes of reco*r*de, vppon anie penall lawes o*r* Statutes, wherein anye perſon doth, o*r* ſhall ſue, o*r* p*r*oſecute, o*r* informe, as well fo*r* the Quænes Mateſtie, her heirs and ſucceſſoures, as fo*r* hym ſelfe, wherevppon iſſue is o*r* ſhalbee ioyned to bee tryed by the countrey, that therein the partie defendaunt o*r* defendauntes, ſhalbee admitted to p*r*ay and haue a Tales de circumſtantibus, as in other caſes afo*r*eſayd. Anno 14. El. cap. 9.

Popular actions

Tales

¶ Iuſtice & right & Iuſtices.

That it ſhall not bee commaunded by the great ſeale no*r* the litle ſeale, to diſturbe o*r* delay common right. And though ſuche

Commaundement

commaundementes do come: the Juſtices ſhall not therefore ceaſe to do ryght in ante point. An. 2. E. 3. cap. 8.

Othe

2 ¶ Ye ſhall ſweare, that well and lawfully ye ſhal ſerue our ſouereigne lorde the king, & his people in ỳ office of iuſtice, and ỳ lawfully ye ſhall counſaile the king in his buſines, and that yee ſhall not counſaile, nor aſſent to any thing, which may turne hym to damage or diſherſõ, by any maner way or colour. And that ye ſhal not know ỳ damage or diſherſon of him whereof ye ſhall not do him to be warned by your ſelfe or by other, and that ye ſhall do euen law & execution of right, to all his ſubiects, rich & poore, without hauing regard to any perſon. And ỳ ye take not by your ſelfe or by other priuily nor apertly, gift nor reward of gold nor ſiluer, nor of any other thinge which maye turne to your profit, vnleſſe it bee meate or drinke, and of ſmal valure, of any man that ſhall haue ante plea or proces hãging before you, as long as the ſame proces ſhall ſo bee hanging, nor after the ſame cauſe, And that ye take no fee, as long as yee ſhalbe Juſtice, nor robes of any man great or ſmall, but of the king him ſelfe. And that yee geeue none aduiſe, nor counſayle to no man great nor ſmall, in no caſe where the kinge is partie. And in caſe that ante, of what eſtate or condition they be, come before you in your ſeſſions, with force and armes, or otherwiſe againſt the peace, or againſt the forme of the ſtatute thereof made, to diſtourbe execution of the common law, or to manace the people, that they may not purſue the lawe, that ye do their bodies to bee arreſted, and put in priſon: And in caſe they be ſuch, that ye may not arreſt them, that ye certifie the kyng of their names, and of their miſpriſion haſtely ſo that he may thereof ordeyne a conenable remedy: And that ye by your ſelfe, nor by other priuily nor appertly, maintaine anye plea or quarell hanging in the kinges court or elſe where in the countrey: And that yee deny to no man common right, by ỳ kings letters, nor none other mans, nor for none other cauſe, and in caſe ante letters come to you contrary to the law, that ye do nothing by ſuch let, but certify the king thereof, and go forth to do the lawe, notwithſtandinge the ſame letters. And that yee ſhall do and procure the profite of the kinge, and of hys crowne, with all things where ye may reaſonably do the ſame. And in caſe yee bee frõ henceforth founde in default in anye of the pointes aforeſaide, yee ſhalbe at the kinges will, of bodie, lands and goodes, thereof to bee done as ſhall pleaſe hym, as God you helpe and all Saintes. Anno 18. Edvvardi 3. ſtat. 3.

3 ¶ We greatly moued of conſcience in this matter, and for this cauſe deſiringe as much for the pleaſure of God and quietneſſe of our ſubiectes, as to ſaue our conſcience, & for to ſaue and keepe our ſaide othe, by the aſſent of the great men, and other wiſe mẽ of our counſaile, we haue commaunded all oure Juſtices, that they ſhall from henceforth do euen lawe and execution of right to all our ſubiectes rich and poore, without hauing regard to any perſon, and without letting to do right for any letters or commaũdement, which may come to them from vs or from anye other, or by anye other cauſe. And if ỳ any letters, writs, or commaũdements, come to the Juſtices, or to other (deputed to do lawe and right according to the vſage of the Realme,) in diſturbance of the lawe, or of the execution of the ſame, or of right to the parties: the Juſtices, and other aforeſaid ſhall proceede & holde their courts and proceſſes where the pleas and matters be depending before them, as if no ſuch letters, writs, or commaundementes were commen to them. And they ſhall certify vs and our counſaile of ſuch commaundemẽts which be contrarie to the lawe, as afore is ſaide. And to the intent that oure Juſtices ſhoulde doe euen ryght to all people in the maner aforeſaid, without more fauour ſhewing in one more thẽ to an other, we haue done our ſaid Juſtices to bee ſworne, ỳ they ſhall not from henceforth, as longe as they ſhalbee in office of iuſtice, take fee nor robe of any man, but of our ſelfe. And they ſhall take no gift nor reward by thẽ ſelfe nor by other, priuily nor appertly, of any man that hath to do before them by any ways, except meate & drinke, & that of ſmall valure, and ỳ they ſhall gene no coũſell to great man nor ſmall, in caſe where wee be partie, or which do or may touch vs in any point, vpõ paine to be at our will body, lands, & goodes, to do thereof as ſhall pleaſe vs, in caſe they do cõtrarie. And for this cauſe we haue encreaſed the fees of ỳ ſame our Juſtices, in ſuch maner that it ought reaſonably to ſuffiſe them. An. 20. E. 3. ca. 1.

Letters

4 ¶ In the right of the barons of ỳ Eſchequer, wee haue expreſſely charged them in our preſence, that they ſhall do right and reaſon

Barons of the Eſchequer

reason to all our subiectes great and small. And that they shall deliuer the people reasonably and without delaye of the busines which they haue to do before them, without vndue tarying, as hath bene done in tymes past. An. 20. E. 3. ca. 2.

5 ¶Item we haue ordeined, that al they which shalbe Iustices assigned by cõmissyon to heare and determine, and such as shal be associat to them, and also Iustices of assises to bee taken in the countrey, and of gaole delyuerie, and suche as shalbee assigned and associat to them, shall make first suche an othe in certaine pointes, according as to them shalbee enioyned by our counsaile, or our Chaunceric, before that anie commission bee to them deliuered. Anno 20. Ed. 3. capitulo 3.

Othe

¶Iustices in eire.

IUsticers in eire from henceforth shall not amerce Townelhippes in their Circuits, because all being twelue yeares olde came not afore the sheriffes & Cozoners, to make enquiry of robberies, burnings of houses, or other thinges pertayning to the Crowne, so that there come sufficient out of thole Townes, by whom such enquests may be made full, except enquestes for the death of man, whereat all, beinge twelue yeares of age, ought to appeare, vnlesse they haue reasonable cause of absence. Marleb. capit. 24. An. 52. H. 3.

Amerce townelhipps
Sheriffes Enquire
Enquests
xii. yeres old

2 ¶For as much as the common fyne and amerciament of the whole countie in eire of the Iusticers for false iudgementes, or for other trespallers, is vniustlye assessed by sheriffs and extorcioners in the shires, so that the same is many times encreased, and the parcelles otherwyse assessed then they ought to bee, to the dammage of the people which be many times payed to the shirifes and extorcioners, which do not acquite the payers. It is prouided, & the king will, that from henceforth suche summes shalbee assessed before the Iusticers in eire afore their departure by the othe of knyghts and other honest men, vppon all such as ought to pay. And the Iustices shall cause the parcels to be put in their estretes which shalbe deliuered vp into ỳ Eschequer, and not the whole summe. W. 1. cap. 18. An. 3. E. 1.

Amerce False iudgement
Shirifes Extorcioners
Knights
Estretes Eschequer

3 ¶Whereas in the circuit of Iusticers, it was proclaimed, ỳ all such as would deliuer writtes, shoulde deliuer them within acertaine tyme, after which no writte shoulde be receyued: many trusting vppon the same, and tarying vntil the laste tyme, and no writ serued vppon them, departed by lycence of the said Iusticers, after whose departure, their aduersaries perceiuing their absence, deliuered their writtes in ware, which many times by fauour, & sometimes for rewards, be receiued of the Sherife, and they that thought to haue departed quyte, leese their Landes. For the remedy of such fraude, from henceforth the kinge hath ordeyned, that the Iusticers in their circuits, shall appoynte a tyme of fifteene dayes, or a moneth, or a time more or lesse (after as the countie shall happen to bee more or lesse) within which time it shalbee openlye proclaimed, that al such as will deliuer their writtes, shall delyuer them before the same time. And when the tyme commeth, the Sherife shall certifie the Chapiters before the Iusticers in Eire, how many writtes hee hath, and what, and that no writ bee receyued after the same time, and if it bee receyued, the proces issuynge thereuppon shalbe of none effect: but only ỳ a writ abated any time during the circuite shalbee amended. Also writts of dower of men that died within the Sommons of the circuite, assises of Darrein presentment, Quare impedit, of Churches vacant, within the foresaid summons, shalbe receyued at any time before the departure of the Iusticers, also writs of Nouel disseisin shalbe receyued in the circuite of Iusticers. Westminst. 2. capit. 10.

Writs
Licence
Fraude
xv. dayes
Proclamatiõ
Sherife Certificat
Writ abated Amend
Dower
Darreine pres. Quare imp.
Nouel diss.

4 ¶At the beginninge of the Iustices circuit about the Othe, thou shalt knowe, that in the first comming of the Iustices in their circuite, the writ shalbee read in the open Court, by the which their auctho̅itie is graunted vnto them. Moreouer it shalbe commaunded, that nothing shalbe done in the Towne or in the Countie, vnlesse it be before the Iustices, or in the citie, by reason of their comming. And that no Faires neither Markets be kept, but that the countie be holden onely to do profers, but no plee shalbe pleaded therein, but a writ of Right, and appeale of the death of a man. Moreouer it shalbe commaunded, that no Hosterie be hyred, but be graunted freely to them that come. The othe of the Sheriffes and other Officers. This Othe shalbee made by the Sheriffes and Vndersheriffes. Thys heare you Iustices, that I shal lawfully do

Othe
Writ
Faires
County
Writ of Right
Appeale
Hosterie
Sheriffs Othe

thoffice which is belonging to my countie, and to mée, as to a ſherife, and that I will not leaue for riche nor for poore, neyther for loue, nor for gaine, but that I will lawfully do it, ſo God me helpe and his Sayntes. This othe ſhalbe made by the miniſters of the Sherykes when they ſhall electe two knightes. This heare you Iuſtices that I ſhall lawfully chooſe two knightes and two other honeſt men of ẏ hundred of N. which are not appealors nor appealées, nor maintenors of pleas which touch the corone, and which beſt knowe and will do that whych ſhalbée commaunded them on the kynges behalfe, and wil not leaue that which to my knowledge I ought lawfully to do, ſo God me helpe and his Saintes. This othe ſhalbe made by the knightes cholen by the foreſaid miniſters. This here you Iuſtices, that we ſhall lawfully chooſe aſwel of our ſelues as of other honeſt mẽ of our hundred, which ſhall beſt knowe and will, and may ſay the truthe, of that which ſhalbe demaunded thẽ on the kynges behalfe, and which are not appealours nor appealées, nor maintenors of pleas which touche the Corone, and will not leaue for anye thynge which I ought lawfullie to doe, ſo God me helpe and hys Saintes. This othe ſhalbée made by the twelue knightes, when they arre cholen by two. This heare you Iuſtices that I ſhall lawfully ſaye, and lawfully doe that whych ſhalbe demaunded of me on the kinges behalfe, and ſhall kéepe ſecrete your counſels, and ſhall not for anie thing leaue to do that which to my knowledge I ought to do, ſo God me helpe and his Sayntes. This othe ſhalbée made by all bayliſes otherwiſe then firſt. This heare you Iuſtices that I ſhall lawfullie do that which belongeth to mine office, and ſhall kéepe ſecrete your counſels, neyther ſhall I gréeue ante man for enuie, nor helpe him for fauour, ſo God mée helpe and his Sayntes. When all the articles of euerie hundred ſhalbe delyuered to ẏ twelue Iurours of ẏ Countie, and then time ſhalbe appoynted them to géeue their verdictes, vppon payne of the kinges mercye. And if they geue not their verdictes they ſhalbe amerced, as the Iuſtices ſhal ſéeme beſt. Articles and othes of the kinges miniſters in the Iuſtices circuit.

knightes

Othe

Othe

Bailifes

Articles

Verdict

Amerce

5 ¶See in the nevv printed booke commonly called Magna Charta late printed by Rycharde Tottell. Anno Domini 1556. folio 150. in a Chapter intituled capitulũ itineris, vvhat thinges be inquirable before Iuſtices in eire, and diuers matters concerning the eires.

¶Iuſtices of aſſiſes.

FRom hencefoorth there ſhalbée aſſigned eight circumſpect and diſcréete Iuſtices, to take Aſſiſes, Iuries & certificats through the whole realme, that is to ſaye, two in the Counties of Yorke, Northumberlande, Weſtmerl. Cumberland, Lancaſter, Nottinghã, & Derby, & ij. in ẏ counties of Lincolne, Leiceſt. Warwick, Staff. Salopp, North, Rotl. Glouc. Herford, & Wigorne. And two in the counties of Cornewal, Deuon, Somerſet, Dorſet, Wilt. South, Oxon. Berke. Suſſex, and Surrey. And two in the counties of Kent, Eſſex. Suff. North. Chaunt. Hunt. Bed. & Buck. & the Aſſiſes, Iuries and Enqueſtes, of the Countie of Midd, ſhalbe taken before ẏ Iuſtices of the Bench, which ſaid viij. Iuſtices aſſigned to take the aſſiſes & certificates, as aforeſaid, ſhal ſpecially attende, & daylye thorough the whole yere, ẏ is to ſay, in the places where they thinke beſt, and moſt to the eaſe of the people. And the terme of the ſtatute laſt made at Weſt. of takinge of aſſiſes, in no wiſe ſhalbe obſerued. Nor no writs of aſſiſe, iuries, or recogniſãces ſhalbe graunted to be taken before any other Iuſtices, then before the foreſaid Iuſtices aſſigned, except it be of the ſpecial grace of the king. Statut of the Iuſtices of Aſſiſes.

Midd

Aſſiſe Certificat

Enqueſt

2 ¶The Iuſtices aſſigned to take aſſiſes, ſhall haue Commiſſions ſufficient of ſuch things to enquire. And that they ſhall enquire in their Seſſions, of Sherifes, Eſchetors, Bailifes of franchiſes, & their vnder miniſters, & al other, & alſo of Maintainors, common Imbracors, & Iurors in the countrey. s. of the giftes, rewardes, and other profits, which the ſaid miniſters doe take of the people, to do their office, & that, that pertayneth to their office, & for arrayning of panels, putting in ẏ ſame ſuſpect iurors, & of euil fame. And of that, ẏ the maintenors, imbracors, & iurors in the cõtrey do take gifts, rewards, & wages of the parties, whereby great gréefe commeth daily to the people, in ſubuerſion of ẏ law, & diſturbance of cõmon right. And to punish all thẽ which therof ſhalbe found guilty, according as law & reaſon requireth, aſwel at our ſuit, as at the parties. An. 20. E. 3. cap. 6.

Commiſſions

Enquirie Sherifes Eſchetors Bailifes Maintenors Imbracors Iurors

3 ¶The

Gaole delyuerye Chiefe townes

3 ¶The Justices assigned & to be assigned, to take assises & deliuer the gailes, shall from hēceforth hold their sessions in ẏ princypal & chiefe townes of the counties, where the shire courts of ẏ same counties bee holden, and hereafter shalbe holden. An. 6. R. 2. cap. 5.

Lawers

4 ¶Item it is ordeined & assented, ẏ no man of the law shalbe frō henceforth Justices of assises, or of the cōmon deliuerance of gailes in his owne coūtrey. And ẏ the chiefe Justice of the cōmon bench bee assigned amongest other to take such assises & deliuer gailes, but as to the chiefe Justice of ẏ kings bench it shalbe as for the most part of an C. yeres last past was wont to bee done. An. 8. R. 2. cap. 2. See heere followving 11.

his owne countrey Chiefe iust. of the common bench Chiefe iust. of the kings bench

Chaunceloz

5 ¶The Chauncelour of Englande for ẏ time being, shal haue power to order & redresse by the aduise of the Justices, frō time to time when nede shalbe, notwithstanding the statut aforesaid, that is to say of An. 6. R. 2. cap. 5. before 5. An. 1. R. 2. ca. 22.

Lord

6 ¶No Lorde nor other of the countrey litle nor great, shal sit vppon the bench with the Justices to take assises in their Sessions in the Countyes of England, vppon great forfaiture to the king, and hath charged his sayd Justices, that they shal not suffer the contrary to be done. Anno 20. R. 2. cap. 3.

Commission

7 ¶The Justices assigned & to be assigned, to take assises by cōmission of our Soueraigne lord the king, in the counties of the realme, from henceforth shall do to be deliuered fully in the kings treasorie, al the records of assises of no. disseisin, of Mordaūcester, & of certifications, with al the appurtenances and appendants before them determined euery second yere, ẏ the plee therof be determined & iudgement geuen, without more delay, and that the records & proces of plees real and personal, and of assises of nouel disseisin, or Mordauncester, and certifications, and of other whereof Judgement is geuen and enrolled, with things touching the same, shal in no wise be amended nor empaired by newe entringe of the clerkes, or by the recorde or thinge certified in witnesse or commaundment of any Justice in any thing, after ẏ such iudgement or such plees be geuen & enrolled. An. 11. H. 4. cap. 3.

Treasorie Records Nouel diss. Mordaunc. Certificates

Plees real Personal

8 ¶An 13. H. 4. cap. 2. it was enacted to endure at the kings pleasure, ẏ the statut of An. 8. R. 2. ca. 2. should be kept, & ẏ no chiefe Justice of ẏ kings bench shoulde be Justice of assise but in the county of Lancaster.

Chiefe Just. of the kings bench Lancaster

9 ¶The Sessions of the Justices to take assises & to deliuer gailes in the County of Cumberland, be holden in time of peace and of truce in the said city of Karlyle, & in none other place win the same county, as it hath bene vsed & accustomed of old time. An. 14. H. 6. cap. 3.

Gaoles Cumberland

Karlile

10 ¶An. 11. H. 7. ca. 3. an act was made authorising Justices of assise & Justices of peace, to heare & determine al offences done against many statutes, but it is repealed by 1. H. 8. cap. 6.

Iust. of p.

Repealed

11 ¶That no Justice nor other man learned in the lawes of this realme, shal at any time from or after the feast of Easter nert comminge, vse nor exercyse the office of Justice of assise, within any County where the said Justice was borne, or doth inhabit, vpon paine to forfait for euery offence done contrarie to the forme of this present acte, C. pound: The moitie whereof to be to the king, and the other moitie thereof to bee to the partie that will sue for the same, in any of the kings Courts, by bill &c. in the which &c. Prouided alway & be it &c. that this act, or any thing therein contained, shal not extend, be construed, or interpreted, to touch or cōcerne any person or persons that now are, or hereafter shalbe Clerke or Clerks of assises, & shalbe associate to any Justices of assise, of, or in any countie, citie, or Towne within this realme of Englād, wherein the same person or persons, clerke, or clerkes so associate do dwel, or were borne: but that al and euery clerke or clerkes of Assises, which now do exercise or occupie, or hereafter shal exercise or occupie any office of Clerkship of assises, shal & may exercise & occupie ẏ same in any countie, citie, or towne, wherein the same clerke or clerkes of assises do dwell, or were borne: any thing in this act contained, to the contrary notwithstanding. Prouided also, ẏ these termes, Iustices of assises, or other persons learned in the lawes of this realme, shal not extend, or in any wise bee interpreted to any Maiors, sheriffes, Recorders, stewards, bailifes, suters, or other Officers, being borne or dwelling wythin any citie, borough, or towne, within thys Realme of England: but that they may be Justices of assise, of fresh force, or of other assises in the same citie, borough, or towne, where he or they, do or shall dwel, or were borne, as they, or any of them before thys time

Lawer

Hys owne countrey

Forf.

Moitie

Clerkes of Assises

Maiors Sheriffes Recorders Stewards Bailifes

Fresh force

time haue or might haue ben to al intents & purposes, any thing in this act cõtained to ỳ contrary notwithstanding. Prouided alwaies that this act nor any thing therein contayned, shalbe prejudicial to any Iustice or Iustices, of ỳ one bench or the other, for taking hearinge, or determining assises in the sayd courts in thone bench or thother, nor to any Iustice that shal take any assise by or vpon adiournement for difficulty of ỳ same. Prouided alway & be it &c. ỳ any clerke of assise, during thonly time of the session, of or for any assise or assises, or of, or for any Nisi prius, shal not be of counsel with any person or persõs withm any circuit, wherof he shalbe clerke of assise, otherwise then to that office only appertaineth, vpon paine to forfait for euery time offendinge contrary to this statut x.li. thone moitie therof to be to ỳ king, & thother moity to the partie greued &c. In which suit &c. Prouided also & be it &c. ỳ this act or any thinge therein contained, extende not vnto Iustices, iustice, clerke or clerks of assises wtin the duchy & county palantine of Lancaster, nor to any of them ỳ now be, or hereafter shalbe, but ỳ the same Iustice or Iustices, clerke & clerkes, and euery of thẽ, shall & may execute their offices & euery of them, in such maner & forme as they or any of them haue vsed to do before the makinge of this present act, this act or any thing therin contayned to the contrarye thereof notwithstandinge. Anno 32. H. 8. cap. 34. See before 4.

Iust. of both B.

Clerke of ass.

Nisi prius Counsel

Fork. Moitie

Iust. clerkes County pa.

12 ¶ See Nisi prius 1. of making of Iust. of ass. & their aucthority with assotiation.

¶ Iustices of both benches.

IT is prouided also, & commaunded by the king, that the Iusticers of the kings bẽch at Westminster, from hencefoorth shall decise al plees determinable at one day, before any matter be attainted, or plea commenced the day following. Saving ỳ their essoines shalbe entred, iudged & allowed, yet by reason hereof let none presume to absent him selfe, but lette him come at the day to him limitted. Westmin. 1. cap. 45. Anno 3. E. 1.

Essoines

2 ¶ No Iustice of ỳ kinges bench nor of the common bench, nor none of the barons of the Eschequer, as long as they shalbe in the office of Iustice or barons, shal take frõ hẽcefoorth robe, fee, pencion, gift, nor reward of any but of ỳ king, except reward of meat & drinke, which shalbe of no great valour. And that from hencefoorth they shall geue no counsail to anie, great or smal, in things of affaires wherin ỳ king is party, or which in any wise touch the kinge, & that they bee not of any mans Counsaile in any cause, plea or quarel, hanging the plea before them or in other of the kings courts or places, vpon paine of losse of their office, & makinge to the king fine & raunsome. An. 8. R. 2. ca. 3. But this statut is repealed in Anno 9. R. 2. cap. 1.

B. of Eschequer

Reward

Meate & drinke. Counsaile

Losse of office Fine

3 ¶ An. 20. R. 2. cap. 6. was enacted that Belknap, Holt, & Burgh, ỳ had ben Iusticyes, & were by An. 11. R. 2. banisht into Ireland, should returne & be enabled as ỳ kings subiectes.

Repealed

4 ¶ The Iustices, seriants, & the attorney of ỳ king, shalbe paid in hand their wages by the Treasourer of England for the time being, at Easter & Michelmas by euẽ portions, without any other suit. An. 10. H. 6. Statut per se. This is not in the printed booke of statutes.

Seriants & attorney wages Treasorer

¶ Iustices of Gaole deliuerie.

BEcause that the Iustices of gaole deliuerye, & of Oier & terminer, haue ben procured by great men, against the fourme of the statute, made in the 27. yere of the raigne of king Edward, graundfather to our soueraigne Lorde the kinge that nowe is. Wherein is contayned, that Iustices assigned to take assises, if they be lay men, shall make deliuerance. And if the one be a clerk and the other a lay man: that the lay Iudge with another of ỳ countrey associat to him, shal deliuer ỳ gaoles: wherfore it is enacted ỳ such Iustices shall not be made against the fourme of the said statute. And that the assises, attaintes, and certifications bee taken before the Iustices commonly assigned, which be good men and lawful, hauing knowledge of the law, and none other, after the forme of another statute, made in the time of the said king Edward the first. And that the Oiers and terminers shal not be graunted, but before Iustices of the one Bench or the other, or the Iustices errants, and that for great hurt or horrible trespasses, and of the kings especial grace, after the forme of the statut thereof ordeyned, in the time of the said graundfather, and none otherwise. An. 2. E. 3. cap. 2.

Oier & ter.

Lay men

Attaints Certificatiõs

Iust. Errants

2 ¶ Good and wise persons, other then of

of the places, if they may be found sufficiēt) be assigned in all the shires of Englande to take assises, iuries, and certifications, and to deliuer the gaoles: and that the sayd Iustices take the assises, iuries, and certificatyons, and doe deliuer the iayles at the least thrée times a yeare, and moze often if nœde bée. Also be there assigned good and lawfull men in euerye countie to kéepe the peace. And that in the sayde assignementes, mencion be made that suche as shalbée indicted, oz taken by the saide wardens, shall not bee let to mainpzise by the Sheryfes, noz by none other ministers, if they be not mainpernable by the lawe. Noz that suche indicted persones shall be deliuered but at the cōmon lawe. And the Iustices assigned, to deliuer the iayles, shall haue power to deliuer the same iayles of those that shalbe indicted befoze the wardens of the peace. And that the saide wardens shall sende their endictmentes befoze the saide Iustices: and they shall haue power to enquire vppon sherifes, taylours, and other, in whose ward such endicted persons shall be, if they make delyuerance, oz let to mainepzise, any so endicted, which be not mainpernable, & to punish the said sheriffes, iailoz, & other, doyng agaynst this act. An. 4. E. 3. ca. 2.

3 ¶Because that théeues notoziously defamed, & other taken with ỹ maner, by their long abyding in pzison, bee at length deliuered by charters of pardon, and fauozable enquests pzocured, to the great hinderaunce of the people. Wée it &c. That in euerie commission of the peace thozough the Realme, where néede shalbe, two men of lawe of the same countie where such commission shalbe made, shalbe assigned to go and pzocéede to the deliuerance of such théeues and felōs, & that as often as they shall thinke it expedient. An. 17. R. 2. ca. 9.

¶Iustices of peace.

FOz the better kéeping and maintenance of the peace: The king will that in euery county, good men and lawfull, which bée no maintciners of euill, noz barrettoz in the countrey, shalbe assigned to kéepe the peace. An. 1. E. 3. ca. 16. stat. 2.

2 ¶Two oz iii. of ỹ best of reputation in the counties, shalbe assigned kéepers of the peace by the kinges cōmission. And at what time nede shalbe, the same with other wise and learned in the law, shalbe assigned by ỹ kinges commissions, to heare and determine felonies and trespasses done agaynst the peace in the same counties. And to doe punishment reasonably accozding to lawe, and reason, and the maner of the deede. An. 18. E. 3. ca. 2. stat. 2.

3 ¶In euery countie of England shalbe assigned foz ỹ safe keeping of the peace, one lozde, and with him thzée oz iii. of the most wozthie men in the countie, w̄ some learned in the lawe, and they shall haue power to restrain euil doers, ryotours, and al other barettours, and to pursue, arrest, take and chastise them accozding to their trespas and offence, and do them to be imprisoned and duely punished accozdinge to the lawe and customes of the realme, and accozdinge to that, that to them shall seeme best by their discretions, and good aduisement: and also to enfozme themselues & to enquire of all those that haue bene pillours and robbers in the parties beyond the sea, and be nowe come againe, and go wandering, and will not labour as they were wont in times past, and to take and arrest all those, that they maye finde by endictment oz by suspection, and to put them in pzison, and to take of all them ỹ be not of good fame, (whersoeuer they shalbe found) sufficient suerty, and mainpzise foz their good abearing towardes the king and his people, & punish the other duely, to ỹ intent that the people be not by such riotours, troubled noz endammaged, noz the peace bleamished, noz marchaunts noz other passing by ỹ high waies of the realme, disturbed, noz put in feare by ỹ peril which might happen to them by such euill doers. And also to heare and determine at ỹ kings suit, al maner of felonies & trespas done in ỹ same countie accozding to the lawes & customes afozesaid. And that writs of Oyer & determiner be graunted accozdinge to ỹ statutes thereof made: but that the Iustices whych shalbe therto assigned, be named by ỹ court, & not by ỹ party. And the king willeth that all generall enquiries befoze this time grāted within ame seignioznies, because of the mischieues and oppzessions which haue ben done to ỹ people by such enquiries, shall vterly cease & be repealed. And ỹ fines which bee to bee made befoze Iustices foz trespas done by any person, be reasonable & iust, hauig regard to ỹ quātity of ỹ trespas, & ỹ causes foz which they be made. An. 34. E. 3. c. 1. ★

4 ¶In the cōmissions of Iustices of the peace, and of labozers, expzesse mention be made,

Oyer & ter.

Lozde iii. most valyeant Lawyers Ryotours Barretours

Imprison Punish

Enquiry Robbers beyond sea Vagabonds

Arrest

Imprison

Suertie of good abearing

Oyer & ter. Felonies

Fines

Commissiōs

made, that the same Justices make their sessions iii times by the yere, that is to say, one session within ỳ vtas of the Epiphanie, the second within the secõd wẽke of Lent, the third betwixt the feasts of Pentecost & of S. John Baptist, ỳ iii. wẽk ỳ viii. dayes of S. Michael. An. 36. E. 3. ca. 12.

Sessions 4. times yerely

☞ Commission

5 ¶ In euerie cõmission of the Justices of peace, there shalbe assigned but vi. Justyces, wt the Justices of assises, & that the sayd vi. Justices shal hold their sessions in euerie quarter of a yere at ỳ least, & by iii. dayes if nede be, vpon paine to be punished after the aduise of the kinges counsaile, at the suite of euerie man that wil complaine: & they shall enquire diligently among other things, touching their offices, if the said Maiors, Bayliffes, stewardes, constables, & gailors, haue duely done execution of ỳ said ordinances, of seruants & labourers, beggers & vagabõds & shall punish thẽ ỳ be punishable, by ỳ sayd paine of an C.s. and they that be founde in default, & which be not punishable by ỳ same paine, shal bee punished by their discretion. And euerie of the said Justices shal take for their wages iiii.s. the daye, for the time of their said sessions, and their clerke ii.s. of the fines and amerciaments, rysing & cõming of the same sessions, by the handes of the sheriffes. And that the lordes of franchyses, shalbe contributorie to the saide wages, after the rate of their part of fines and amerciamẽts aforesaid. And that no stewarde, of any lord be assigned, in any of ỳ saide commissions. And ỳ no assotiatien shalbe made to ỳ Justices of ỳ peace, after their first cõmission. And it is not the entẽt of this statute, that the Justices of the one Bench, or of the other, nor the Sergeants of the lawe in case that they shalbee named in the sayde commissions, shalbe bound by force of thys statute, to hold ỳ said sessions fower times in the yere, as the other commissioners, the which be continually dwelling in the countrey, but that they shal do it, whẽ they may best attend it. An. 12. R. 2. ca. 10. Stat. Cantabr. See here 6. 7. & 10. some alteration in sundry poites.

Iustices of peace

Wages. 4. s the day Clerke of p. 1. s.

Sheriffe Lordes of franchises

Steward

Iust. of either bench Sergeants at law

☞ Lordes steward

6 ¶ As it is contained in the statute late made at Cambridge (s. An. 12. R. 2. ca. 10. before 5.) ỳ no steward of any Lord, shalbe assigned in the commission of the Justice of peace, nevertheless for certaine causes shewed in this parliament, It is accorded and assented, ỳ Justices of peace shalbe made of newe in all the counties of England, of the moste sufficient knights, esquiers, and gentlemen of the lawe of the said counties, notwithstanding the said statute. And that the said Justices be sworne to kẽpe & put in execution al ỳ statuts & ordinances touchinge their offices. An. 13. R. 2. ca. 7. Stat. 1.

Sufficient

Othe

☞ viii. Iust.

7 ¶ That in euery county be assigned 8. Justices of peace as is contained in the statut of Cambridge (before 5.) ouer the lords assigned in this parliamẽt. And ỳ ỳ estretes of the said Justices be doubled, & ỳ one part delivered by the said Justices to the sheriffe, to leuy the money therof rysing, & therof to the Justices, their wages by the hãd of the said sheriff by indẽture betwixt thẽ, therof to be made. And ỳ ỳ sheriffs haue allowance in their accompt in the Eschequer by the same indenture. And that no duke, earle, barõ nor baronet, albeit they be assigned Justices of the peace, and holde their sessions with the other eight Justices, shall take anie wages for the said office. And that the Justices put their names to the sayde estretes together with the number of the dates of their sessyons, to the intent ỳ the sheriffes may know to whõ to paye wages, & to whom not, and the barons of the Eschequer, to whom to allowe, and to whom not, & that the seales bee made for the seruauntes and delivered into the kẽpinge of some good man of the countrey, after the purport of the sayde statute of Cambridge, which statute with the modification of the same, made at the last parliamẽt (before 6.) & ỳ statut of weights & measures, & al other good statutes & ordynances made heretofore & not repealed, shal be holden and kept, and put in due executiõ. An. 14. R. 2. ca. 11.

Estretes

Sheriffe

Wages

Indenture

Allowance Accompte Eschequer

Duke. Earle Baron

Barons of the eschequer Seales

Weights & measures

☞ Iustices of the Quorum. Resiant

8 ¶ Be it enacted &c. That ỳ Justices of ỳ peace in euerie shire named of ỳ Quorũ, be resiant within ỳ same shire, except lords named in the commission of the peace. And also except the Justices of the one bench and of the other, the chief Baron of the Eschequer, Sergeants at the lawe, and the kings Attorney, for the time that the same Justices, chief baron, sergeants at the law, and the kings Attorney, be attendant and occupied in the kinges courtes, or otherwise occupied in some other place in the kings seruice, & make they their sessions iiii. times by the yere, That is to say, In the first wẽke after the feast of saint Michael, and the first wẽke after ỳ Epiphanie, & in ỳ first wẽke after ỳ clavsed Caller, and in ỳ first wẽke after ỳ Trãslatiõ of S. Thomas ỳ martir (which

Sessions 4 times in the yeare

(which is 7. Iuly) And moze often if nede be. And ẏ the same Justices hold their sessions throughout the whole realme of Englande in the same weekes euery yere from henceforth. An. 2. H. 5. cap. 4. Sta. 1.

England

☞

9 ¶ Justices of the peace frō henceforth to be made within the counties of Englād, shalbe made of the most sufficient persons dwellinge in the same counties, by ẏ aduise of the Chauncellor & of the kinges counsell, without taking other persons dwellinge in forein counties to occupy such office, except the lords & ẏ Justices of assises now named & to be named by the king and his counsell. And except also the kinges chiefe stewardes of the landes & seigniories of the Duchy of Lancaster in ẏ North & South parts for ẏ time being. An. 2. H. 5. cap. 5.

Most sufficient persō to Chauncelloz

Iust. of assi.

Chiefe steward Lancaster

☞

10 ¶ For the ease of the cōmons in the county of Middlesex, who be bound to attēd in the terme times vpon the high courts at Westm. & straight after euery terme, be also driuen to attend vpon ẏ Justices of peace at their sessions which the sayd Justices are inforced to kepe, to auoid the paine contayned in ẏ statut of 12. R. 2. ca. 10. (before 5.) Be it &c. That the Justices of peace, which nowe bee and all other from henceforth for the tyme being in the sayd County of Middlesex, shalbe clerely discharged of the sayd payne by auctheritye of the same Parlyament, from henceforth (the court of ẏ kings Bench being in the Countie of Middlesex) Prouided alwayes ẏ the sayd Justices of peace of the sayd County of Middlesex for the time beinge, kepe, obserue & execute the court of the Sessions of the peace ii. times in the yere at the least & more often if nede be, for any ryot or forcible entre, made wōin the same county of Middlesex, & ẏ vpon the paine & forfaiture of such summes as be for that ordeyned by any lawe made before this time, to the intent ẏ the said cōmons & inhabitants of the sayd county of Middlesex be not constrained nor cōpelled to appeare before the Justices of peace of ẏ same coūty for ẏ time being, but at such times as shal seme by the discretions of ẏ same Justices of p. necessary & nedful. An. 14. H. 6. cap. 4.

Middlesex ii. in the yere

Riot

Forcible entrie

Fork.

☞

11 ¶ Wheras cōtrary to diuers former statuts, now of late many of smal substāce (by whō ẏ people wil not be ruled, & who for ther nede do cōmit much extorcion & oppressiō) be appointed to be Justices of ẏ peace. Be it &c. That no Justice of peace within the Realme of England, in any county, shalbe assigned or deputed, if he haue not lands or tenements to the value of xx. li. by yere. And if any be ordeyned hereafter to be Justices of peace in any county, which hath not lāds or tenemēts to ẏ value aforesaid, ẏ he therof shal geue knowlege to the Chaūcelor of Englande for the time beinge, which shall put an other sufficyent in his place. And if hee geue not the sayde knowledge (as before) within a moneth after that hee hath notice of such cōmission, or if he sit or make any warrant or precept by force of such cōmission, he shal incurre the paine of xx. li. and nevertheless be put out of the commission, as before. And the kinge shall haue the one halfe of the sayd peyne, and he that will sue for the kinge the other halfe. And hee that wil sue for the kinge and for him selfe, shall haue an action to demaund the same peyne by writ of debt at the common law.

xx. li. land

Geue knowledge to the chauncellour

Sit

Fork.

Moitie

Action of debt

Prouided alwaies, that this ordinance doe not extende nor bee prejudiciall to Cities, townes, or boroughes, which be counties incorporat of thē selues, nor to cities, townes, or boroughes, which haue Justices of peace of people dwelling in the sāe, by Cōmission or graunt of the king, or of his progenitors.

Cities Townes

Prouided also, that if there be not men sufficient, hauing lands and tenements, to the value aforesaid, learned in the Law, and of good gouernance within any such countie: that the Chauncelor of Englande for the time beinge, shall haue power to put other discrete persons, learned in the law, in such Commissions, though they haue not lands or tenements to the value aforesaid, by hys discretion. An. 18. H. 6. cap. 11.

Lawyers

Chauncelor

☜

12 ¶ Euery Justice of peace within this Realme, that shal take any Recognisaunce for the keping of the peace, ẏ the same Justice do certifie, send, or bringe the same Recognisance to the next sessions of the peace, where he is, or hath ben Justice, that ẏ partie so bound, may be called, and if the partie make default, the same default then there to be recorded. And the same Recognisance vō ẏ record of ẏ default, be sent & certified into the Chauncery, or afore ẏ king in his bench, or into the kings eschequer. An. 3. H. 7. ca. 1.

Recognisance

Certifie

Default

*

Eschequer

13 ¶ Whereas Cōmissions haue ben vsed to be graunted to diuers, aswel for ẏ keping of the peace, as of gaole delucry, wōin cities & townes corporate, not being Counties in them selues, and after, other Commissions haue ben graunted to other, for the keeping of the peace & of gaole delucrye within the same

same shires: which commissions so bearing a late date, haue bene in law a Supersedias to the forsaid commissions, and so the sayd Townes haue bene to their great charges drouen as often times to returne their own commissions. Be it &c. That all and singuler commission and commissions, graunted or to be graunted, to any such Citye or towne corporat, not being as is aforesayd, a countie in it selfe, for the képing of their peace, & deliuery of the prisoners remaining in the gaoles of any such city or towne corporate, not beinge a countye in it selfe, shall stand, remaine, & be good & available and effectual in the lawe to al intentes constructions, and purposes, (the graunting of any like commission of peace or gaole deliuerie, to any commissioner or commissioners for the conseruation of the peace, or deliuerie of the prisoners remaininge in ỳ gaole of any shire, lath, rape, ridding or wapentake within this realme of England, bearing date after the said cõmission, or cõmissiõs, graũted as is aforesaid, to any such citie or towne corporate, not being as is aforesayd, a county in it selfe) to the contrary notwithstanding. An. 2. & 3. P. & M. cap. 18.

¶Keeper of the great seale of England.

BE it enacted & declared &c. ỳ the cõmon law of this Realme is, & alwaies was & ought to be taken, ỳ the képer of the great seale of Englãd for the time being, hath alwaies had, vsed, & executed, & of right ought to haue, vse, & execute, and from henceforth may haue, perceiue, take, vse, and execute, as of right belonging to the office of the képer of the great seale of Englande for the tyme being, the same & like place, auctoritie, prehemmence, iurisdiction, execution of lawes, & al other customes, cõmodities, & aduãtages as ỳ lord Chaũcellor of England for ỳ time being, lawfully vsed, had, & ought to haue, vse & execute, as of right belonging to the office of the Lord Chauncelour of England for ỳ time being, to al intents, constructions and purposes, & as if the same keper of the great seale for the time, were Lord Chauncellour of England, An. 5. El. cap. 18.

Lord chauncelour

¶King.

IT appeareth in the abridgement of statuts that An. 2. E. 3. sta. 2. cap. 7. the king and al the great men of the Realme, in ful parliamẽt enterprised to maintain ỳ peace, to kepe saue ỳ kings Justices, there where they come, & to help ỳ the iudgement & executions shall not bee delayed, but executed, nor that misdoers shalbe by them couered. But I cannot find this statute in the booke at large.

Maints peace

¶Knightes.

OUr soueraigne lord the king hath graũted, ỳ al such as ought to be knightes & be not, & haue bene distrained to take vppon them the order of knighthood, before ỳ feast of the natiuitie of our Lord, shall haue respit to take vppon them the forsaid armes of knighthood, vntil the vtas of S. Hillary without disturbance. And after ỳ they shall be distrayned except they make some other meanes, also he hath graunted, ỳ if any wil complaine in ỳ Chauncery, because he was distreined &c. & hath not xx. li. yerely in fée, or for terme of life, & will proue that by the countrey: then it shalbe written vnto ỳ diligẽte & sage knights of the shire to take the said inquisition, & if it fortune to be tried so by the same inquest, he shal haue remedy & the distres shal cease. Also if any be impleaded for al his land, or for part of ỳ same, so that the residue be not sufficiẽt to the value of xx. li. & can proue the same, then ỳ distres shal cease, vntill the same plée be determyned. Also if any of thẽ be boũden in certain debtes awarded in the Eschequer, to a certain summe to be receiued yerely out of his lands, so that the residue thereof doth not amount to the yerely value of xx. li. besides ỳ same summe, the distresse shal cease, vntyll the forsaid debt be clerely paied. And none shalbe distrained to take vpon him ỳ order of a knight, before ỳ he come vnto the age of xxi. yeres. Also none by reason of any lande that he holdeth in maners, which be now of the auncient demesne of the crowne (as a Sokeman, & which land must geue tallage, whẽ the kings demeanes are tallaged) shal be distrayned to take vpon him the order of a knight. Also of them that hold their lands in socage of other manors, then of the manors of ỳ king, doing no forreine seruice, the rolls of the Chauncery shalbe searched in ỳ time of the kings predecessors. And it shalbe done as it hath bene vsed to be done. In like maner shalbe done of Clerks being without orders holding lay fée, which should bée

Chauncery xx. li. Fee

Distres cease

Eschequer

xxi. yeres

Auncient demeane

Socage

Search

Clerks without orders Lay fee

knights

knights if they were lay. Alſo none ſhalbe diſtrained for his burgage landes, although they do amount to ꝑ value of rr.li. yerely or more. Alſo they ꝑ ought to be knights & bee not, as they which haue holden their landes in their hãds but a ſmall time, and likewiſe ſuche as haue great age, or defect in their members, or do alledge anye other incurable diſeaſe, or charge of their children, or of ſuites, or do pretende other neceſſarie excuſes, they ſhall reſort vnto Robert Tiptoft & Antony de Berke, and ſhall make fine before them, to whom it is appointed that according to their diſcretions they ſhal admit reaſonable fines of al ſuch perſõs. An. 1. E. 2. ſtat' de militibus.

¶Labourers & ſeruants.

NOte that all theſe ſtatutes followinge til numero. 38. concerninge Laborers & ſeruants, be repealed by An. 5. El. ca. 4. here 38. as you may ſee in the beginninge thereof.

Men Women

xl. yeres olde

1 ¶Euery man or womã of our realme of England, of what condition he be, free or bound, able in bodie, & within the age of xl. yeares, not lyuing in marchandiſe, nor exerciſing anye craft, nor hauing of his owne whereof he may liue, nor proper land, about whoſe tillage he may him ſelfe occupy & not ſeruing any other, if he in conuenient ſeruice (his eſtate conſidered) be required to ſerue,

Required to ſerue

Wages

ſhalbe bounden to ſerue him which ſo ſhall him require. And take onely the wages, lyuerie, meede, or ſalary, which were accuſtomed to be geuẽ in ꝑ places where he oweth to ſerue, ꝑ rr. yere of our raigne of England or v. or vi. other cõmon yeares next before. Prouided alwaies, ꝑ the lords be preferred before other in their bondmẽ or their landtenãts, ſo in their ſeruice to be reteyned. So that neuertheleſſe ꝑ ſaid lords ſhall reteyne no more then be neceſſary for thẽ. And if any ſuch man or woman, beinge ſo required to ſerue, wil not the ſame do, that proued by two true men before the ſherife or bailifes, of our ſouereigne lord the king, or the conſtables of the towne where the ſame ſhall happen to be done, he ſhal anon be taken by thẽ or any of them, & committed to the nert gaole, there to remain vnder ſtrayt keping, till he finde ſuertie to ſerue in the fourme aforeſaid. An. 23. E. 3. de ſerui. cap. 1.

Lordes Bondmen

Refuſe

Sherife Bailife Conſtable

Impriſon Suertie

2 ¶If any repar, mower, or other workman or ſeruant of what eſtate or condition that he be, reteined in any mans ſeruice, do depart from the ſaid ſeruice without reaſonable cauſe or licẽce, before ꝑ terme agreed, he ſhal haue paine of impriſõmẽt. And that none vnder ꝑ ſame pain preſume to receyue or to retaine any ſuch in his ſeruice. An. 23. E. 3. cap. 2.

Depart without licence

Impriſon

Receiue to ſeruice

3 ¶That no mã pay or promiſe to paye to any ſeruaunt any more wages, liueries, meede, or ſalary, thẽ was wont, as afore is ſaid. Nor ꝑ any in other maner ſhal demãd or receiue the ſame, vpon paine of doubling of that ꝑ ſo ſhalbe paied, promiſed, required, or receyued, to him which therof ſhall fele himſelf greeued, purſuing for ꝑ ſame. And if none ſuch wil purſue, thẽ the ſame to be applied to anye of the people that will purſue. And ſuch purſute ſhalbe in the court of the lord of ꝑ place where ſuch caſe ſhal happen. An. 23. E. 3. ca. 2. ſtat. de ſerui.

Wages

Paine

Lords court

Lordes

4 ¶If the lordes of the townes or manors preſume in any point to come againſt this preſent ordinance, either by them, or by their ſeruants, then purſute ſhalbe made againſt them in the coũties, wapentakes, tithings, or ſuch other our courtes, for ꝑ treble paine payed or promiſed by thẽ or their ſeruants in the fourme aforeſaid. And if any before this preſent ordinance hath couenanted with anye ſo to ſerue for more wages, he ſhall not be bounde by reaſon of the ſame couenãt, to pay more then at an other time was wont to bee paid to ſuche perſon. Nor vpon the ſaid paine ſhall preſume anie more to pay. An. 23. E. 3. cap. 4.

3. damages

Couenant

5 ¶That ſadlers, ſkinners, whiteta wers, cordwainers, tailers, ſmithes, carpenters, maſõs, tylers, ſhipwrightes, carters, & all other artificers & workmẽ ſhall not take for their labour & workmãſhip aboue ꝑ ſame ꝑ was wont to be paied to ſuch perſons the ſaid rr. yeare, & other cõmon yeres nert before, as afore is ſaid, in the place where they ſhall happen to worke. And if any mã take more, he ſhalbee committed to ꝑ nert gaole in maner as afore is ſaid. An. 23. E. 3. cap. 5.

Artificers

Workmãſhip

6 ¶An. 23. E. 3. de ſerui ca. 7. It was enacted that al the forfaitures geuen by this ſtatute De Seruientibus againſt laborers, ſhould be leuied of euerie of them & ſhoulde bee employed to the payment of the r. and rv. then graunted, and after to the kynges vſe, to bee leuyed by certaine appointed in the ſtatute. Neuertheleſſe hee that woulde ſue for theſe forfaitures to haue them to his owne vſe.

7 ¶Firſt

Seruants Liuerties Wages

7 ¶ Firſt that carters, ploughmen, dꝛyuers of the plough, ſhepeherds, ſwineherds, doles, & al other ſeruants, ſhal take liueries & wages accuſtomed, the ſaid xx. yere oꝛ 4. yeres beforꝛe, ſo that in the countrey, where wheat was wõt to be geuen, they ſhal take foꝛ the buſhel x.d. oꝛ wheat at the wil of the geuer, til it be otherwiſe ordeined. And that they be allowed to ſerue by an whole yere, oꝛ by other vſuall termes, and not by ẏ day. And that none pay in the time of ſarclynge oꝛ heymaking but one peny the day. And a mower of medowes foꝛ the acre v.d. oꝛ by the day v.d. And reapers of coꝛne in ẏ firſt wœke of Auguſt, ii.d. and the ſecond. iii.d. & and ſo till the end of Auguſt, and leſſe in the countrey where leſſe was wont to be geuẽ, wꝫout meat oꝛ dꝛinke, oꝛ other curteſy to bee demaunded, geuen, oꝛ takẽ. And ẏ al woꝛkmen bꝛing openly in their hands to ẏ marchant townes, their inſtruments, and there ſhall be hired in a common place & not pꝛyuie. An. 25. E. 3. de ſerui cap. 1.

i.d. the day

Hamell men

Open place

Threſhers

8 ¶ That none take foꝛ the threſhing of a quarter of wheate oꝛ rye, ouer ii.d.ob. and the quarter of barley, beanes, peaſe, & otes, one peny ob. if ſo much were wõt to be geuen, and in the countrey, where it is vſed to reape by certaine ſheaues, and to threſh by certain buſhels, they ſhall take no moꝛe noꝛ in other maner then was wont the ſaid xx. yere and beforꝛe. And that the ſame ſeruantz be ſwoꝛn two times in ẏ yere beforꝛe lorꝺs, ſtewardes, bailifes, and conſtables of euery towne, to holde and do this oꝛdinaunces. And that none of them go out of the town, where he dwelleth in the winter, to ſerue ẏ ſummer, if he may haue ſeruice in the ſame town, taking as beforꝛe is ſaid. Sauing that the people of the counties of Staffoꝛd, Lancaſter, & Derby, and people of Crauen, and of the marches of Wales & Scotland, and other places, may come in time of Auguſt, and labour in other counties, and ſafely retourne, as they were wõt to do beforꝛe this time. And that thoſe, which refuſe to make ſuche othe, oꝛ to perfoꝛme that, that they be ſwoꝛne to, oꝛ haue taken vpon them, ſhalbee put in the ſtocks by the ſaid lorꝺs, ſtewards bailifes, and conſtables of ẏ townes, by iii. daies oꝛ moꝛe, oꝛ ſent to ẏ nert gaole, there to remaine, til they wil iuſtify thẽ ſelf. And ẏ ſtocks be made in euery town by ſuch occaſion betwixt this & the feaſt of Pentecoſt An. 25. E. 3. De ſerui ca. 2.

Othe Stewardes Bailifes Conſtables

Wales Marches

Refuſe

Stocks

Impꝛiſon

Stocks

Auditors

9 ¶ That carpenters, maſons, & tylers, and other woꝛkmẽ of houſes, ſhall not take by the day foꝛ their woꝛke, but in maner as they were wont, that is to ſaye, A maſter carpẽter iii.d. and other ii.d. A maſter free maſon iiii.d. other maſons iii.d. & their ſeruauntes i.d.ob. tylers iii.d. and their boyes one peny ob. and other couerers of ferne & ſtrawe. iii.d. and their boyes i.d. ob. An. 25. E. 3. cap. 3.

Wages

Labozers

Wages

10 ¶ Plaiſterers and other woꝛkers of mudwalles, and their knaues by the ſame manner, without meate oꝛ dꝛinke (s. from Eaſter to Saint Michaell) & frõ that time leſſe, according to the rate & diſcretion of the Juſtices which ſhalbe thereto aſſigned. An. 25. E. 3. ca. 4.

Carters Watermen

11 ¶ They that make cariage by lande oꝛ by water, ſhall take no moꝛe foꝛ ſuch cariage to be made, then they were wont the ſaid xx. yere & iiii. yeres beforꝛe. An. 25. E. 3. de ſerui cap. 5.

Artificers

12 ¶ Goldſmithes, ſadlers, hoꝛſeſmiths, ſpurriers, tãners, curriours, tawers of leather, taſſours, and other woꝛkemen artifycers and labourers, and all other ſeruauntes here not ſpecified, ſhalbe ſwoꝛne beforꝛe the Juſtices, to do and vſe their craftes and offices in the maner as they were wont to do the ſaid xx. yere, & in ẏ time beforꝛe, without refuſing ẏ ſame becauſe of this oꝛdinaunce. And if any of the ſayd ſeruauntes labourers woꝛkmen oꝛ artificers after ſuch oth made, come againſt this oꝛdinance, he ſhalbee puniſhed by fine & raunſome, & impꝛiſonment after the diſcretion of the Juſtices, An. 25. E. 3. cap. 6.

Othe Juſtice

Impꝛiſon

13 ¶ The ſaid ſtewardes, bailifes, and conſtables of the ſaide townes, bee ſwoꝛne beforꝛe the ſame Juſtices, to enquire dilygently by all the good waies they may, of al them that come againſt this oꝛdinance, and to certify the ſame Juſtices of their names at all times, when they ſhall come into the countrey to make their ſeiſour, ſo that the ſame Juſtices in certification of the ſame ſtewardes, bayliſes, and conſtables, of the names of the rebels, ſhall do them to be attached by their body, to be beforꝛe the ſayde Juſtices, to anſwere of ſuch contempts, ſo that they make fine & raunſome to ẏ kinge, in caſe they be attainted. And moꝛeouer to be commaunded to pꝛiſon, there to remain, till they haue founde ſurety, to ſerue, & take & do their woꝛke, & to ſel things vendible in the maner afoꝛeſaid. And in caſe that any of them come againſt his othe, and be thereof attainted,

Stewardes Bailifes Conſtables Othe Enquire

Juſtices

Arreſt

Fine Attaint

Impꝛiſon Ouerts

Imprisonm

attainted, he shal haue imprisonment of xl. dayes, & if he be an other time convict, he shall haue imprisonment of a quarter of a yere, so ỳ at every time ỳ he offendeth & is convict, he shal haue double paine. And that the same Justices, at every time they come into the country, shall inquire of ỳ said stewardes, bailifes, & constables, if they haue made a good & lawfull certificat, or any concele for gift, procurement, or affinitie, and punish them by fine & ransome, if they be found guilty. And ỳ the same Justices haue power to enquire & make due punishment of the said ministers, labourers, workmen, & other seruants. And also of hostelers, herbergers, & of those that sel victaile, or other things here not specified, aswel at the suit of the partie, as by presentment, & to heare & determine, & put the things in execution by the erigēd, after the first Capias if nede be, & to depute other vnder them, as many and such, as they shal see best for the keeping of the same ordinance. And that they whych will sue against such seruants, workmen, labourers, and artificers, for excesse, taken of thē, & they be thereof attainted at their suit, they shall haue againe such excesse. And in case that none will sue, to haue againe such excesse, then it shalbe leued of the said seruants, labourers, workmen, & artificers, and deliuered to the collectors of the quinzime, in alleuation of the townes where such excesses were taken. An. 25. E. 3. cap. 6.

Enquirie

Indentures

Accompt

Innkeepers Victuallers

Oier & ter. Exigent

Excesse taking

Quinzime

14 ¶ No sheriffes, constables, bailifes, & gailors, the Clerkes of the Justices, or of ỳ sheriffes, nor other mynisters whatsoeuer they be, take any thing for the cause of their office of the same seruants, for fees, suite of prison, nor in other maner, & if they haue any thing taken in such maner, they shal deliuer the same to the collectors of dismes & quinzimes, in aide of the commons, for the time ỳ the disme & quinzime doth runne, as wel for the time past, as for ỳ time to come. And that the said Justices enquire in theyr Sessions, if ỳ said ministers haue any thing receiued of the same seruants, & ỳ, that they shal find by such enquest ỳ the said mynisters haue receiued, the same Justices shall leue of euery of the said ministers, & deliuer to ỳ said collectors, together wt the excesse, & fines, & ransomes made, & also ỳ amerciaments of al them which shalbee amerced before the said Justices, in alleuation of the said townes, as afore is said. And in case the excesse found in one towne, doth exceede the quantitie of ỳ quinzime of the same towne, the remnant of such excesse shalbe leued & paid by the said collectors, to the next port townes, in aide of their quinzime, by aduice of the said Justices. And ỳ the fines & ransomes, excesses, & amerciaments of the said seruants, labourers, & artificers, for the time to come, renning of ỳ said quinzime, be deliuered to ỳ said collectors, in ỳ forme afore said, by indentures to be made betwixt thē & the Justices, so that the collectors may be charged by their accōpt by ỳ said indentures in case ỳ the said fines, ransomes, amerciaments, & excesses, be not paid in aid of ỳ said quinzime. And selling the said quinzime, it shalbe leued to ỳ kings vse, & answered by the sheriffs of the counties. An. 25. E. 3. ca. 7.

Collectors

Fines Amerciaments

Sheriffes Constables Bailifes Gaylors

Fee

Quinzime Dismes

Justices

Enquestes

15 ¶ Item that the said Justices, make their Sessions in al the counties of Englād at the least, iiij. times a yere, ỳ is to say, at ỳ feast of the Annūciation of our Lady, saint Margaret, saint Michael, & saint Nicholas, and also at al times that shall nede, according to the discretion of the same Justices. And that those that speak in the presence of the said Justices, or other things do in their absence or presēce, in encouraging or maintenance of the said seruants, labourers, or artificers, against this ordinance: shalbe grēuously punished, by the discretion of ỳ same Justices. And if any of the said seruants, labourers, or artificers, do flee from one coūtie to another, because of this ordināce, that the sheriffes of the counties, where such fugitiue persons shalbe found, shal do them to be taken, at the commaundement of ỳ Justices of the counties, from whence they shal flee, & bring them to the chiefe gaole of the same countie, there to abyde til the nert sessions of the same Justices. And that ỳ sheriffe returne the same commaundemēts, before ỳ same Justices at their nert sessions. And that this ordināce be holden & kept, as well in the citie of London, as in other cyties & borroughes, & in other places through out the land, as well within franchises as without. An. 25. E. 3. cap. 8.

Justices Sessions

Encourage

Punish

Flie

Sheriffes

Impriſon

London Cities

16 ¶ The Lordes of franchises whych haue issues, fines, and amerciaments, of labourers by point of Charter, or in other maner, shall from henceforth haue the sayd fines, issues, & amerciaments, that to them pertaineth, as long as the Justiciary of Labourers doth endure: so alwaies that ỳ sayd Lords make contribution to ỳ payment of ỳ fees of such Justices of labourers, according

Lordes of franchises

Fines

Fees Justices

to the rate of the profits that they do take. An.31.E.3.cap.6.

17 ¶The Statut of Labourers ſhall as well be holden, in the citie and ſuburbes of London, & in the b. Ports, and all manner other franchiſes, as els where in England. An.31.E.3.cap.7.

London b. Ports

18 ¶The Statut of Labourers of olde tyme made, ſhall ſtand in all points, except the pecuniar paine, which from henceforth is accorded, that the labourers ſhall not bee punished by fine & raunſome. And it is alſo ſtated, that the ſaid ſtatute ſhalbe enforced in punishment of Labourers, in the forme following, that is to ſay: That the Lordes of Townes may take and impriſon them by p. dayes, if they wil not iuſtifie them ſelfe, & then to ſend them to the nert gaole, there to abyde till they will iuſtifie them by the forme of the ſtatute. And that the sheryfe, gaoler, nor other miniſter, ſhal not let them to no mainprize nor baile, & if he do, he ſhall pay to the king x.li. & to the party C.s. nor that the sherife, gaoler, nor other minyſter, ſhal take no fee nor porterage of priſon, nor at his entring, nor at his comming out, vpon the ſame paine. And that alwel carpenters and maſons, be compriſed in this ordynance, as al other labourers, ſeruants, & artificers. And that the carpenters, & maſons take from henceforth wages by the day, & not by the worke, nor in other maner. And that the chiefe Maſters of carpenters and maſons take iiij.d. by the day, and the other iij.d. or ij.d. according as they bee worth. And that all alliances and couines of maſons and carpenters, and congregations, chapiters, ordinaunces, and othes betwyxt them made, or to be made, ſhalbe from hence forth voide & wholy annulled, ſo that every maſon and carpenter, of what condicion ỳ he be, ſhalbee compelled by his maſter to whom he ſerueth, to do euery worke that to hym pertaineth to doe, or of free ſtone or rowghe ſtone, and alſo euery carpenter in his degree. But it ſhalbee lawful to everie Lord, or other, to make bargaine & couenãt of their worke in groſſe, wt ſuch labourers & artificers when pleaſe them, ſo ỳ they performe ſuch worke wel & lawfully, according to the bargain or couenant with them thereof made. An.34.E.3.cap.9.

Repealed

Lordes of Townes Impriſon

Sherife Gayler

No fee

Carpenters Maſons

Wages

Voyde

19 ¶Of labourers and artificers that abſent them out of their ſeruices, in another Towne, or another countie, the party ſhal haue the ſuit before the Juſtices, & that the Sherife take him at the firſt day, as is contayned in the ſtatute, if he be found, & do of him execution, as afore is ſaid, & if he returne ỳ he is not found, he ſhall haue an Exigent at ỳ firſt day, & the ſame purſue til he be outlawed, & after the outlawrie, a writ of the ſame Juſtices ſhalbe ſent to euery sherif of England, ỳ the partie will ſue, to take him, & to ſende him to the sherife of the county, where he is outlawed, & whẽ he ſhalbe ther brought, he ſhal haue there impriſonment, til he wil iuſtifie him ſelf, & haue made grẽ to the partie, and neuertheles for the falſity he ſhalbe brent in the forhead with an yron made & formed to this letter F. in token of Falſitie, if the partie greeued the ſame wyl ſue. But this paine of brenning, ſhalbe put in reſpyt till S. Michael nert enſuynge, & then not executed, vnles it be by ỳ aduice of the Juſtices, and the yron ſhal abide in the cuſtody of the ſherife. And that the ſherife & ſome bailife of ỳ fraunchiſe be attending to the plaintif to put this ordinãce in execution vpon the pain aforeſaid, & that no labourer, ſeruãt, nor artificer ſhal take no maner of wages the feſtiual daies. An.34.E.3.ca.10.

Sherife

Exigent

Outlawrie

Impriſon

Brent in the forhead

Feſtiual dayes

20 ¶If any labourer, ſeruant, or artificer abſent him ſelfe in any citie, or borough, and the partie plaintif come to the Maior & bailifes, & require delyuery of his ſeruant, they ſhal make him delyuery without delay, and if they refuſe to do the ſame, the party ſhall haue his ſuit againſt the Maior & bailifs before the Juſtices of Labourers. And if they bee thereof attainted, they ſhall pay to the king x. poũde, and to the partie C.s. An. 34.E.3.cap.11.

Flie

Maiors Bailifes

Refuſe

Forf.

21 ¶The ſtatute & ordinance made of labourers & artificers, be holden & kept and duely executed, and thereupon Commiſſions ſhalbe made to the Juſtices of peace in euery countie, to heare & determin ỳ points of the ſaid ſtatut, & to award dammages at the ſuit of the party, according to the quantitie of his treſpas. An.42.E.3.ca.6.

Cõmiſſions

Juſt. of p. Oier & ter.

22 ¶Of labourers it is ordeined & eſtabliſhed, ỳ the ordinance thereof made in the time of ỳ ſaid graundfather, which begynneth. Because a great part of ỳ people &c. be affirmed & holden for a ſtatut. And that as wel this ſtatut, as al other ſtatutes & ordynances made of artificers, ſeruants, & laborers before this time, be firmely kept, & put in due execution. An.2.R.2.cap.8.

Confirme

23 ¶Al the ſtatutes of artificers, labourers, ſeruants, and vittaylers, made as well

Statutes Artificers Vittaylers

wel in the time of our ſouereigne Lord the king that now is, as in the time of his noble graundfather (whom God aſſoile) not Repealed, ſhalbe firmely holden & kept, & duely executed. And ẏ the ſaid artificers, laborers, ſeruants & vitaillers, be duely iuſtifyed by the Juſtices of peace, aſwel at the ſuit of the kinge, as of the partie, accordyng as the ſaid ſtatuts require, & that the Maiors, bayliſes, & ſtewards of Lords, & Conſtables of townes, do duely their offices, touching ſuch artificers, ſeruants, labourers & vittaillers. And that a paire of Stockes bee in euery Towne, to iuſtifie the ſame ſeruants & labourers, as is ordayned in the ſaid ſtatutes. And moreouer it is ordeyned & aſſented, ẏ no ſeruant nor labourer, be he man or woman, ſhal depart at the end of his terme out of the hundred, rape, or wapentake, where he is dwelling, to ſerue or dwel els where, or by colour to go from thẽce in pilgrimage vnles he bring a letter patent, containing ẏ cauſe of his going, & the time of his tenure, if he ought to returne, vnder the kings ſeal, which for this intent ſhalbe aſſigned & deliuered to the képing of ſome good man of ẏ hundred, rape, wapentake, citie, or borough, after the diſcretion of ẏ Juſtices of peace to be kept, & lawfully to make ſuch letters whẽ it néedeth, & not in any other maner, by his owne othe. And that about the ſame ſeale, ſhalbe written the name of the county, and ouerthwart the ſaid ſeale the name of the hundred, rape, or wapentake, citie, or borough. And alſo if any ſeruant or labourer be foũd in any citie, or borough, or els wher comming from any place, wandring with out ſuch letter, he ſhalbe forthwith taken by the ſaid Maiors, bailifes, ſtewardes, or conſtables, & put in the ſtocks, & kept til he hath found ſuertie to returne to his ſeruice, or to ſerue or labour in the towne from whence he came, til he haue ſuch letter to depart for a reaſonable cauſe. And it is to be remembred, that a ſeruant or labourer may freely depart out of his ſeruice, at the ende of his terme, & to ſerue in another place, ſo that he be in certainty whith whom, & ſhall haue ſuch a letter, as afore. But the meanyng of this ordinance is not, that any ſeruaunts, which ſhal ride or go in the buſines of their Lords or Maſters, ſhalbe comprized within the ſame ordinance, for the time of the ſame buſines. And if any beare ſuch letter, which may be founde forged or falſe, he ſhall haue impriſonment of xl. dayes for the falſitie, and further till he hath found ſuertie to returne or ſerue to labour, as afore is ſayde. And that none receiue ſeruant or labourer, going out of their hundred, rape, or wapentake, citie or borough, without letter Teſtimoniall nor with letter Teſtimoniall, a boue one night, except it bee for cauſe of ſickneſs, or other cauſe reaſonable, or which wil & may ſerue & labour there by the ſame teſtimoniall, vpon a paine to bee limitted by the Juſtices of peace. And that aſwell artificers & people of miſterie, as ſeruants & apprentices, which be of no great auoyer, and of which craft or miſterie, a man hath no great neede in harueſt time, ſhalbe compelled to ſerue in harueſt, to cut, gather, and bring in corne. And that theſe ſtatuts be duly executed by Maiors, bailifes, ſtewards, & conſtables of Townes, vpon paine limpted & iudged by the ſaid Juſtices of peace in their ſeſſions. And that no man take aboue a penye for the making, ſealing, & deliuering of ſuch letter. An. 12. R. 2. cap. 3.

Confirme
Juſt. of p.
Maiors Bailifes Stewards Conſtables
Stockes
Depart
Certificat
Juſt. of p.
Seale
Wagarant
Stockes Suerties
Forge Impriſon
Suertie
Returne
Letter teſtimoniall
Sickneſs
Juſt. of p.
Apprentices
Huſbandry
Maiors Bailifes
Juſt. of p.

24 ¶ The bailife for huſbandry ſhal take by yere xiij. s. iiij. d. and his clothing once by yere at the moſt. The Maiſter hyne x. s. the the carter x. s. the ſhepeheard x. s. the oxeheard ix. s. viij. d. the cowheard ix. s. viij. d. the ſwineheard x. s. a woman labourer ix. s. a dayrewoman ix. s. dayner of the ploogh viij. s. at the moſt. And euery other Labourer & ſeruant, accordyng to the degree, & leſſe in the country where leſſe was wont to bee géeuen, without clothing, curteſie or other reward by couenant. And that no ſeruant of artificer nor vitailer vin citie, borough, nor other towne, ſhall take more then the ſeruaunts or labourers aboue named after their eſtate, without veſture, curteſie, or other reward by couenant, as afore is ſaid, and if any géeue or take by couenant more then is aboue ſpecified, at the firſt time that they ſhalbe thereof attainted, aſwel the geuers as the takers, ſhal pay the valour of ẏ exceſſe ſo géeuen or taken, and at the ſecond time of their attainder, the double valour of ſuch exceſſe, & at the third time the treble valour of ſuch exceſſe, & if the taker ſo attaynted, haue nothing whereof to pay the ſayde exceſſe, he ſhal haue xl. daies imprizonment. An. 12. R. 2. cap. 4.

Wages
Women
Artificer Vitailer Citie
Impriſon

25 ¶ That the ordinances afore ſaid of ſeruaunts & labourers, beggars and vagabonds, ſhall holde place, & be executed aſwel in cities & boroughes, as in other counties & places within the realme, aſwel within the fran-

Confirme Execute

Sherifes Maiors Baunes Baylifs

franchiſes as without, & that the Sherifes, Maiors, Baillifs, and keepers of the gaules ſhalbe holden & charged, to receiue the ſaydo ſeruants, labourers, beggers, vagabondes, & to kepe them in priſon, in the forme afore ſaide, without letting to Mainprize, or in baile, and without fee, or any other thinge, taking of them, by them ſelfe, or by any other, as long as they be ſo impriſoned, or at their entrie, or at their goinge forth, vpon paine to pay an C.s. to our ſouereigne lord the king. An. 12. R. 2. cap. 9.

Mainprize

Impriſon

Fork.

Juſt. of p.

26 ¶ That the Juſtices of peace in euery countie, in two of their Seſſions to be holden, betwirt the feaſt of Eaſter, & Saint Michael, ſhal make proclamation by theyr diſcretion, after the dearth of victuales, how much euery maſon, carpenter, tyler, & other craftes men, workmen & labourers by the day, aſwel in harueſt, as in other times of the yere, after their degree, ſhal take the day with meat & drinke, or without meate and drinke, betwene the two Seſſions beforeſaid, notwithſtanding the ſtatut therof here tofore made, & that euery man obey to ſuch proclamatiõs from time to time, as a thing done by ſtatut. An. 13. R. 2. cap. 8.

Proclamation

Wages

27 ¶ That no Labourer bee retayned to worke by ỹ weeke, nor that no labourers, carpenters, maſons, tilers, plaiſterers, daubers, couerers of houſes, nor none other laborers, ſhal take any hire for the holy daies nor for the euens of feaſtes, where they do not labour, but til ỹ hower of none, but only for the halfe day, vpon ỹ paine that ſuch labourer, carpenter, maſon, tiler, plaiſterer, dauber, couerer of houſes, or any other Laborer that taketh contrarie to this ſtatute, ſhal pay to the kinge, for euery time ỹ he ſo doth ỹ contrarie, xx.s. An. 4. H. 4. cap. 14.

Holy dayes

Fork.

28 ¶ See in Apprentices 2. 17. how labourers & artificers ſhalbee ſworne to ſerue for the wages appointed by ſtatute, & that they ſhalbe ſet in the Stockes & impriſoned if they refuſe.

Artificers othe

Stockes Impriſon

29 ¶ The Statut of Labourers, made at Cauntorbury, & all other good ſtatutes of labourers, made & not repealed, be firmely holden & kept, & put in due execution. And moreouer ỹ the Juſtices of peace haue power to ſend their writs for ſuch fugitiue labourers, to euery Sherife of the Realme of England, & to make ſuch proces, as the ſtatut of 34. E. 3. cap. 10. requireth, to bring thẽ before them, to anſwere to our ſouereigne Lord the kinge, & to the parties of the contempts & treſpaſſes made or done againſt the ordinances & ſtatutes aforeſaid, in lyke maner, as the Juſtices haue power to ſende to euery Sherife for ỹ thefues before them indicted. And alſo ỹ al the ſtatuts & ordinãces of labourers, ſeruãts, & artificers, before this time made & not repealed, be exemplified vnder the great ſeal, & ſent to euery Sherife of ỹ realme of England, therof to make proclamation in full Countie, & after thys proclamation ſo made, ỹ euery Sherife ſhal cauſe the ſaid Exemplification to him dyrected, to be delyuered to the Juſtices of the peace in his countie, named in the Quorum or to one of thẽ, to remaine wt ſuch Juſtices which be or ſhalbe, for ỹ better putting of ỹ foreſaid ſtatuts & ordinances in due execution. And in ſhires where diuers Cõmiſſions of the peace be made, there ſhalbee ſo many exemplifications of ỹ ſtatuts & ordynances aforeſaid made, as be Cõmiſſions of ỹ peace in the ſame ſhires, & ſent to the Sherifes to make proclamation, and to deliuer ỹ ſame, as is aforeſaid. And ỹ the Juſtices of the peace in euery ſhire named of the Quorum, be reſiant wtin the ſame ſhire, except Lordes named in the Commiſſion of ỹ peace, & alſo except the Juſtices of the one bench & of the other, the chiefe Baron of the eſchequer, Sergeants at the law, & the kings Atturney, for ỹ time that the ſame Juſtices chiefe Baron, Sergeants at the law, & the kings Atturney, be attending & occupied in ỹ kings Courts, or otherwiſe in ſome other place occupied in ỹ kings ſeruice, make their ſeſſions iiij. times by the yere, ỹ is to ſay, in the firſt weeke after the feaſt of S. Michael, & the firſt weeke after the Epiphany, & in ỹ firſt weeke after ỹ clauſe of Eaſter, & more often if nede be. And that the ſame Juſtices hold their Seſſions throughout the realme of England, in ỹ ſame weeke, euery yere frõ henceforth. And alſo ỹ the Juſtices of peace from henceforth haue power to examin, as wel al maner of labourers, ſeruants, & their maſters, as artificers by their othes, of all things by them done, contrarie to the ſayd ordinances & ſtatuts, & vpon that, to puniſh them vpon their confeſſion, after the effect of the ſtatuts and ordinances aforeſaid, as though they were conuict by enqueſt. And that the Sherife in euery ſhire of ỹ realme of England, ſhal do wel & truely his office in this behalfe, vpon paine to loſe and to forfayte to our ſouereigne Lord the kinge xx. pound. Anno 2. H. 5. cap. 4.

Confirme

Juſt. of p.

Reſiant Lordes

Juſt. of either Bench

Sergeants at Law

K. Attorney

Seſſions

Juſt. of p.

Examine

Sherife

Fork.

30 ¶ An.

30 ¶ An.4.H.5.cap.4. It was enacted to endure for iij. yeres, that the paines in the Statut of An.12.R.2.cap.4. (which is before 24.) concerning wages to ſeruaunts, ſhould be onely vpon the taker.

Impriſon Maior of London Maiors Bailifes Cities

31 ¶ That the Juſtices of peace in euery county for the time being, & the Maior of the citie of London, for the time being, & the Maiors & bailifes in euery citie, borough, or towne, ſhal haue ſuch power & auctority to make proclamation in their ful ſeſſiõs once by ỳ yere, and ſo in euery borough & market towne vpõ their iurisdictiõ, how much euery ſeruant of huſbãdry ſhal take for his ſeruice by the yere, then by them to be holden, betwixt the feaſt of Eaſter & S. Michael, & in euery borough & market Towne, howe much euery artificer & workman ſhall take by the day, & by the weeke with meat and drinke, or without meat or drinke, aſwel in Auguſt, as other times of the yere. Prouided alwaies, that if any be retained by the weeke for huſbandry or other labor, that hee ſhall take nothing for the feſtiual dayes in ſuch weeke, nor for the halfe dayes for the euens of ſuch feaſts. And that euery proclamation ſo to be made, be holden as a thyng ordeyned by ſtatut. And if any ſeruant, artificer, or workman, do the contrary of ſuch proclamation ſo to be made, & be therof attainted at the kings ſuit, he ſhal forfaite to ỳ king euery time the value of his wages, & if he haue not whereof to make gree to the king, he ſhal haue impriſonment of xl. dates wout being let to baile or mainprize in any maner. And ỳ the Juſtices of peace, Maiors & baylifes aforeſaid, then for the time being ſhal haue power & auctoritie to heare & determine ſuch offences, aſwel at the kynges ſuit by ſuggeſtion ſurmiſed, as the ſuit of ỳ partie in ſuch caſe greeued, and therupon to make & award, writs of Capias, as often times as to them ſhal ſeeme wel to be don, againſt ſuch ſeruãts, artificers, & workmen at euery perſons ſuite, ỳ feeleth him in ſuch caſe greeued or moleſted, returnable before them ſelfe, or before any other Juſtices of peace, or Maiors, or bailifes for ỳ time being, at a certaine day in their Seſſions, at which day if any ſuch ſeruant, artificer, or workman, come before the ſaid Juſtices of peace, or before Maiors or bailifes, by force of ſuch writs, or in any other maner: that then the ſame Juſtices of peace, Maiors, or bailifes, for the time being, ſhal haue ful power & auctoritie to examin by their diſcretion & knowledge, aſwel ſuch ſeruants artificers, & workmen, as their maſters, how much ſuch ſeruants, artificers, & workmen, do take by the yere, by ỳ day, & by the weke. And if they find by ſuch examination, or by plee betwixt the ſame ſeruants, artificers, workmen, & their maſters, the contrary to bedone of ſuch proclamatiõs ſo to be made: ỳ the ſaid ſeruants, artificers, & workmen, & laborers ſhalbe puniſhed in the forme afore ſaid, & they ſhal yeld to the party greeued his double damages. And if any of them depart or void into another coũtie, ỳ then it be law ful to the ſaid Juſtices of peace, Maiors, & bailifes, for the time being, to make & grãt writs of Capias, as many & ſuch as beer quiſite, directed to ỳ ſheriffes of the counties where ſuch ſeruants, artificers, & workmen be fled, to take their bodies, returnable before them, at what time ſhal pleaſe them, ſo ỳ if they come by ſuch proces, they ſhalbee put in priſon, till they find ſufficient ſuertie wel to ſerue their ſaid Maſters. And that ỳ ſtatut begin to hold place, as to ỳ puniſhmẽt of ſuch ſeruants retayned by ỳ yere, or by ỳ halfe yere, after the feaſt of S. Michael next comminge, for the offences in this behaiſe done by them after the ſaid feaſt. And that al the Maiors & bailifes which be wardẽs of the peace in any cities, townes, or boroughs, of the realme for the time being, ſhall haue like power, correction, & execution of ỳ ſaid ordinance ſo to bee made, & of al ſtatutes of Laborers, win the ſaid townes, cities, & boroughes, as the Juſtices of peace haue in their counties. And moreouer, that ỳ Juſtices of peace in euery countie, & the Maiors and bailifes in euery ſuch citie, borough, or towne, ſhal haue power and auctoritie, to make proclamation, & execution of & in the premiſſes, as afore is ſaid. And this ordynance ſhal endure til the next Parliament. An.6.H.6.cap.3. & after An.8.H.6.cap.8. it was enacted, that this ſtatute ſhalbe put in execution till the king hath other wiſe declared his will in plaine parliament.

2. Damages
Depart
Juſt. of p.
Capias
Impriſon Suertie
Maiors Bailifes Juſt. of p.
Proclamation

32 ¶ Euery ſeruant of huſbandry purpoſing to depart from his maſter at the end of his terme: at ỳ middeſt of his terme, or otherwiſe, make a couenant before wyth an other man to ſerue him for the next yere, if he be in ſuch caſe as ỳ law wil compel hym to ſerue, that the ſaid ſeruants, & he which ſo ſhal make couenant wỳ him at the middeſt of the ſaid terme or before, ſhall geeue warning to the maſter of the ſaid ſeruant, of the

Feſtiuall dayes Halfe dates Proclamation
Attaint Fors.
Impriſon Mainprize
Juſt. of p. Maiors Bailifes Oier & ter.
Capias
Juſt. of p.
Examine
Couenant to ſerue
Warning

said couenant so newly made, so ẏ the same master may prouide an other seruãt against the end of his terms. And if any couenãt wͭ any such seruant, be otherwise made, or that such warning in maner & forme aforesayd not had, ẏ that same couenant shalbe void. And that the same seruaunt bee compelled to serue his first master for ẏ nert yere, except that a lawful cause being of a later time require the contrary. And also ẏ the salaries & wages of seruants, labourers, & artificers, shall not exceede the assessing as followeth, ẏ is to say. The wages of a baillie of husbandry by the yere xxiij.s. iij.d. & clothing price v.s. wͭ meat & drinke, of a chiefe hyne, a carter, or chiefe shepeherd xx.s. & clothing price of iij.s. wͭ meat & drink, a cõmon seruant of husbandry xb.s. & clothing price of xl.d. A woman seruant x.s. & clothes price iij.s. with meat & drinke, an infant within the age of xiij. yeres, vj.s. & clothing price of iij.s. with meat & drinke. The same forme shalbe obserued of wages of seruants, being with hostlers, victailers, & artificers, in city, borough, & els where, & that such as deserue lesse shal take lesse, and also in places where lesse is vsed to be gæuen, lesse shalbe gæuen from hencefoorth. And that from the feast of Easter, till the feast of Saint Michael, the wages of any free Mason, or master Carpenter, shal not exceede iij.s.d. by the day, & without meat & drink v.d.ob. A Walter tiler or slatter, a rough Mason, & mean Carpenter, & other artificers, concerning buylding by the day iij. pence wyth meat and drinke, and without meat and drinke iiij.d. ob. and euery other Labourer by the day ij.d. with meat & drinke, and without meat & drinke iij.d. ob. And that from the feast of S. Michaell, till the feast of Easter, a free Mason, and a master Carpenter by the day iij.d. with meat & drink, & wͭout meat and drink iij.d.ob. a tiler, mean carpẽter, rough Mason, & other artificers aforesaid by ẏ day ij.d.ob. with meat & drink, & without meat & drinke iij.d. and euery artificer & labourer by the day i.d.ob. with meat & drink, & without meat & drinke iij.d. & he that lesse deserueth, shal take lesse. Prouided that the sayd assessing shal not extend to labourers in the time of harueſt, in which time ẏ wages of a Mower shal not exceede iij.d. by the day with meat & drink, & wͭout meat and drink vj.d. a Reper or carter iij.d. by the day with meat & drink, & wͭout meat & drinke v.d. A woman labourer other labourers in time of harueſt ij.d.ob. by ẏ day with meat & drink, & without meat & drinke iij.d. ob. & such as be worthy lesse, shall take lesse, & in places where lesse is vsed to be taken, lesse shalbee taken from hẽcefoorth. And that no artificer, workman, nor labourer, shal take any thing for the holy day, nor for the feriall day, but after the rate of ẏ time of the day, in which he labored. And if any person refuse to serue or labour, according to the premisses, that euery Justices of peace in their Countyes, shal haue power at euery time, to cal them to examination of the same, & such as they shal finde defectiue, to commit to the gaole, there to remaine til they haue found sufficient suertie to serue and labour, in fourme by the law required. And if any seruant, artificer, workman, or labourer, do contrary to the premisses, or deny his seruice, occupation, or labor, by reason of not gæning of salarie or wages, contrarie to these statutes, that he shal lose to the partie that wil sue in this behalfe xx.s.. And ẏ the said Justices of peace, shal haue power to heare & determine al maner of offences, done contrarie to the forme of this statut, aswel at the kings suit as at the parties, & that euery of the kings liege people, may haue the suit against euery person that shal offende in any point against this statute, and the proces shalbe by Attachement, Capias, & Exigend. Also that ẏ Justices of peace, shal assesse no fine vpon any which shalbe conuict before them, of a thing done contrarie to any statute of Labourers or artificers, or for this cause to put hym in the good grace of our soueraigne Lord the kinge, vnder iij.s. iiij.d. And also that the Justices of peace through the Realme, ij. times euery yere shal do openly to be proclaimed in their Sessions, al the Statutes of Labourers, artificers, hostelers, vittailers, seruants, and bagabonds, before this time made and not reuoked with thys statute. Also that by colour of the tenure of lesse lands, then the husbandry of the same shall suffise to the continuall occupation of one man, no man shalbe excused to serue by the yere, vppon the paine to bee iustifyed as a bagabond. Also that Justices of peace shall haue power to take al seruants, retayned wyth anye person by coulour of husbandry, and not duely occupyed about the same, which seruaunts ought by the lawe, to bee seruants of husbandry, to such as shal requyre their seruice, and to iustifie them in euery point, as the same Justices haue

power

Couenant voyde

Wages

Shepeherd

Woman seruant

Infant

Artificers seruants

Mason Carpenter

Artificers for buylding

Harueſt wages

Holy day

Refuse

Just. of p.

Imprison

Suertie

Fork.

Just. of p.

Proces
Attachment
Capias
Exigent

Fine

Just. of p.

Proclamation

Bagabond
Just. of p.

Justifie

power to iuſtifie vagabonds. And that this ſtatute ſhall begin to be of force & executory in the feaſt of S. Michael, which ſhalbe in the yere of our Lord 1446. and in no wyſe before. An. 23. H. 6. cap. 13.

33 ¶An. 11. H. 7. cap. 22. an acte was made, for the wages of the labourers & artificers, and what howers they ſhould haue, But it is repealed by 12. H. 7. cap. 3.

Repealed

34 ¶An. 4. H. 8. ca. 5. an act was made to endure to the next parliament, repealing penalties & forfaitures againſt the maſter & geuer of wages to ſeruants & labourers, contrarie to the ſtatute made. An. 12. R. 2. cap. 3. 4. 5. & 6.

Wages

35 ¶No bailife of huſbandry ſhall take for his wages by ỳ yere aboue xx vi. s. viij. d. for clothing v. s. w̄ meat & drink. No chiefe hyne as a carter, or chiefe ſhepherd, aboue xx. s. by ỳ yere, & for his clothing v. s. wyth meat & drink. No common ſeruant of huſbandry aboue xvi. s. viij. d. by the yere, & for his clothing iiij. s. with meat & drinke. No woman ſeruant aboue x. s. by the yere, & for her clothing iiij. s. w̄ meat & drink. No child within the age of 14. yeres, aboue vi. s. viij. d. by the yere, & for his clothing iiij. s. with meat & drinke. And ỳ no artificer ne labourer (hereafter named) take no more ne greater wages, thē in this ſtatut is limitted, vpon the paine leſſed, aſwel the taker as the geuer, ỳ is to ſay. A frē Maſon, maſter Carpenter, Roughmaſon, Bricklaier, maſter Tiler, Plummer, Glaſier, Caruer, ne Joyner, from Eaſter to Michaelmas, euery of theſe artificers aforeſaid vj. d. by ỳ day wout meat & drinke. & with meat & drinke iij. d. And from Michaelmas to Eaſter v. d. without meat & drinke, & with meat and drinke iij. d. And that the wages of a Shipwright, from the feaſt of Candelmas, vnto the feaſt of S. Michaell tharchangel, ſhall not exceede the forme enſuing, that is to ſay. A maſter Shipcarpenter, taking the charge of the worke, hauing men vnder him, by the day v. d. with meat & drink, & without meat & drinke viij. d. Another Shipcarpenter called a hewer by the day iiij. d. with meat and drink, & without meat & drink vi. d. An able Clincher by the day iij. d. with meat & drink & wout meat & drink v. d. An holder by the day ij. d. with meat & drink, & without meat & drinke iiij. d. A maſter Calker by the day iiij. d. with meat & drinke, & without meat & drinke vi. d. An other meane calker by the day iij. d. with meat & drinke, and wythout meat and drinke v. d. A Calker labouring by the tyde, for as long time as he may labour aboue the water & beneath the water, ſhall not exceede for hys wages, for euery tyde iiij. d. with meat & drinke. And from the feaſt of Michaelmas to Candelmas, the wages of a Maſter Shipwright by the day iiij. d. with meat & drinke, & without meat & drink vi. d. An hewer by the day iij. d. wyth meat and drinke, & without meat & drinke v. d. An able Clincher by the day ij d. halfe penny with meat and drinke, and without meat and drinke iij. d. halfe peny. An holder by the day, one peny halfe peny wyth meat and drinke, and without meat & drink iij. d. A maſter Calker by the day iij. pence with meat and drinke, and without meat and drinke v. d. An other mean Calker by the day ij. d. halfe peny with meat & drink, and without meat & drink iiij. d. halfe peny. Be it alſo enacted &c. that in ſuch ſhires & countries, where it hath bene, and is now vſed, to geue leſſe wages, then in theſe ſhires and counties, they ſhal geue, and the taker of the ſaid wages bee compelled, according as they haue leſſe vſed to take, thys act not withſtanding. And the Maſter Maſon, & Maſter Carpenter, which ſhall take the charge of the worke, hauing vnder hym or thē vj. men. ſhal haue viij. d. wout meat and drinke, & v. d. by the day with meat and drinke. And euery perſon & artificer ſpecified in this ſtatut, being not retained in any ſeruice for any worke, be compelled to ſerue euery other perſonne ſo for ſuch wages, as in this ſtatut is limitted. And that no artificer retained in any ſeruice to worke with the kings highnes, or any other perſon, depart not from his ſaid highnes, or from the ſayd other perſon, til ſuch time as the worke is finiſhed, if the perſon ſo retayning the artificer, ſo long wil haue him & pay his wages, vpon pain of impriſonment of any perſon ſo departing by the ſpace of a moneth, & to make fine of xx. s. Alwaies prouided & forſeene, ỳ if the ſame artificer be deſired to ỳ kings ſeruice & worke: that then he may lawfully depart, ſo that he enter & be in ỳ kings ſeruice & worke. And it is further ordeyned by the ſaid auctoritie, ỳ euery other laborer & artificer (not afore named) ſhal take from Eaſter to Michaelmas, for euery day ỳ he ſo laboreth (except the ſeaſon of harueſt) iij. d. without meat & drink, & ij. d. with meat & drink. And from Michaelmas til Eaſter iij. d. without meat & drink, & j. d. ob. with meat

Hyne Sheepeherd

Woman ſeruant Child

Artificers

Artificers for building

Shipwright wages

Tyde worke

Wages

Maſon Carpenter

K. Seruice

Depart without licence

Impriſon

Fine

Wages

Harnett

and drinke, & in the same time of harnett, euery mower shall take by the day iiij. d. with meat & drinke, & without meat & drink vi.d. A reaper and carter euery of them iij. d. by the day with meat & drinke, & without meat & drinke v.d. A woman labourer or labourers euery of them ij.d.ob. by the day with meat & drinke, & without meat & drink iiij.d.ob. And that no artificer nor labourer working but the halfe day, take no wages but for the halfe day, & nothing for the holy day. And if any bailife of husbandry, byne, carter, shepeherd, common seruãt, woman seruant, or child seruant, aboue specified, not retained in any seruice or worke, refuse to serue or worke, according to the ordinance aboue specified: then the same person to bee committed to warde, by the Constable, or other head Officer, within the citie, towne, or village, where the party so refusing is, at the complaint of him that will receiue such seruant, there to remaine, till he haue found suertie to serue according to the said ordynance. Furthermore if any artificer or labozer, being not retained in any such seruice or worke, refuse to serue after ỳ rate of this estatut, or to take greater or more wages then therein is limited, for the same artificers & labourers, or if any artificer or labozer take wages for the whole day, where he worketh but halfe the day: that then euery artificer or labourer, offending in any of the aforesaid articles, to forfait for euery default as oft as they offend xx.s. And they to be conuicted for euery such default by presentmẽt afore the Justices of peace in their sessions, according to the cõmon law, or by examination of the Justice in the same sessions, or by examination of two Justyces of peace, out of the Sessions in any place within the shire wherin they ben Justices, & where such defaults shalbee made. And that the said forfaiture of xx.s. to be leuyed of their lands, goodes, and cattells so offending. And furthermore where diuers artificers and labourers, retained to worke and serue, wast most part of ỳ day, & do not deserue their wages, sõetime in late cõming to their worke, rarely departing there fro, long sitting at their breakefast, at their dinner, and at their none meat, and long time of slæping, at after none, to the losse and hurt of such persons, as the said artificers & labourers bene retayned with in seruice: It is therefore enacted &c. that euery artificer and labourer be at worke, betweene the midst of the moneth of March, & the midest of the moneth of September, before fiue of the cloke in the morning, & that he haue but half an hower for his breakfast, & an hower & an halfe for his dinner, at such season, as he hath time for slæpe to him appointed by the said estatut, & at such time as it is herein appointed, that he shal not slæpe, then he to haue but an hower for his dinner, & halfe an hower for his none meat, & that he depart not from his worke, betwene the midst of the moneth of March & September, till betwene rij. & viij. of ỳ clocke in the euening. And if they or any of them offend in any of these articles: that then their defaults to bee marked by him or his deputy, that shal pay their wages, & at ỳ wekes end to be abated of such rate of time, as they haue offended. And that from the midst of September, to the midst of March, euery artificer & labourer, be at their worke in the springing of the day, & depart not til night of the same day, & that the said artificers & labozers slæpe not by day, but onely from the midst of ỳ moneth of May, vnto ỳ midst of August. And it is enacted by the same authoritie, that if any artificer or labourer retayned in seruice with any person, for building or reparation, do assault or make, or cause to be made any assemble, to assault, harme, or hurt, any person assigned, to comptrol or oversee them in their working, ỳ he or they so offeding, haue imprisonment for a peare, wout letting to baile or mainprise, & furthermore to make fine at the kings wil. The same assemble or assault to be tried by examination before ỳ Justices of peace, as is aforesaid. This acte to begin & take effect at the feast of Whytsontide next cõming, & in ỳ mean time the same to bee proclaimed in euery good citie, borough, & towne of this realme. Prouided alway, ỳ this act, ne any thing therein contained, extend not, ne be prejudicial to any person or persõs, for myning or digging for any coale, called sea coale, otherwise called Smithes coale, or for making of any glasse. Prouided alway, ỳ this acte or any thinge therin cõteined, extẽd not, ne in any wise be hurtful or preiudiciall to any myners, workers, or labozers of tinne, lead, iron, or siluer or for any wages taking, about ỳ digging, setting, or finding of the same mettals: this act, or any thing therin cõtained not wtstanding. An. 6. H. 8. cap. 3. & An. 7. H. 8. ca. 5.

36 ¶ All and euery of the said artificers, (as free Masons, rough Masons, Bricklayers carpen-

Woman seruant

Artificer

Halfe day
Holy day
Bailife of Husbandry

Refuse

Impryson Constable

Suertie

Artificer

Refuse

Fine.

Presentmẽt Iust of p.

Idelnes
Losing of time

Sleeping

Marche
September
Time to worke

Sleeping time
May
August

Assault

Impryson

Mainprise
Fine

Triall
Iust. of p.

Myners
Sea cole
Glasse

Tinne
Lead
Iron
Siluer

Artificers

carpenters, Joyners, karuers, plasterers, daubers, tilers, hillers, plummers, glasiers) labo3ers, & their said apprentices, & seruãts 3oorking 3ithin the said city (s. of London) o3 within the libertie of the same, from hence3orth may take for their wages like wages as they did take before the said statut (s. An. 6. H. 8. cap. 3. before 35.) had o3 made, the same former act notwithstandinge. And if the said artificers & their apprentices 3ork out of the said city of London & the liberty & fraunchise of the same, that then they & euery of thẽ, take but only such wages, as is comprised in the said former statute. And also that al such artificers & labo3ers, as shal frõ hẽce3orth 3orke 3ithin the same city & liberty of that same, in the kings 3orks, that they no3 none of them, take any more wages but as it is expressed in the said former statut. And that the penaltie cõprised in the said former statut extend not but only to the taker, & not to that geuer, the sayd former act notwithstandinge. An. 7. H. 8. cap. 6.

London

Wages

Apprentices

37 ¶ No person no3 persons occupying o3 vsing, o3 hereafter shal occuppe o3 vse any of the arts, misteries, occupations, crafts, o3 sciẽces of a clothmaker, fuller, sheremã, weauer, tailo3 o3 shoomaker shal after the feast of Pentecost next cõminge, hire o3 retaine to 3orke in any of their arts, misteries, occupations, crafts, o3 sciences, any person o3 persons vnmaried, as a iourneman, that is to say, to 3orke o3 labour by the day, o3 taile 3ork, o3 by the great, o3 for any time o3 terme vnder the time o3 terme of one whole quarter of one whole yere. And that no person o3 persons vnmaried, shalbe hired o3 reteined 3ith any of the person o3 persons afo3esaid, to 3orke in any of the artes, misteries, occupations, crafts o3 sciences afo3esaid, for any lesse time thẽ for that space of one whole quarter of one whole yere, vpõ pain of euery person offending cõtrary to this statut to suffer imprisonment for one whole moneth, 3out baile o3 mainprise, & to forfait for euery such offence xl. s. And be it &c. that euery iorneman of any of the crafts, occupations o3 misteries afo3esaid, being required by any person o3 persons vsing that misteries, occupations, crafts, o3 sciences afo3esaid, o3 any of thẽ, to serue by the quarter of the yere, halfe yere o3 whole yere, vpon such reasonable 3ages as betwene thẽ shalbe agreed, & in case 3her the parties cãnot accord, thẽ for such 3ages as shalbe adiudged & decreed by one Iustice of the peace, Maio3, alderman, bailife, po3treeue, constable, o3 tythingman of the shire, citye 3towne, bo3ough, village, hundred, 3apentake, o3 tithing, 3here any tourneman shal be required to serue, as is afo3esaid: & thereupõ if such iorneman refuse to serue in maner & forme aboue said, that then euery such iorneman & euery of thẽ so refusing to serue as is aboue said, shal suffer imprisonment by the space of one whole moneth, & shal at euery time so refusing forfait xx. s. And be it &c. that al & euery person o3 persons that shal haue iij. apprentices in any of the said crafts, misteries o3 occupations, shal retaine & keepe one iornemã, & for euery other apprentice aboue the nũber of the said iij. apprentices, one other iornemen, vpõ paine for euery default xl. the one halfe of that 3hich forfaitures shal be to the king, & the other halfe to such persõ o3 persõs as 3il sue for the same, in any of that kings courts of record, by bil &c. in 3hich &c. And it is &c. that all & singuler the offences aboue said, 3hich shalbe hereafter cõmitted o3 done contrary to the tenour of this present act, shalbe inquirable & presentable before the Iustices of oyer & determiner, Iustices of assises, Iustices of peace, & in al and euery leete o3 leetes, before the steward o3 stewards there, & before any Maio3, bailife, o3 other head officer of any citie, bo3ough, o3 towne co3porat, & that the said Iustices, steward, Maio3, bailife o3 other head officer shal haue ful power & auctho3ity from time to time, to punish & co3rect al and euery person o3 persons offending contrary to the tenour of this present act, acco3dinge to such presentmẽt o3 presentments, as before him o3 them shalbe had o3 made. Prouided alwaies and be it &c. that al seruaunts of husband3y vnmaried, and 3hich haue not bene maried, and al sernants and labo3ers vsing to labour in barges, commonly called westerne barges 3hich are not no3 haue bene maried, shal after the feast of the Annunciation of our Lady next cõming, serue by the whole yere, & not go by the day 3ages, vpon pain of such punishment, as is cõtained in the statuts made against labo3ers, & that al such seruãts shal after that said feast, giue their maister & mistres, a quarters warninge, against his o3 their departure out of seruice, vpon that like paine cõtained in the said statut An. 3. E. 6. cap. 22.

Artificers

Vnmaried man Iourneman

Yere

Quarter of a yere Imprison

Forf. Iourneman

Iust. of p. Maio3 Aldermen Bailife

Constable

Refuse

Imprison

Forf.

Forfaite 3. apprentices

One iorneman

Forf.

Forfaite

Iust. of Oier & ter.

Iust. of ass.

Iust. of p.

Leete

Maio3 Bailife

Punish

Vnmaried men

Bargemen

Warning

38 ¶ Although ther remain no3 in force a great nũber of statuts, cõcerning that retaining, departing, 3ages, & o3ders of apprẽtices seruants, & labo3ers, as 3el in husband3y, as in diuers

diuers other arts, misteries & occupations: yet partly for the imperfection & contrarietie in thē, & for ẏ variety & number of thē, & chiefely for ẏ the wages rated in many of them are to smal, & not answerable to this time, they cannot without great burden to the poore labourer, & hired men, be put in due execution: wherfore collecting the substance of ẏ meetest of thē, & to limit an vnyformē order, concerning the wages & other orders for apprentices, seruants & labourers, ẏ yelenesse may be banished, but bāyry aduaūced, & ẏ hired men haue at al times a conuenīēt porcion of wages. Be it &c. that asmuch of al ẏ statuts heretofore made, & euery branch of them as touch or concerne ẏ hiring, kēping, departing, worckinge, wages or order of seruants, workemen, artificers, apprentices or labourers or any of them, & the penalties & forfaitures concerninge the same, shalbe from & after the last day of September next ensuing, repealed & vtterly voyd & of none effect, & ẏ al the said statuts & euerie branch therof, for any matter contained in thē, & not repealed by this sta. shal remaine & be, in ful force & effect, any thing in this statut to the contrary notwithstandinge. And be it &c. ẏ no maner of person or persons after ẏ aforesaid last day of September nowt next ensuing, shall retaine, hire or take into seruice, or cause to be reteined, hired, or taken into seruice by any meanes or colour, to worke for any lesse time or terme then for one whole yere, in any of ẏ sciences, crafts, misteries, or artes of clothiers, woolen cloth weauers, tuckers, fullers, clothworkers, sheremen, dyers, hosiers, tailours, shoomakers, tanners, pewterers, bakers, brewers, gloners, cutlers, smithes, ferrors, curriers, sadlers, spurriers, turners, cappers, hatmakers, or feltmakers, bowyers, fletchers, arrowhedmakers, butchers, cokes, or millers And be it further enacted, that euery person beinge vnmaryed, and euery other person being vnder the age of xxi. yeres, ẏ after the feast of Easter next shal marrie, & hauing bene brought vp in any of the sayd artes, crafts, or sciences, or that hath vsed or exercised any of them by the space of 3. yeres or more, & not hauing lands, tenemēts, rents, or hereditamēts, copihold or freehold of one estate of inheritāce, or for terme of any life, or lines, of the clere yerely value of xl. s, not being worth of his own goods the clere value of x. li. & so allowed by ii. Iustices of the peace of the county where he hath most cōmonly inhabited by the space of one whole yere, & vnder their handes and seales, or by the Maior or other head officer of the citye, borough or towne corporat, where such person hath most cōmonly dwelled by the space of one whole yere, & two Aldermen or two other discrete Burgesses of the same Citie, borough, or towne corporate, if there be no Aldermen, vnder their handes & seales, nor being reteined with any person in husbandrie, or in any of the aforesaid artes & sciences according to this statut, nor lawfully reteyned in any other art or science, nor beinge lawfully retained in householde, or in any office with any noble man, gentlemā, or others, accordinge to the lawes of this Realme, nor hauing a conuenient ferme, or other holding in tillage, whereupon he may employ his labour, shall during the time ẏ he or they shall so be vnmaried, or vnder the the sayd age of xxi. yeres, vpō request made by any person vsing ẏ art or mistery wherin the said person so required hath ben exercised, as is aforesaid, be reteined, & shall not refuse to serue according to the tenor of this statut, vppon the paine & penaltie hereafter mencioned. And be it further enacted ẏ no person which shal retaine any seruant, shall put away his or her sayd seruaunt, and that no person retained according to this statut, shal depart from his sayd master, maistres, or dame, before the end of his or her terme, vppon the payne hereafter mencioned, vnlesse it be for some reasonable and sufficient cause or matter, to bee allowed before two Iustices of peace, or one at the least, within the said County, or before the Maior or other chiefe officer of the Citye, borough or towne corporat, wherein the sayd master, maistres or dame inhabiteth, to whom any of the parties greued shal complaine: which saide Iustice or Iustices, Maior or chiefe officer, shal haue & take vpon him or them the hearing & ordering of the matter, betwixt ẏ said maister, maistres, or dame, & seruaunt, according to the equitie of the cause. And ẏ no such master, maistres or dame, shal put away any such seruāt at ẏ end of his terme, or ẏ any such seruant shal depart from hys sayd maister, maistres or dame, at the end of his terme, wout one quarters warninge genen before thend of his said terme, eyther by ẏ said master, maistres, or dame, or seruant, the one to the other, vppon the payne hereafter ensuing. And be it further enacted by the auctority aforesayd, that euery person

Statuts Repealed

Not retaine into seruice

Ye Sciences Crafts Artificers

Vsed the trade iii. yeres Lands

xl s. lands Goods x. li. ii. Iust. of p.

Maior

Aldermen

Husbandry

Requeſt

Refuſe

Put away

Depart without leeue

Iust. of p. Maior

Warning

betwene xii. yeres old and lx. yeres old

Mariner

Rudder

Husbandmã

Apprentice in Citie

Mines

Glasse

Gentleman

Student

Scholler

xls. land Goods

Father or mother

Heire apparant

Fermour

Retaine to serue in Husbandry

Put away

Warning

ii. Witnelles

son betwene the age of xij. yeres & the age of lx. yeres, not being lawfully reteined, nor apprentice with any fisherman or mariner haunting the seas, nor being in seruice with any rudder or carrier of any corne, grayne, or meale for prouision of ỹ citie of London, nor with any husbandmã in husbandry, nor in any Citie, Towne corporate or market towne. In any of the artes or sciences limitted or appointed by this estatute, to haue or take apprentices, nor being retayned by the yere or halfe yere, at ỹ least, for the digging, sæking, fynding, getting, meltinge, fininge, working, tryinge, making of any siluer, tyn, lead, yron, copper, stone, sea cole, stone cole, or mere cole, chark cole, not being occupied in or about ỹ making of anyglasse, nor being a gentleman borne, nor beinge a student or schollers in any of ỹ vniuersities, or in any schoole, nor hauing lãds, tenements, rẽts or hereditamẽts for terme of life, or of one estate of inheritance, of the clere yerely value of xl. s. nor beinge worth in goods and cattelles to the value of x. li. nor hauinge a father or mother then lyuing, or other auncestour whose heire apparant hee is, then hauing lands tenements, or hereditaments of the yerely value of x. li. or aboue, or goods or cattels of the value of xl. li. nor beinge a necessarye or conuenient officer or seruaunt lawfully reteined as is aforesaid, nor hauing a conuenient ferme, or holdinge, wherupon he may or shal employ his labour, nor being other wise lawfully reteined according to ỹ true meaning of this statute: shal after the foresaid last day of Septẽber now next ensuing by vertue of this estatut, be compelled to be retained to serue in husbandrye by the yere, with any person ỹ kepeth husbandry, & wil require any such person so to serue wỉ ỹ same shire where he shalbe so required. And be it &c. ỹ if any persõ after he hath reteined any seruẽt shal put away ỹ same seruãt before ỹ end of his terme, vnles it be for some reasonable & sufficiẽt cause to be allowed as is aforesaid, or if any such master, maistres or dame shal put away any such seruant at ỹ end of his term wout one quarters warning geuẽ before ỹ said end, as is aboue remẽbred: that thẽ euery such master, maistres, or dãe so offending, vnles he or they be able to proue by ij. sufficient witnelles such reasonable and sufficient cause of putting away of their seruant or seruãts during their terme, or a quarters warning geuen afore the end of the said terme, as is aforesaid, before the Justices of oyer & terminer, Justices of assise, Justices of the p. in the quarter sessiõs, or before ỹ Maior or other head officer of any citie, borough or towne corporat, & ij. aldermẽ, or ii. other discreet burgesses of ỹ sãe city, borough or towne corporat, if there be no aldermen, or before the lord president & coũsel, established in ỹ marches of wales, or before the Lord president & coũsel for the time being established in the North parties: shal forfait ỹ summe of xl. s. And if any seruant reteined according to ỹ forme of this estatute, depart frõ his master, maistres, or dames seruice, before ỹ end of his terme, vnles it be for some reasonable & sufficiẽt cause to be allowed as is aforesaid, or if any seruãt at ỹ end of his terme depart frõ his said master, maistres or dames seruice, wỉout one quarters warning giuen before ỹ end of his said terme in forme aforesaid, & before ij. lawful witnelles, or if any person or persõs cõpellable & boũden to be retained to serue in husbandry or in any other ỹ arts, sciẽces, or misteries aboue remẽbred, by the yere or other wise, do (vpon request made) refuse to serue for ỹ wages ỹ shalbe limitted, rated, & appointed, according to ỹ forme of this estatut, or promise or covenant to serue, & do not serue according to ỹ tenor of ỹ same: ỹ thẽ euery seruant so departinge away, & euery persõ so refusing to serue for such wages, vpon cõplaint therof made by ỹ master, maistres, or dame, of ỹ said seruant, or by ỹ party to or wỉ whom ỹ said refusal is made, or promise not kept, to ii. Justices of the p. of ỹ coũty, or to ỹ Maior or other head officer of ỹ city, borough, or towne corporat, & ij. aldermen, or ij. other discrete burgesses of ỹ sãe city, borough or towne corporat, if ther be no aldermẽ, where ỹ said master, maistres, or dame, or ỹ said party, to or wỉ whõ ỹ said refusal is made, & promise not kept & wellieth, or to either of ỹ said L. presidẽts & coũsel of Wales, & the North, the said Justices, L. Presidents & counsels, & also ỹ said Maiors, & other head officers, & other persons of cities, boroughs or townes corporat, or any of them as is aforesaid, shal haue power by force of this statute to heare & examine the matter, & finding the said seruant, or ỹ sayd partie so refusinge, faulty in the premisses, vpon such proues & good matter, as to their discretions shalbe thought sufficient, to commit him or them to ward, there to remaine wỉout baile or mainprise, vntil the said seruant or party so offending, shalbe bound to the

Justices

Justices

Just. of p.

Quarters

Sessions

L. president

Forf.

Depart without licence

ii. witnelles

Refuse

ii. Just. of p.

Examine

Imprison

Mainprise

the party to whom thoffence ſhalbe made, to ſerue & continue with him for the wages ẏ thē ſhalbe limitted & appointed, according to the tenour & forme of this eſtatut, & to be diſcharged vpon his deliuery, without paying any fee to the gaiſer, where he or they ſhalbe ſo impriſoned. And be it likewiſe enacted, ẏ none of the ſaid retained perſons in huſbandry, or in any the artes or ſciences aboue remembred, after the time of his reteiner expired, ſhal depart forth of one city, towne or pariſh to any other, nor out of the lathe, rape, wapentake or hundred, nor out of ẏ county or ſhire where he laſt ſerued, to ſerue in any other Citie, Towne corporat Lathe, wapentake, hundred, ſhire or cōty, vnles he haue a teſtimoniall, vnder ẏ ſeale of the ſaid citie, or towne corporat, or of the conſtable or conſtables, or other head officers, & of two other honeſt houſholders of ẏ citie, towne, or pariſh where he laſt ſerued, declaring his lawfull departure, & the name of ẏ ſhire & place where hee dwelled laſt before his departure, according to the fourme hereafter expreſſed in this act: which certificat or teſtimonial ſhalbe writtē & deliuered vnto the ſaid ſeruant, & alſo regiſtred by the Perſon, vicar, or curate of the pariſh where ſuch maſter, maiſtres, or dame, doth or ſhal dwel, taking for the doing therof, iij. d. & not aboue, & the fourme thereof ſhalbe as followeth. Memorand. that A. B. late ſeruant of C. D. of E. huſbandman, or Taſſour &c. in ſayd County, is licēced to depart frō his ſaid maſter, & is at his liberty to ſerue els where according to the ſtatut in ẏ caſe made & prouided. In witnes wherof &c. Dated ẏ day, moneth, yere & place &c. of the making therof. And be it further enacted &c. that no perſonne or perſonnes, that ſhall depart out of ſeruice ſhalbe reteined or accepted into any other ſeruice, without ſhewinge before hys reteynour ſuch teſtimoniall as is aboue remembred, to ẏ chiefe officer of ẏ town corporat, & in euery other towne & place, to the conſtable, curate, Churchwarden or other head officer of ẏ ſame, where hee ſhalbe retained to ſerue, vpon the payne ẏ euery ſuch ſeruant ſo departing wout ſuch certificat or teſtimonial, ſhalbe impriſoned vntil he procure a teſtimonial or certificat, the which if he cannot do within the ſpace of xxi. dates next after the firſt day of his impriſonmēt, then the ſaid perſon to be whipped & vſed as a vacabound, according to the lawes in ſuch caſes prouided. And that euery perſon retaining any ſuch ſeruant without ſhewing ſuch teſtimonial, or certificat as is aforeſaid, ſhal forfait for euery ſuch offence v. li. And if any ſuch perſon ſhalbe taken wᵗ any coũterfayt or forged teſtimoniall, then to bee whipped as a vacabonde. And be it further enacted by thauctoritie aforeſaid, ẏ all artificers & labourers, being hired for wages, by the day or weeke, ſhal betwirt the midſt of the moneths of March and September, bee and continue at their worke, at or before fiue of the clocke in the morninge, and continue at worke, & not to depart, vntil betwirt ſeuen and eight of the clocke at night (except it be in the time of breakefaſt, dinner, or drinking) ẏ which time at the moſt ſhall not exceede aboue two howers and a half in the day, that is to ſay, at euery drinkinge, one halfe hower, for his dinner one hower, & for his ſleepe when he is allowed to ſleepe, the which is from ẏ midſt of May, to the midſt of Auguſt) halfe an hower at ẏ moſt, & at euery breakfaſt one halfe hower & al the ſaid artifficers & labourers, betwene the midſt of Septēber & ẏ midſt of March, ſhalbee & continue at their worke from the ſpring of the day in the morninge, vntil the night of the ſame day, except it bee in time afore appointed for breakfaſt & dinner, vpō paine to loſe and forfait one peny for euery howers abſence, to be deducted & defaulked out of his wages that ſhould ſo offend. And be it alſo enacted by the auctoritye aforeſayde, that euery artificer and labourer, that ſhalbe lawfully reteined, in or for ẏ building or repairing of any Church, Houſe, Shippe, Mill, or any other peece of worke taken in great, in taſke, or in groſſe, or that ſhal here after take vpon him to make or finiſh any ſuch thing or worke, ſhal continue and not depart from the ſame, vnleſſe it be for not paying of his wages or hire agreed on, or otherwiſe lawfully taken or appoynted to ſerue the Quēnes maieſtie, her heires or ſucceſſors, or for other lawful cauſe, or without licence of the maſter or owner of the worke, or of him that hath the charge therof, before the finiſhing of ẏ ſaid worke, vpon paine of impriſonment by one moneth wythout bayle or mainprize, and the forfayture of the ſumme of fiue pounds to the party from whom he ſhal ſo depart, for the whych the ſayde partye may haue his actyon of debt againſt him that ſhall ſo departe in any of the Quēnes maieſtyes courtes of Recorde, ouer and beſydes ſuch ordinarie

No fee to the gaiſer

Depart from one towne to an other

Teſtimonial

Conſtable

Vicar Curate

Fourme

Reteined

Conſtable Curate Churchwarden

Depart with out licence Impriſon

xxi. dates

Whip Vacabond

Retained

Forf.

Forged teſtimoniall Whip

Artificers Laborers

March September

Time of worke

Sleepe May August

Forf.

Artificer Laborer

Taſk

Depart with out licence

Impriſon. Baile Forf.

Damages

ordinary costs & damages, as may or ought to be recouered, by ỹ comon lawes of this realme concerning any such offence. In which action no protection, wager of lawe, or essoigne, shalbe admitted. And ỹ no other artificer or labourer reteined in any seruice to worke wt ỹ

Owens seruice

Queens maiestie, or any other psõ, depart not from her said maiestie, or frõ the said other person, vntill such times as the worke

worke finished

be finished, if the person so retaining, ỹ artificer or labourer so long will haue him and pay him his wages or other duties, vpon paine

Imprison

of imprisonment of euery person so departinge by the space of one moneth. And be it

Iust. of p.

&c. ỹ the Justices of peace of euery shire, riding, & liberty within the limits of their seuerall cõmissions, or ỹ more part of thẽ being then resiant wtin the same, & the sherife of ỹ county, if he conueniently may, & euery

Sherife Maior Bailife

Maior, bailife or other head officer wtin any citie, or towne corporat wherin ys any Justice of peace within the limits of the sayde citie or towne corporat, & of the said corporation, shal before the x. day of June next comming, & after ward shal yerely at euery

Generall sessions

generall sessions, first to be holden & kept after Easter. or at some time conuenient wtin vi. weekes next following euery of the sayd feast of Easter, assembling them selues together, & they (so assẽbled) calling vnto thẽ such discrete & graue persons of ỹ sayd cõtie, or of the said citie or towne corporat, as they shal thinke meete, & cõferring together respecting the plenty or scarcity of the time, and other circumstaunces necessarily to be considered, shall haue authoritie by vertue hereof within the limits & precincts of their

Appointing of wages

seuerall cõmissions, to limit, rate, & appoint the wages, aswel of such & so many of ỹ said artificers, handy crafts men, husbandmen, or any other labourer, seruant or workmen, whose wages in time past hath ben by any law or statut, rated & appointed, as also the wages of al other labourers, artificers, workmen, or apprentices of husbandrye, which haue not bene rated, as they the same Justices, Maiors or head officers within their seuerall commissions or liberties, shall thinke meet, by their discretions to be rated, limitted or appointed, by the yere, or by the day,

Day

weeke moneth, or otherwise, with meate & drinke, or without meat and drinke, & what wages euery workeman and labourer, shal take by the great, for mowinge, reapinge, or threshing of Corne and graine, and for moing or making of hey, or for dyching paling, rapling, or hedginge, by the rodde, yearche, lugge, yarde, pole, rope, or lowe, & for any other kind of reasonable labourers or seruice, & shal yerely before the xi. day of July, next after the said assessement & rates so appointed and made, certifie the same, ingrossed in

Certifie

parchment with the considerations & causes therof, vnder their handes & seales, into the Queenes most honorable court of Chauncery, wherupon it shalbe lawful to the lord

Chauncery L. Chauncelor

Chancellour of England or lord Keeper of the great seale for the time being, vpon declaration therof, to the Queenes maiestie, her heires or successors, or the lords, & other of the priuy Counsel, for the time being, attendant vpon their persons, to cause to bee

Print

printed & sent downe before the first day of September next after the said certificat, m to euery county, to the sherife & Justices of

Sherife Iust. of p. Maior Bailifes

peace there, & to the said Maior, bailifs, and head officers x. or xii. proclamatiõs or more

Proclamatiõs

conteining in euery one of thẽ, the seuerall rates appointed by the said Justices, & other head officers as is aforesaid, with cõmaundement by the said proclamations to al persons in the name of the Queenes maiestie, her heires or successors, straightly to obserue

Obserue

the same, & to al Justices, sherifes, and other officers, to see the same duly & seuerally obserued, vpon the daunger of the punishment & forfaitures limitted & appointed by this estatut. Vpon receipt whereof, the said sherifes, Justices of peace, & the Maior & head

Sherife Iust. of p. Maior

officer in euery city or towne corporat, shal cause ỹ the proclamatiõ to be entred of record, by the clerke of the p. or by the clerk of

Record Clerke of p.

the city or town corporat, & the said sherifs, Justices, and other the said Maior and head officers, shal forthwith in opẽ markets, vpon the market dates, before Michaelmas then ensuinge, cause the same proclamation to bee proclaymed in euery City or mar-

Proclaime

ket Towne wythin the limittes of their commyssion, and the same proclamatyon to be fixed in some conuenyent place of the said City and towne, or in such of the most occupied market townes, as to the said sherifes, Justices, of peace, & to the said Maior and head officer shalbe thought meete. And if the said Sherifes Justices of peace, or the

Sherife Iust. of peace Maior Generall sessions

Maior and head officers shall at their sayd generall sessiõs or at any time after wtin vi. weekes thẽ following, vpon their assembly & conference together, think it conuenient to retaine and keepe for the yere then to come, the rates and proportion of wages, that they

Chaunge. they certified the yere before, or to chaunge or reforme them, or some part of them, the they shal before ỳ said xii. day of July, perely certifie into the said Court of Chauncery their resolutions & determinations therein, to the intent that proclamation may accordingly be renued and sent downe. And if it shal happē that there be no nede of any reformation or alteration of the rates of the said wages, but ỳ the former shalbe thought mete to be continued, then the proclamations for the yere past, shal remaine in force vntil new proclamations, vpon new rates concerning ỳ said wages, shabe sent downe according to the forme of this statut. And bee it enacted by authoritie of this present parliament, ỳ if the said Justices of peace, resiant within the counties, where they are Just. of p. Maiors or shalbe Justices of peace, Maiors, & head officers do not before the x. day of June next cōming, & afterward, yerely appeare & assemble at the said generall sessions, or within vi. weekes next after the said general sessions. & limitt, and rate the wages of the said seruaunts & labourers, or shall not consider where the former rates made be mete to be continued, or to be altered & reformed in Negligence manner & forme aforesaid, or be negligent, or remisse in the certificat thereof, in forme Euery Just. of peace Maior aboue written: ỳ thē euery Justice of peace of the county, & euery Maior & head officer of the city or town corporat, in whom any such default or negligence shalbe found, being within the said countye, citie, or towne corporat, at the time of the said next assembly, or at the time of the sayd sessions, or at the times of the said rates of wages to bee set, within vi. weekes next after euery such sessions & not visited with any such sickines. Sickines as he could not trauel thither without perill & daūger of his life, or not hauing any other lawful & good excuse to be allowed by ỳ Justices, then assembled for the rating & taxing of wages as is aforesaid, or by ỳ more part Excuse of them, vpon a corporal othe & affidauit to Othe Affidaunt be taken & made openly before the said Justices vpon the holy Euangelystes, by some credible person, assessed & taxed in the booke of Subsidie in that countie, to the clere value of v.li. at the least, or by such other person as the most part of such Justices shall allow & accept to take such oth: shal for such default or negligēce, forfait vnto ỳ Quēns Forf. matestie, her heires & successors, x.li. of lawful mony of England. And be it further enacted by the auctority aforesaid, that if any person after the sayd proclamation shalbe so sent downe & published, shal by any secret wates or meanes, directly or indirectly, retayne, or kepe any seruant, workemā or labourer, or shal geue any more, or greater wages or other commoditie, contrarye to the true intent & purport of this statut, or contrary to the rates or wages ỳ shalbe assessed or appointed in ỳ said proclamations, that then euery person that shal so offende, & be thereof lawfully conuicted, before any the Justices, or other head officers aboue remembred, or either of the said Presidents & Councelles, shal suffer imprisonment by ỳ space of x. daies, without baile or mainprise, and shal lose & forfait v.li. of lawfull money of England. And that euery person, ỳ shall be so retained & take wages cōtrary to this statut, or any braunch therof, or of the said proclamation, & shalbe therof conuicted before the Justices aforesayde, or any two of them, or before the Maior or other head officers aforesaid, shall suffer imprisonment by ỳ space of xx. daies, without baile or mainprise. And ỳ euery reteyner, promise, gift, or payment of wages, or other thing whatsoeuer, contrary to the true meaning of this statut, & euery writing & bonde to be made Writting Voyd for that purpose, shalbe vtterly voyd and of none effect. And be it enacted by the auctoritie aforesaid, that if any seruaunt, workeman, or labourer shal wilfully or malitiously make any assault, or affray vpon his master, maisters, or dame, or vpon any other, Assaute Master that shal at ỳ tyme of such assault or affray, haue the charge or ouer sight of any such seruant, workman, or labourer, or of ỳ worke wherin the said seruant, workman, or labourer is appointee or hired to worke, & beinge therof conuicted before any two of ỳ Justices, Maior, or head officer aforesayd, where the said offence is committed, or before either of the said lords presidentes, & counsell before remembred, by confession of the said seruaunt workeman, or labourer, or by the Testimony witnes & othe, of two honest men: ỳ then euery such offendor, shall suffer imprisonment by ỳ space of one whole yere or lesse, by discretion of the two Justices of peace, if it be without a towne corporat, & if it be within any towne corporate, by the discretion of the Maior or head officer of ỳ same towne corporate, with two others of the discretest persons of ỳ same corporation at the least. And if the offence shall require further punishmēt, then to receiue such other

Greater wages

Imprison Baile Forf.

Comict ti. Just. of p.

Imprison Baile

Seruaunt

Comict ti. Just. of p.

Othe

Imprison

Discretion

open

Open punishment Iust. of p. Session

open punishment ſo as it extend not to life, nor limme, as the Iuſtices of peace in open Seſſions, or the more part of them, or the ſaid Maior, or head officer, & vj. or iiij. at the leaſt, of the diſcreteſt perſons of ỹ ſame corporation, before whom the offence ſhalbe examined, ſhal thinke conuenient for ỹ qualitie of the ſaid offence ſo done & committed. Prouided alwaies & be it enacted by ỹ authority aforeſaid, that in the time of hey or corne harueſt, the Iuſtices of peace, & euery of them, & alſo the conſtable or other head officer of euery townſhip, vpõ requeſt, & for the auoiding of the loſſe of any corne, graine, or hey, ſhal & may cauſe al ſuch artificers & perſons, as be mete to labour, by ỹ diſcretions of the ſaid Iuſtices or cõſtables, or other head officers, or by any of them, to ſerue by ỹ day for ỹ mowing, reaping, shering, getting, or inninge of corne, graine, & hey, according to the ſkil & qualitie of ỹ perſon, and that none of the ſayd perſons, ſhal refuſe ſo to do, vpon paine to ſuffer impriſõment in the ſtockes, by the ſpace of iij. daies, & one night. And the conſtable of ỹ Towne or other heade officer of the ſame where the ſayd refuſall ſhalbe made, vppon complaynt to hym made, ſhall haue auctoritie by vertue hereof, to ſet the ſayd offendour in the ſtockes, for the time aforeſaid, & ſhal punyſh him accordingly, vpon paine to loſe & forfait for not doing therof, ỹ ſumme of xl. s.

Harueſt Iuſt. of p. Conſtable

Artificers

Refuſe Stockes Conſtable

Fork.

Prouided alſo, that all perſonnes of the Counties where they haue accuſtomed to go into other ſhires for harueſt worke, and hauing at that time no harueſt worke ſufficient in the ſame towne nor county, where he or they dwelt in the winter thẽ laſt paſt, bringinge with him or them a teſtimoniall vnder the hand & ſeale of one Iuſtice of the peace of the ſhire, or other head officer of ỹ towne or place ỹ he or they came from, teſtifyng the ſame, for the which he ſhal pay not aboue one penp, (other then ſuch perſõs as ſhalbe reteined in ſeruice, according to ỹ fourme of this ſtatut) may repaire & reſort in harueſt of hey, or corne, from the coũties wherin their dwelling places are, into any other place or coũty, for ỹ onely mowinge, reapinge, & getting of hey, corne, & graine, & for the only working of harueſt workes, as they might haue done before the making of this ſtatut, any thing therein contained to the contrary notwithſtandinge. And be it further enacted by ỹ auctority aforeſaid, ỹ two Iuſtices of the peace, the Maior, or other head officer of any citye, borough or towne corporat, & ii. Aldermen, or ii. other diſcrete Burgeſes of ỹ ſame citie, borough, or towne corporat, if there be no aldermen, ſhal & may by vertue hereof, appointe any ſuch woman, as is of the age of xij. yeres, & vnder the age of xl. yeres, & vnmaried, and forth of ſeruice, as they ſhal thinke mete to ſerue, to be retained or ſerue by the yere, or by ỹ weeke or day for ſuch wages, & in ſuch reaſonable ſort & maner, as they ſhal thinke mete. And if any ſuch woman ſhal refuſe to ſerue, then it ſhalbe lawfull to ỹ ſaid Iuſtices of peace, Maior, or head officers, to cõmit ſuch woman to ward, vntil ſhe ſhalbee bounden to ſerue as is aforeſaid. And for the better aduancement of huſbandry & tillage & to the intent ỹ ſuch as are ſet to be made apprentices to huſbandry may be bounden thereunto: Be it enacted ỹ euery perſon being an houſholder, and hauing & vſing halfe a plough land at ỹ leaſt in tillage, may haue & receiue as an apprentice any perſon aboue the age of x. yeres & vnder the age of xviij. yeres, to ſeruice in huſbandry vntil his age of xxj. yeres at the leaſt, or vntil the age of xxiiij. yeres, as the parties can agree, & the ſaid retenior & taking of an apprentice, to be made & done by endẽture. And be it further enacted ỹ euery perſon being an houſholder & xviij. yeres old at ỹ leaſt, dwelling, or inhabitinge, or which ſhal dwel and inhabite in any City or towne corporat, & vſing & exerciſing any art, miſtery, or manuel occupation there, ſhal & may after the feaſt of S. John Baptiſt next comming, duringe the time that he ſhal ſo dwel or inhabite in any ſuch citie or towne corporat, & vſe & exerciſe any ſuch art, miſtery, or manuel occupatiõ, haue & retaine the ſonne of any fremã, not occupying huſbandry, nor being a laborer & inhabitting in the ſame, or in any other citie or towne, ỹ now is or hereafter ſhalbe, and continue in corporat, to ſerue & be bound as an apprentice, after ỹ cuſtome & order of ỹ citie of London for vij. yeres at the leaſt, ſo as ỹ terme & yeres of ſuch apprẽtice, do not expire or determin afore ſuch apprẽtice ſhal be of the age of xviij. yeres at the leaſt. Prouided alwaies & be it enacted ỹ it ſhall not be lawfull to any perſon dwellinge in any Citie or towne corporat, vſinge or exerciſinge any of the miſteries, or crafts of a marchant traficquing by traffique or trad, into any the parties beyõd the ſea Mercer, Draper,

ii. Iuſt. of p. Maior Aldermen

Women

Serue

Refuſe

Impriſon

Tillage

Huſbandry

Houſholder Halfe plough land

Apprentice

Huſbandry

Indentures Houſholders

Manuel Occupation

Sonne

Apprentice London

Citie Towne corporat & marchant

Artes

Apprentice Sonne

xl.s. land Certifie Just. of p.

Howsholder

Market towns

Occupation

Apprentice

Merchant

Artes

Apprentice

Draper, Goldsmith, Ironmonger, Imbroderer, or clothier, ẏ doth or shal put cloth to making & sale, to take any apprentice or seruant, to be instructed or taught in any of the artes, occupations, craftes, or misteries, which they or any of them do vse or exercise, except such seruant or apprentice be hys sonne, or els ẏ the father or mother of such apprentice or seruãt, shal haue at the time of taking of such apprentice or seruant, landes, tenements, or other hereditaments, of the clere yerely value of xl.s. of an estate of inheritance or freehold at the least, to be certified vnder the hands & seales of iij. Justices of the peace, of the shire or shires where the said lands, tenemẽts, or other hereditamẽts do or shal lye, to the Maior, bailife or other head officers of such Citie or towne corporat, & to be enrolled among ẏ records there. And be it further enacted, that frõ & after ẏ said feast of S. John the Baptist next, it shal be lawfull to euery person beinge an housholder, & xxiij. yeres old at the least, & not occupying husbandry, nor being a labourer, dwellinge or inhabitting, or ẏ shall hereafter dwel and inhabite, in any towne not being incorporat, that now is, or hereafter shalbe a market towne (so long as the same shalbe weekely vsed & kept as a market towne) & vsing or exercising any art, mistery, or manuel occupation, duringe the time of his aboad there, & so vsing & exercising such art, mistery or manuel occupation as is aforesaid, to haue in like manner to apprentice or apprentices, the childe or children, of any other artificer or artificers not occupyinge husbandry, nor being a labourer, which now do or hereafter shall inhabit or dwell in the same or in any other such market towne within the same shire: to serue as apprentice or apprentices, as is aforesaid, to any such art, mistery, or manuel occupation, or hath ben vsually exercised in any such market towne where such apprentice shalbe bound, in manner & forme aboue said. Prouided alwaies, & be it enacted, that it shal not be lawful to any person, dwelling or inhabitinge in any such market towne, vsinge or exercising the feat, misterie, or arte of a marchant trafficquing or trading into the parties beyonde ẏ Seas, Mercer, Draper, Goldsmight, Ironmonger, Imbroderer, or clothier, ẏ doth or shal put cloth to making & sale, to take any apprẽtice, or in any wise to teach or instruct any person in the arts, sciences or misteries last before recited after the feast of S. John Baptist aforesaid: except such seruant or apprentice shalbe his sonne, or els ẏ the father or mother of such apprẽtice, shal haue lãds, tenements, or other hereditamentes, at the time of takinge such apprentice, of the clere yerely value of iii.li. of one estate of inheritance or freehold, at the least, to be certified vnder the hands & seales of iii. Justices of peace, of the shire or shires, where the sayd landes, tenements, & other hereditaments, do or shal lye, to ẏ head officers, or head officer of such market towne, where such apprentice or seruant shalbe taken, there to be enrolled by such head officers, alwaies to remaine of recorde. And be it further enacted that from and after the said feast, it shal be lawful to any person vsing or exercising the art or occupation of a Smith, wheelewright, Plowwright, Milwright, carpenter, rough masõ, plaisterer, lawier, lime burner, brickmaker, bricklayer, tiler, slater, Helier, tilmaker, linnẽ weauer, turner, cowper, Pullere, earthẽ potters, wollẽ weauer, weauing hul wikes or howshold cloth onely, & none other cloth, fuller other wise called tucker or walker, burner of oare, & woadashes, thatcher, or shingler, whersoeuer he or they shal dwel or inhabite, to haue or receiue ẏ sonne of any person as apprentice in manner and fourme aforesaid, to be taught & instructed in these occupations onely & in none other, albeit the father or mother of any such apprentice haue not any lands, tenements or hereditaments. And be it further enacted, by the authority aforesaid, that after ẏ first day of may next comming, it shall not bee lawful to any person or persons, other then such as now do lawfully vse or exercise any art, mistery, or manuel occupation, to set vp occupy, vse, or exercise any craft, mistery or occupation, now vsed or occupyed within ẏ Realme of England or Wales, except hee shal haue bẽ brought vp therin 7. yeres at ẏ least as apprentice, in manner & forme aboue sayd, nor to set any person a worke in such mistery, art or occupatiõ, being not a workman at this day except he shal haue ben apprentice as is aforesaid, or els hauing serued as an apprentice, as is aforesaid, shal or will become a Journeman or hired by the yere: vpon paine that euery such person willingly offending or doing the contrary, shall forfait & lose for euery default xl.s. for euery moneth. Prouided alwaies, & be it further enacted, by thauthoritie aforesayde, that no person or persons vsing or exercising the art or

Sonne

iii.li. land Certifie Just. of p.

Handicrafts men

No lands

Occupy any occupation

Wales

Apprentice

Journemen

Fast.

Wollen weauer

or mistery of a wollen cloth weauer, other then such as be inhabiting wᵗin ẏ̄ countie of Cumberl. Westmerl. Lancast. & Wales, weauing Friles, cottōs, or huswwnes cloth

Wollen cloth

onely, making & weauing Wollen cloth cōmonly sold or to be sold by any clothmā or clothier: shal take & haue any apprentice, or

Apprentice

shal teach, or in any wise instruct any persō or persons, in the seruice, art. or occupatiō of weauing aforesaid, in any village, towne or

Market townes

place, (Cities, townes corporate, & market townes onely except) vnlesse such person be

Sonne Father & mother

his sōne, or else that the father or mother of such apprentice or seruant, shall at the time of ẏ taking of such person or persons to bee an apprēntice or seruāt, or to be so instructed,

iii.li.lands

haue lands & tenements, or other hereditaments, to the cleare yerely value of iii.li. at the least, of an estate of inheritance or freehold to be certified vnder the hands & seales

3. Iust. of p.

of iii. Iustices of peace, of the shire, or shires where the said lands, tenemēts, & other hereditaments, do or shal be. The effect of the

Register

indenture to be registred wᵗin iii. monethes in the parish where such maister shal dwell, and to pay for suche registring iiii.d. vppon

Forf.

pain of forfaiture of xx.s. for euery moneth, that any person shal otherwise take any apprentice, or set any such person on worke cōtrary to the meaning of this article.

And be it further enacted, by ẏ auctority aforesaid, that al & euery person or persons,

2. Apprēces

ẏ shal haue iii. apprentices in any of the said crafts, misteries, or occupations, of a clothmaker, fuller, Shereman, weauer, tailer, or

One iourney man

shoomaker, shall retaine & kepe one iorneman, & for euery other apprentice, abque the number of the said three apprentices, one other iorneman, vpon pain for euery default

Forf.

therein x. poundes.

Prouided alwaies, that this act nor anie thing therein conteined, shal not extende to

Worsted makers Excepted

preiudice or hinder any liberties heretofore graunted by any act of parliament, to or for the company & occupation of Worsted makers, & worsted weauers wᵗin the Citie of Norwich, & else where wᵗin the countie of Norfolke, which liberties be in force vntill the begynning of this present parliament. Any thing therein contained to the cōtrary in any wise notwithstanding.

And be it further enacted, that if any person shalbe required by any housholder, hauing and vsing half a plough land, at ẏ least in tillage, to bee an apprentice, & to serue in

Husbandrie

husbandrie, or in any other kind of art, mistery or science before expressed, & shal refuse so to do: that then vpō the complaint of such housekeeper, made to one Iustice of ẏ peace,

Refuse Complaint

1. Iust. of p.

of ẏ county wherin ẏ said refusal is or shalbe made, or of such housholder inhabiting in any citie, towne corporat, or market town, to the Maior, bailise, or head officer of ẏ said citie, towne corporate, or market towne, if any such refusal shal there be: they shal haue full power & auctority by vertue hereof, to send for the same person so refusing. And if the said Iustice, or the said Maior or head officer, shal thinke the said person mēte & cōuenient to serue as an apprentice in the art, labour, science, or misterie, wherein he shalbe so then required to serue: That then the said Iustice, or ẏ said Maior, or head officer, shal haue power & auctority by vertu hereof, (if ẏ said person refuse to be bound as an apprentice,) to cōmit him vnto ward, there

Imprison

to remaine vntil he be contented, & will bee bounden to serue as an apprentice shoulde serue according to the true intēt & meaning of this present act.

And if any such maister shal misuse or euil

Misuse Apprentice

intreat his apprentice, or ẏ the said apprentice shall haue any iust cause to cōplaine, or ẏ apprentice do not his dutie to his maister, then the saide maister, or apprentice, beinge greeued, & hauing cause to cōplaine, shall repaire vnto one Iustice of peace, wᵗin ẏ sayd

2. Iust. of p. Maior

countie, or to the Maior or other head officer of the citie, towne corporate, market town or other place where the saide maister dwelleth, who shal by his wisedome & discretion take such order & direction betweene the said

Order

maister & his apprentice, as the equitie of the cause shal require. And if for wāt of good cōformitie in ẏ said maister, the said Iustice of peace, or the said Maior or head officer, cannot cōpounde & agree the matter betweene him & his apprentice, then ẏ sayd Iustice or ẏ said Maior or other head officer, shal take

Band to appeare at sessiōs

band of the said maister to appeare at ẏ next session, then to be holden in the said countie, or within the said Citie, towne corporate or market towne, to be before the Iustices of the said countie, or the Maior or head officer of the said town corporat or market town, if the said maister dwell within any suche, & vpon his apparāce & hearing of the matter

Apparance

before the said Iustices or the said Maior or other head officer (if it be thought mēt vnto them, to discharge the saide apprētice of

Discharge thapprētice

his apprenticehode) that then the said Iustices or fower of them at the least, whereof

4. Iust. of p.

Quorum

one to be of the Quorum, or the sayd Maior or other head officer, with the cõsent of iii. other of his brethern or men of best reputation within the said City, towne corporat or market towne, shal haue power by authoritie hereof, in writing vnder their hãds & seales, to pronounce & declare, ỳ they haue discharged the said apprentice of hys apprẽticehod, & the cause therof, & the said writing so being made & inrolled by the clerke of the peace, or towne clerke, amongst the records that he kepeth, shalbe a sufficient discharge for the said apprẽtice against his master, his executors, & administrators, the indẽture of the said apprẽticehod or anylaw or custõe to the contrarie notwithstanding. And if the default shalbe found to be in the apprentice, then the said Justices or ỳ sayd Maior, or other head officer, with the assistentes aforesaid, shall cause such due correction & punishment to be ministred vnto him, as by their wisdome & discretiõs shalbe thought mete.

Clerk of p. Towne clerk

Punish

Prouided alwaies, & be it enacted by authoritie of this present parliamẽt, ỳ no person shal by force or colour of this statut. bee bound to enter into any apprentiship, other then such as be vnder the age of xxi. yeares.

xxi. yeres

And to the end that this statute may from time to time, be carefully & diligently put in good execution, according to the tenor & true meaning therof: be it enacted &c. that ỳ Justices of peace of euery coũtie, deuiding thẽselues in ii. seuerall limits, & likewise euerie Maior, & head officer of any Citie or towne corporat, shal yearely betweene the feast of S. Michael the Archangell & the Natiuitie of our Lord, & betweene the feast of the Annunciation of oure Ladye, and the feast of the Natiuitie of Saynt John the Baptist by al such waies & meanes, as to their wisedomes shalbe thought most mete: make a special & diligent inquiry of the braunches and articles of this statute, & of the good execution of the same, & where they shal finde any defaultes, to see the same seuerally corrected and punished without fauour, affection, malice, or displeasure.

Just. of p.

Maior

Inquirie

Punish

And in consideration of their paines and trauel, it is further ordeined & enacted &c. ỳ euerie Justice of peace, Maior, or head officer, for euerie day that hee doth sit in, and about the execution of this statute, shal haue allowed vnto him v.s. to be allowed & paied vnto him, or vnto the said Maior or head officer, of the fines & forfaitures of the paines and penalties, that shalbe forfaited, and due vnto the Quenes Maiestie, her heires or successours by force of this statute, in suche maner and forme, as the Justices haue ben heretofore commonly paied, for their comming, and charges at the quarter session, so that the sitting of ỳ saide Justices or Maior or head officer, bee not at anye one time aboue three daies, and for the matters cõtained in this statute.

Just. of p. Maior

b.s. the day

And be it enacted by authority aforesaid, that the one halfe of all forfaitures and penalties, expressed and mẽtioned in this statute, other then such as are expressly otherwise appointed, shalbee to oure soueraygne Lady the Quenes maiestie, her heires and successors, & the other moity to him or them that shal sue for the same in any of ỳ Quenes Maiesties courts of record, or before any of the Justices of Oier and terminer, or beefore any other Justices, or president and coũsel, before remembred, by action of det, information, bil of complaint, or otherwise, in which actions or suites, no protection, wager of lawe, or essoine, shalbee allowed, and that the saide Justices, or two of them, whereof one to bee of the Quorum, and the said Presidents and counsel as is aforesaid, and the saide Maiors, or other head officers of Cities, or townes corporat, shal haue ful power and authoritie, to heare and determine all and euerie offence and offences, ỳ shalbee committed or done agaynst this estatute, or against any braunch therof, al wel vppon indictment to be taken before them, in the sessions of the peace, as vppon information, action of debt, or bill of plaint to be sued, or exhibited by anye person. And shall & may by vertu therof make proces against the defendant, & award executiõ, as in ante other case they lawfully may by any of the lawes & statuts of this realme: & shal yerely in Michaelmas terme, certifie by estrete, ỳ fines & forfaitures of euery the offences cõtained in this estatut, (that shalbe found before thẽ) into ỳ court of ỳ Eschequer, in like sort & forme, as they be bound to certifie the estreates for other offences & forfaiturs to be lost before thẽ. Any thing in this estatute cõtained to the contrary notwithstanding.

Mottie

Just. of p.

Action of det

Just. of p. Quorum

Oier & ter.

Proces

Certifie Estretes

Eschequer

Prouided alwaies that this acte or anye thinge therin contained or mencioned, shal not be preiudicial or hurtful, to the Cities of London, and Norwich, or to the lawful liberties, vsages, customes or priuiledges, of ỳ sãe cities, for or concerning the hauing or taking of any apprẽtice or apprẽtices, but ỳ the

Prouiso

London Norwich Liberties

the Citizens & freemen of ỳ same cities shal & may take, haue & retaine apprẽtices there, in such maner & forme, as they might lawfully haue done before the makinge of thys stat. This act or any thing therin cõtained to the contrary in any wise not withstãding.

Indentures Wargaines Apprentice

And bee it also further enacted, ỳ al indẽtures, couenants, promises, & bargaines of, or for the having, taking, or keping of anie apprẽtice, other wise hereafter to be made or takẽ thẽ is by this stat limitted, ordained, & appointed, shalbe clearely void in the law, to al intents & purposes, & that euery person, ỳ shal frõ hẽceforth take, or newly retain any apprentice, cõtrary to the tenor & true meaning of this act, shal forfait & lose for euery apprentice so by him taken, the sũme of x.li.

Voyde

And because there is some question whether any person being within the age of xxi. yeres, & bound to serue as an apprentice, in any other place then in the Citie of Londõ, should be bounden, accepted and taken as an apprentice: for resolution of the sayd scruple & doubt, be it enacted, by aucthoritie of thys present parliament, that al & euery such person or persõs that at anie time or times frõ hencefoorth, shalbe bounden by indenture to serue as an apprentice, in any art, science, occupation or labor, accordinge to the tenor of this estatute in maner & forme aforesaid, albeit the same apprentice or any of thẽ shalbe within the age of xxi. yeres at the time of making of their seuerall indentures, shalbe bounden to serue, for the yeres in their seuerall indẽtures cõtained, as amply, & largely to euery e entent, as if the same apprentyce were of full age at the time of the makinge of such indentures. Any law, vlage, or custome to the contrarie notwithstanding.

Indentures of apprentice

Within age

Full age

Prouiso

Prouided alwaies, & be it enacted by the aucthoritie aforesaid, that the inhabitantes now dwelling or inhabiting, or that hereafter shall dwel or inhabite within the towne of Godalming, within ỳ county of Surrey, within the limitts of the watch of the saide towne, may vse & exercise such arts, misteries, & occupations, & take & vse apprentices & seruãts, in such maner & forme, as the inhabitants within market townes by thys statute may lawfully do.

Godalming

Apprentices

Prouided alwaies, and be it enacted by ỳ aucthoritie aforesaid, ỳ all maner amercyamẽts, fines, issues, & forfaitures, which shal rise, grow or come by reason of any offices or defaults mencioned in this acte, or anye brauch thereof, within any Citie or towne corporate, shalbe leuied, gathered, & receiued by such person or persons of the same Citie or towne corporate, as shalbe appointed by the Maior or other head officers mencioned in this said act, to the vse & mayntenance of the same citie or towne corporat, in such case & condition, as any maner other amercyaments, fines, issues, or forfaitures, haue ben vsed to be leuied & imployed, within ỳ same citie or towne corporat, by reasõ of any grãt or charter from ỳ Quenes maiestie ỳ now is, or of any her graces noble progenitors, made & graũted to the same citie, borough, or towne corporate: any thing or clause before mencioned and expressed in this acte to the contrary notwithstanding.

Amerciamẽts

Townes corporate

Maior

Prouided alway, ỳ this act or any thinge therin cõtained shal not extend, to any lawful retainings or couenauntes, had or made before ỳ making of this act, but that al and euery the parties to such retaininges or couenants, shall & may haue the same & lyke aduantages of such retainings & couenants, and of the statuts heretofore in that behalfe prouided, as if this act had neuer ben had or made: any clause of repeale, or other matter whatsoeuer in this act to the contrary, in any wise notwithstandinge. And be it further enacted by the aucthoritie aforesayde, that if any seruant or apprentice of husbandry, or of any art, science, or occupation aforesaid, vnlawfully depart, or flie into any other shire, that it shalbe lawful to the sayd Justices of peace, & to the said Maiors, bailifs, & other head officers of cities, & townes corporat, for ỳ time being Justices of peace there, to make & graunt writtes of Capias, so many, & such as shalbe needful, to be directed to the sherife of the counties, or to other head officers of ỳ places, whether such seruants or apprẽtices shal so depart or flie, to take their bodies, returnable before them at what time shall please them, so ỳ if they come by such proces, that they be put in prison, till they find sufficient suertie, wel & honestly to serue their Maisters, Maistresses, or Dames, from whom they so departed or fled, according to the order of the law. Prouided alwaies, ỳ it shalbe lawful to ỳ hygh Constables of hundreds in euery shire, to hold, kepe & continue, petty Sessions, otherwise called statut Sessions, with in the limits of their aucthorities, in all shires wherein such Sessions haue bene vsed to be kept, in such maner & forme, as heretofore hath ben vsed & accustomed, so as nothing be by thẽ

Prouiso

Retaining before

Apprentice of husbandry

Occupation

Depart without licence

Iust. of p.

Maiors

Bailifes

Capias

Shirife

Prouiso

Constables of hundreds

Petty sessions

Statute sessions

done therein contrarie or repugnant to this preſent act. An. 5. El. ca. 4. And See in Ships 13. more concerning apprentices.

¶ Lancaſter.

AN. 9. H. 5. cap. 2. An acte was made to endure till the kinges returne frō beyōd the Sea, concerning the forfeyture of perſons outlawed in Lancaſter.

2 ¶ The ſaid ordinance in the maner and fourme made the ſaid yere, (that is to ſay An. 9. H. 5. capitulo. 2. before 1.) by death of the ſaide late kinge Henrye the 5. as ſome think expired, & not otherwiſe repealed, ſhal be & remaine effectual & an anaiable ſtatut & ordinaunce in lawe, to endure till the nert parliament, & ſo forth for ever, if ſo bee ỹ betwixt this & ỹ ſame nert parliamēt, no ſuch inconuenience happen in this behalf, for the which it ſhal ſeeme to ỹ king & the lordes of the parliamēt at this time, ỹ it ſhal not bee expediēt, this ordināce to endure lōg after ỹ ſame nert parliamēt. An. 18. H. 6. ca. 13.

3 ¶ An. 20. H. 6. ca. 2. An act was made to endure for vii. yeares, concerning the forfaiture of perſōs outlawed in Lācaſter. An. 31. H. 6. ca. 7. an act was made concerning the forfeiture of perſons outlawed in ỹ coūtie Palantine of Lancaſter, but An. 33. H. 6 ca. 2. that act was repealed, and it is enacted as followeth.

Outlawed

Indictment

Juſtices Sherife

4 ¶ Euery endictment hereafter to be taken before any of the kings Juſtices in the ſaid countie Palantine of Lancaſter, or before any ſherif in his turne in the ſaid coūtie, whereby any perſon or perſons bee ſuppoſed by ỹ ſame endictmēt to bee, or to haue bene inhabiting or cōuerſant out of the ſaide countie of Lancaſter, and within any other county within the realme of England, ſhal be taken & had by ỹ verdict of xii. mē, wherof euerie of thē, or ſome other perſō or perſons to their vſe within the ſame county of Lancaſter, ſhal haue to the yerely valour of a C. s. And no proces ſhalbe made out of any ſuch endictmēt, before it be duely enquired & examined before the kinges Juſtyces within ỹ ſaid coūtie of Lancaſter for the time being, whether the ſaide indictours & euerie of them, at the time of ſuch endictmēt ſo taken, had lands & tenements within the ſaid countie of Lancaſter to the yearely valure of a hūdred ſhillings aboue al charges. And if it be found by examinatiō of the ſaid Juſtices for ỹ time being, within the ſaid county, that the ſaid endictours & euery of thē at the time of ſuch endictmēt ſo taken, had not lāds and tenements to the ſaid yerely value of a C. s. ỹ then the ſame endictmēts as to ſuch perſons ſo endicted, ſuppoſed by the ſaid endictments to be inhabiting & conuerſant out of the ſaid countie of Lancaſter, ſhalbe void and of none effecte. And alſo the ſame our ſouereigne lord the king, of the aduiſe and ỹ authoritie of the lords ſpiritual & temporal, and the commons aforeſaid, hath graūted, ordeined, & eſtabliſhed, that euerye endyctment from henceforth to be take within any countie of the ſaid realme, and out of the ſaid county of Lācaſter, before any Juſtice, or the ſherife in his turne, wherby any perſon or perſons ſuppoſed by the ſame endictment to be or to haue bene cōuerſant or inhabiting within the ſaid county of Lancaſter, and without ſuch coūty where ſuch endictments ſhall happen to be taken: ſhalbee taken by verdict of xii. men, whereof euery of them, or ſome other perſon or perſons to their owne vſe, ſhal haue lands & tenemēts to the value of a C. s. And that no proces be made out of any ſuch indictments, before it be duely examined, and inquired before ỹ kings Juſtices, hauing power to award any proces vpon ſuch indictments, whether the ſaid indictors, and euery of them, at the time of ſuch indictmēts taken, or any other perſon or perſons to their vſe, had any lāds or tenements to the yerely value of a C. s. within the ſame countie, aboue all charges, wher ſuch indictments happen to be taken. And if it be found before the king, or any of his Juſtices, that the ſaid indictors, or any of them, had not at the time of ſuch indictment taken, nor that none other to their vſe had lands & tenements to the value of a C. s. by the yere: that then the ſaid indictment, as to any ſuch perſon or perſons, ſuppoſed by the ſame indictment to bee, or to haue bene inhabiting or converſant wythin the ſaid countie of Lancaſter, ſhalbe voide, & of none effect. An. 33. H. 6. cap. 2.

Verdict Iurie

b. ll. land proces Enquirie

Indictors

Words

Honors Caſtels Manors

5 ¶ All honors, caſtels, lordſhips, manors, lands, tenements, poſſeſſions, & hereditaments, wīn this realme of Englād, which at any time ſince the 28. day of January, in the firſt yere of the reigne of our ſaid late ſouereigne Lord. king E. 6. were parcel of the poſſeſſions of ỹ ſaid duchy of Lancaſter, or which were vnited & annexed to the ſaid duchy by authoritie of parliament, letters patents, or otherwiſe, & which at any time

Letters patents

ſince

ſtace the ſaid xvbiii. day of Januarie haue bē geuen, graunted, alienated, bargained, ſold, Lands ſold
exchaunged, or otherwiſe ſeuered, from the ſaid Duchie by our ſaid late ſouereaigne lord king Ed. the 6. or by our ſaid ſouereaign Lady the Quēne that now is, or by our ſayde ſouereaigne lord & Lady the king & Quēnes maieſtie ỳ now be, to or with any perſō or perſons, & which ſaid honours, caſtels, lordſhips, manors, lands, tenements & hereditaments, ſince ſuch gifts, graūts, alienatyons, bargaines, ſales, exchaūges, or ſeuerāce therof ſo made as is aforeſaid, bene cōmon
Come againe to the K. or returned againe to the hands of our ſayd late ſouereaigne lord king Ed. 6. or to ỳ hāds of our ſaid ſouereaigne Lady the Quēne, or to the hands of our ſaid ſouereaigne Lorde & Lady the king & Quēne, or to the hands of her maieſtie, her heires & ſucceſſors, in poſſeſſion, reuerſion, remainder, or otherwiſe by attainder, eſcheate, forfeiture, purchaſe, eſchaunge, or otherwiſe. And which now be or remaine in the hāds of our ſaid ſouereaign lord & Lady the king & the Quēnes maieſties, of any eſtate of inheritance: ſhall from the time the ſame came & reuerted again to the hands of our ſaid late ſouereaigne Lorde king Ed. the 6. or to the hāds of our ſaid ſouereaigne Lady the Quēne, or to the hands of our ſaid ſouereaigne lord & Lady the king & Quēne, by auctheritie & force of this act,
Annexed be vnited & annered for euer vnto the ſayde Duchy of Lācaſter, & ſhalbe adiudged, dēmed, & take for euer, for & as parcels & mēbers of ỳ ſaid Duchy of Lācaſter, & ỳ al ſuch & thoſe of the ſaid manors, lāds, tenemēts, & hereditamēts, which be lying wīn ỳ coūtie
County pa. Palantine of Lancaſter, ſhalbe of the ſame nature, qualitie, kinde, and condition, to all intentes, conſtructions and purpoſes, as others the auncient poſſeſſions of the ſayde Duchie lying & being within the ſaid countie Palantine of Lancaſter, be and ought to be: and al thoſe and ſuch of the ſaid manors, lands, tenements, and hereditamēts, which be lying out of the ſaid Countie Palantyne of Lācaſter, ſhalbe of the ſame nature, qualitie, kinde, and condition to all intents, cōſtructions and purpoſes, as other auncyent poſſeſſions of the ſayde Duchie lyinge and being out of the countie Palantine of Lancaſter be, and ought to be, and ſhalbe in the letting, ſetting, order, rule, ſuruey, receipt, &
Chaunceloz Officers gouernaunce of the Chaunceller, counſell, and officers of the ſaide Duchie of Lancaſter for the time being for euermore, in lyke and the ſame maner and fourme, to all intentes and purpoſes as others the ſaid auncient poſſeſſions belonging to the ſaid Duchie, bene, haue bene, or owen to bee. And ỳ all the ſaide honors, caſtels, lordſhips, ma- Caſtels Lordſhips
nors, landes, tenements, and hereditamēts vaſted, and annexed, to the ſaide Duchie of Lancaſter, by auctheritie & force of this act, Lands
and al & ſinguler gifts, graunts, leaſes, let- Gifts Leaſes
ters patents & writings thereof, or of anye L. patents
parcel thereof hereafter to bee made by the king and Quēnes highnes, or by the heirs and ſucceſſors of her maieſtie, ſhal for euermore paſſe and bee made vnder ſuche of the Seales
Seales of the ſaid duchie, as other the auncient poſſeſſiōs of the ſaid Duchy, haue vſed to paſſe and be made, & not vnder any other ſeale or otherwiſe, & with ỳ lyke, & the ſame liuerie of ſeiſin, attornements, ceremonies orders, and circumſtances in the lawe, and in the ſame maner and forme, as other the auncient poſſeſſions of the ſaide duchie, and L. patents
the letters patents, charters, and writtings thereof heretofore of auncyent time made, haue vſed and ought to bee made & paſſed, & not otherwiſe nor in any other manner and fourme: any law, eſtatut, vſage, or cuſtome, to the contrarie thereof in anie wiſe notwſtanding. And be it &c. ỳ our ſaid ſouereagne lord and Lady the king & Quēne that now ben, and the heirs and ſucceſſors of her maieſtie, may from time to time hereafter at their liberties and pleaſures, by their graces letters patents to bee ſealed with the great
Great ſeale of England Annexe Seale of England, vnite, annere, limit, aſſigne, and appoint any other their honours, caſtels, lordſhips, maners, lands, tenemēts and hereditaments, lying and being within this their ſaid realme of Englād, vnto their ſaide Duchie of Lancaſter, for the further augmentation, honor and eſtate of the ſayd Duchie at their willes and pleaſures. And that all and euerie ſuch annering, limitting, aſſignement, and appointment made or to bee made by our ſaid ſouereigne lorde & Ladie the Kinge and Quēne, or by the heires and ſucceſſors of our ſaide ſouereigne Lady the Quēne, of anye their honours, caſtels, lordſhips, manors, lands, tenements, and hereditaments vnto the ſaid Duchy of Lācaſter, by any their ſaid letters patents, vnder the great Seale of England, ſhalbee as Great ſeale
good and available as if it were done by auctheritie of parliament. And that all ſuch honours, caſtels, lordſhippes, manors, lands, Lands
tenements, and hereditaments, lyinge, and

being within the said countie Palantine of Lancaster which shall happen to be united & annexed to ỳ saide Duchy by force of anie such letters patents, shalbe frō ỳ Terme of ỳ said letters patentes, wōn the order, survey, rule, gouernance, iurisdiction, letting & setting of the said duchie of Lancaster, for the time being, as other the possessions of ỳ said duchy, lying & being wōn the said coūty palantine of Lancaster, haue vsed & owen to be. And ỳ al other honors, castels, lordships manors, lāds, tenements, & hereditaments, lying & being out of the said county palantine of Lancaster, which shal happē to be united & annexed to ỳ said duchy by force of any such letters patents, shalbe frō the terme of the said letters patents wōn the order, survey, rule, gouernance, iurisdiction, letting, & setting of the saide Duchy of Lancaster, as others the possessions of the said Duchie of Lācaster lying & being out of the said coūty palātine of Lācaster, haue vsed & owen to be. Sauing to al & euery plon or persōs, bodies politique & corporat, their heirs, successors, & assignes & to the heirs, successors, & assignes of euery of them, al such right, title, interest, entries, cōditions, occupations, possessyon, lease, & leases, fees, annuities, offices, rents, seruices, cōmons, profits, cōmodities, easements, actions, suits, demaunds, thing and thigs, whatsoeuer, which they or any of thē shoulde, myght or ought to haue had into or out of, any of the premisses before the making of this act, in like & in the same maner fourme, & condition to al intents, cōstructions, & purposes, as if this act had neuer bene had or made, any thing in this act to the cōtrary in any wise notwithstanding. Prouided alwaies, & be it &c. ỳ this act or any thig or things therein conteined, shal not in anie wise extend to enhable or gene anye libertie to our said souereigne Lord & Lady ỳ kinge & Quene, nor to ỳheires & successors of our said souereigne Lady ỳ Quene, to unite & annexe to the saide Duchy of Lancaster, by their letters patents, any honours, castels, lordships, manors, lāds, tenemēts, or hereditamēts, being any part or parcel of ỳ auncient inheritance of the crown, or of ỳ principalitie of Wales, nor of the Duchye of Cornwal, or of ỳ Earledome of Chester, of any their honors, castels, lordships, manors lāds, tenemēts, or hereditamēts, set, lying, or being wōn ỳ coūties of Chester & Flint, or either of them, nor to gene, annexe, or assigne to the said Duchy of Lancaster, anye honors, castels, lordships, manors, lāds, tenements or hereditaments, exceeding & amounting in the whole, aboue the yerely value of two thousand pound, any clause, article or thig in this act rehearsed, cōteined or specified to the cōtrary therof in any wise notwithstanding. An. 2. & 3. P. & M. ca. 20.

Terre.

Iurisdiction

Bodies politike

Right

Leases Annuities

Enable

King and Quene

Crowne lands Wales Cornwall Chester

2000. M. lād

6 ¶ An. 37. H. 8. ca. 16. An act is made for the annexing of certaine lands to ỳ Duchy of Lancaster.

¶ Leases.

AN. 28. H. 8. ca. 11. It was enacted that no lease made by spiritual persons to anie lay person, of any personage or vicarage or other spiritual promotiō, seruing as is declared in ỳ act, shalbe void by resignation or other auoidance of the benefice, by the onely act of the lessour, but that the lessee and hys executors shal enioy the terme for vi. yeres if the lessours do so long liue & the lease do so long continue, & the successor may distraine for the rent, or haue an action of debt, & al other aduantages as the lessour might. And if the lessour die, the lesse to holde to thende of the yere wherein hee is then entred if the lease so long continue, paying the rentes &c. & the successor wōn a monethes warning to haue ỳ mansion house & glebe lād not sowē, deducting of the rent to the value. An. 28. H. 8. ca. 11. This act is repealed by 1. & 2. P. & M. as appeareth here following. 3.

Spiritual person Parsonage Vicarage

Lease

vi. yeres

Successor Distraine Rent

Lessour die

Mansiō house Glebe land

Repealed

2 ¶ All leases hereafter to be made of any manors, lands, tenementes, or other hereditamentes, by writinge, indented vnder Seale for terme of yeares, or for terme of life, by any person or persons, beeing of full age of xxi. yeres hauing any estate of inheritance either in fee simple, or in fee taile, in their owne right or in ỳ right of their churches or wiues, or iointly wt their wiues, of any estate of inheritaunce made before the couerture or after, shalbe good & effectuall in the lawe agaynst the lessours, their wiues, heires, successors, and euerie of them, according to such estate, as is comprised & specified in euerie such indenture of lees, in like maner & forme, as ỳ same should haue ben, if ỳ lessors therof, & euery of thē, at the time of ỳ making of such leases, had bē lawfully seised of the same lāds, tenements, & hereditaments, cōprised in such indenture of good perfect & pure estate of fee simple therof, to their owne only vses. Prouided alwey that this act or any thig therin cōteined shal not extend

Lands

Full age

extend to any leases to be made, of any maners, lãds, tenements, or hereditamẽts, being in the hands of any fermer or fermers, by vertue of any old leale, vnlelle ỳ lãe olde leale be expired, surrendred, or ended within one yere next after the making of the laide new leale, nor shal extẽd to any graũt to be made of any reuersion of any manors, lãds tenemẽts, or hereditamẽts, nor to any leale of any manors, lãds, tenemẽts, or hereditaments, which haue not most cõmonly bene letten to fermе or occupied by the fermors therof by ỳ space of xx. peres next before such leale thereof made, nor to anye leale to bee made wỏut impeachmẽt of wast, nor to any leale to be made aboue ỳ nũber of xxi. peres or thre lines at the most, from the day of ỳ making therof. And ỳ vpon euery such leale there be reserued yerely during ỳ same leale due & payable to the lessors, their heires and successors, to whom the same landes should haue cõmen after the deathes of the lessors, if no such leale had ben thereof made, and to (whom the reuersiõ therof shal appertain according to their estates, and interests,) so much yerely ferme or rent, or more, as hath ben most accustomably yelded or payed for the maners, lands, tenements, or hereditaments, so to be letten within xx. peres next before such leale thereof made, & that euerie such person & persons, to whom the reuersiõ of such manors, lands, tenements, or hereditaments, so to be letten shall appertaine, as is aforesaid, after the deathes of such lessour or their heires, shal and may haue such like remedy and aduantage to all intentes & purposes against the lessees therof, their executours & assignes, as ỳ same lessor shoulde or might haue had against the same lessees, So that if the lessour were seised of any especial estate taile of the same hereditamẽts at the time of such leale, that ỳ issue or heire of that especial estate, shal haue the reuersion rents, & seruices reserued vpõ such leale, after the death of the said lessour, as the lessour him selfe might or ought to haue had, if hee had lued. Prouided alway, that the wife bee made party to euery suche leale which after shalbe made by her husbãd of any manors, lãds, tenemẽts, or hereditaments, being the inheritance of ỳ wife, & that euery such leale be made, by indenture in the name of ỳ husband & his wife, & she to seale the same, And ỳ the ferme & rẽt bee reserued to the husbãd, & to the wife, & to the heires of the wife, according to her estate of inheritaunce in the same, and that the husband shal not in anye wise alien, discharge, graunt or geue away the same rent reserued or ante part therof longer then during the coucrture wỏnt it be by fine leued by the said husband and wife. But that the same rẽt shal remaine, discẽd, reuert, or come after the death of suche husband, vnto such person or persons, and their heires in such maner & sort as the landes so leased should haue done if no suche leale had thereof ben made. Prouided also, ỳ this acte extend not to geue any libertie or power to any person or persons, to take mo fermes, leases, or takings of any manors, lands, tenements, or hereditaments, then he or they should or might lawfully haue done before ỳ making of this act, nor extẽd to geue any libertie or power to any parson or vicar of any church or vicarage for to make anie lease or graũt of ante their messuages, lãds, tenements, tithes, profits, or vicarages, hereditaments, belonging to their churches, otherwise, or in any other maner, thẽ they should or might haue done, before ỳ making of this act: any thing contained in this act, to ỳ cõtrary notwỏstanding. And furthermore bee it &c. ỳ al leases at any time wỏn the space of iij. peres next before the 12. day of April, in the 31. yeare of our soueraigne Lord the kings raigne, made by writing indẽted vnder seale, by any person or persõs of ful age, of whole memorie, not vnlawfully coacted, nor being couert baron, for terme of yeres, of any manors, lands, tenements, or other hereditaments, wherof the lessor or lessors, were seised of any estate of inheritance, of & in the same, to their owne onely vse, at the time of making any such leale thereof, and wherof ỳ lessees, their executors, or assignes be now in possession, by vertue of the same leale, & no cause of rẽentrie or forfaiture ther of, had or made, shalbe good & effectual in ỳ law, against the lessors, their heires & successors, & the heires & successors of euery of them, according to the couenants, articles, & agreements, specified in euery such indenture of leale: so alwaies there be reserued & yerely payable during the same leale to the said lessors, their heires or successors, or to such other, as should or ought to haue had, the same manors, lands, tenements, or hereditaments so leased, after the decease of such lessors, in case no such leale had thereof ben made, as much yerely rent for ỳ same, as was at any time thereof yelden or paied wỏn xx. yeres next before the making of any

Olde leale

Lines

Rent

Taile especial Heire

Wife

Indenture

Alien

Fine

Parson Vicar

Tythes

Full age

being within the ſaid countie Palantine of Lancaſter which ſhall happen to be united & annexed to ỹ ſaide Duchy by force of anie ſuch letters patents, ſhalbe frō ỹ Teſte of ỹ ſaid letters patentes, wīn the order, ſurney, rule, gouernance, iuriſdiction, ſetting & letting of the ſaid duchie of Lancaſter, for the time being, as other the poſſeſſions of ỹ ſaid duchy, lying & being wīn the ſaid couńty palantine of Lancaſter, haue vſed & owen to be. And ỹ al other honors, caſtels, lordſhips manors, lāds, tenements, & hereditaments, lying & being out of the ſaid county palantine of Lancaſter, which ſhal happē to be vnited & ānexed to ỹ ſaid duchy by force of anỹ ſuch letters patents, ſhalbe frō the teſte of the ſaid letters patents wīn the order, ſurney, rule, gouernance, iuriſdiction, ſetting, & ſetting of the ſaide Duchy of Lancaſter, as others the poſſeſſions of the ſaid Duchie of Lācaſter lying & being out of the ſaid couńty palātine of Lācaſter, haue vſed & owen to be. Sauing to al & euery ꝑſon or perſōs, bodies politique & corporat, their heirs, ſucceſſors, & aſſignes & to the heirs, ſucceſſors, & aſſignes of every of them, al ſuch right, title, intereſt, entries, cōditions, occupations, poſſeſſyon, leaſe, & leaſes, fées, annuities, offices, rents, ſeruices, cōmons, profits, cōmodities, eaſements, actions, ſuits, demaunds, thing and thigs, whatſoeuer, which they or any of thē ſhoulde, myght or ought to haue had into or out of, any of the premiſſes bēfore the making of this act, in like & in the ſame maner fourme, & condition to al intents, cōſtructions, & purpoſes, as if this act had never bene had or made, anỹ thing in this act to the cōtrary in any wiſe not withſtanding. Prouided alwaies, & be it &c. ỹ this act or anỹ thig or things therein contained, ſhal not in anie wiſe extend to enhable or geue anye libertie to our ſaid ſouereigne Lord & Lady ỹ kinge & Quéene, nor to ỹheires & ſucceſſors of our ſaid ſouereigne Lady ỹ Quéene, to vnite & annere to the ſaide Duchy of Lancaſter, by their letters patents, anỹ honours, caſtels, lordſhips, manors, lāds, tenemēts, or hereditamēts, being anỹ part or parcel of ỹ auncient inheritance of the crowrn, or of ỹ principalitie of Wales, nor of the Duchye of Cornwal, or of ỹ Earledome of Cheſter, of anỹ their honors, caſtels, lordſhips, manors lāds, tenemēts, or hereditamēts, ſet, lying, or being wīn ỹ coūties of Cheſter & Flint, or either of them, nor to geue, annere, or aſſigne to the ſaid Duchy of Lancaſter, anỹe honors, caſtels, lordſhips, manors, lāds, tenements or hereditaments, exceēding & amoūting in the whole, aboue the yerely value of two thouſand poūd, anỹ clauſe, article or thig in this act rehearſed, cōteined or ſpecified to the cōtrary therof in anỹ wiſe notwithſtanding. An. 2. & 3. P. & M. ca. 20.

Teſte.

Iuriſdiction

Bodies politike

Right

Leaſes Annuities

Enable

King and Queene

Crowne lands Wales Cornwall Cheſter

2000.M.lād

6 ¶ An. 37. H. 8. ca. 16. An act is made for the annexing of certaine lands to ỹ Duchy of Lancaſter.

¶ Leaſes.

AN. 28. H. 8. ca. 11. It was enacted that no leaſe made by ſpiritual perſons to anie lay perſon, of anỹ perſonage or vicarage or other ſpiritual promotiō, ſeruing as is declared in ỹ act, ſhalbe void by reſignation or other auoidance of the benefice, by the onely act of the leſſour, but that the leſſée and hys executors ſhal enioy the terme for vi. yeres if the leſſours do ſo long liue & the leaſe do ſo long continue, & the ſucceſſor may diſtraine for the rent, or haue an action of debt, & al other aduantages as the leſſour might. And if the leſſour die, the leſſée to holde to thende of the yere wherein hee is then entred if the leaſe ſo long continue, paying the rentes &c. & the ſucceſſor wīn a monethes warning to haue ỹ manſion houſe & glebe lād not ſowē, deducting of the rent to the value. An. 28. H. 8. ca. 11. This act is repealed by 1. & 2. P. & M. as appeareth here following. 3.

Spiritual perſon Perſonage Vicarage

Leaſe

vi. yeres

Succeſſor Diſtraine Rent

Leſſour die

Manſis houſe Glebe land

Repealed

2 ¶ All leaſes hereafter to be made of anỹ manors, lands, tenementes, or other hereditamentes, by writinge, indented inder Seale for terme of yeares, or for terme of life, by anỹ perſon or perſons, beeing of full age of xxi. yeres having anỹ eſtate of inheritance either in fée ſimple, or in fée taile, in their owne right or in ỹ right of their churches or wines, or iointly wīth their wiues, of anỹ eſtate of inheritaunce made bēfore the couerture or after, ſhalbe good & effectuall in the lawe againſt the leſſours, their wiues, heires, ſucceſſors, and euerie of them, accordyng to ſuch eſtate, as is comprized & ſpecyfied in euerie ſuch indenture of leaſe, in lyke maner & forme, as ỹ ſame ſhould haue ben, if ỹ leſſors therof, & euery of thē, at the time of ỹ making of ſuch leaſes, had bē lawfullye ſeiſed of the ſame lāds, tenements, & hereditaments, cōprized in ſuch indēture of good perfect & pure eſtate of fée ſimple ſtereof, to their owne onlye vſes. Prouided alwey that this act or anỹ thig therin cōteined ſhal not extend

Lands

Full age

extend to any leaſes to be made, of any maners, lãds, tenements, or hereditamẽts, being in the hands of any fermer or fermers, by vertue of any old leaſe, vnleſſe ẏ ſãe olde leaſe be expired, ſurrendred, or ended within one yere next after the making of the ſaide new leaſe, nor ſhal extẽd to any graũt to be made of any reuerſion of any manors, lãds tenemẽts, or hereditamẽts, nor to any leaſe of any manors, lãds, tenemẽts, or hereditaments, which haue not moſt cõmonly bene letten to ferme or occupied by the fermors therof by ẏ ſpace of xx. yeres next before ſuch leaſe thereof made, nor to anye leaſe to bee made wỏut impeachmẽt of waſt, nor to any leaſe to be made aboue ẏ nũber of xxi. yeres or thre liues at the moſt, from the day of ẏ making therof. And ẏ vpon euery ſuch leaſe there be reſerued yerely during ẏ ſame leaſe one ꝫ payable to the leſſors, their heires and ſucceſſors, to whom the ſame landes ſhould haue cõmen after the deathes of the leſſors, if no ſuch leaſe had ben thereof made, and to (whom the reuerſion therof ſhal appertain according to their eſtates, and intereſts,) ſo much yerely ferme or rent, or more, as hath ben moſt accuſtomably yelded or payed for the maners, lands, tenements, or hereditaments, ſo to be letten within xx. yeres next before ſuch leaſe thereof made, ꝫ that euerie ſuch perſon ꝫ perſons, to whom the reuerſiõ of ſuch manors, lands, tenements, or hereditaments, ſo to be letten ſhall appertaine, as is aforeſaid, after the deathes of ſuch leſſour or their heires, ſhal and may haue ſuch like remedy and aduantage to all intentes ꝫ purpoſes againſt the leſſees therof, their executours ꝫ aſſignes, as ẏ ſame leſſor ſhoulde or might haue had againſt the ſame leſſees, So that if the leſſour were ſeiſed of any eſpecial eſtate taile of the ſame hereditamẽts at the time of ſuch leaſe, that ẏ iſſue or heire of that ſpecial eſtate, ſhal haue the reuerſion rents, ꝫ ſeruices reſerued vpõ ſuch leaſe, after the death of the ſaid leſſour, as the leſſour him ſelfe might or ought to haue had, if hee had liued. Prouided alway, that the wife bee made party to euery ſuche leaſe which after ſhalbe made by her huſbãd of any manors, lãds, tenemẽts, or hereditaments, being the inheritance of ẏ wife, ꝫ that euery ſuch leaſe be made, by indenture in the name of ẏ huſband ꝫ his wife, ꝫ ſhe to ſeale the ſame. And ẏ the ferme ꝫ rẽt bee reſerued to the huſbãd, ꝫ to the wife, ꝫ to the heires of the wife, according to her eſtate of inheritaunce in the ſame, and that the huſband ſhal not in anye wiſe alien, diſcharge, graunt or geue away the ſame rent reſerued or anie part therof longer then during the couerture vỏnt it be by fine leuied by the ſaid huſband and wife. But that the ſame rẽt ſhal remaine, diſcẽd, reuert, or come after the death of ſuche huſband, vnto ſuch perſon or perſons, and their heires in ſuch maner ꝫ ſort as the landes ſo leaſed ſhould haue done if no ſuche leaſe had thereof ben made. Prouided alſo, ẏ this acte extend not to geue any libertie or power to any perſon or perſons, to take mo fermes, leaſes, or takings of any manors, lands, tenements, or hereditaments, then he or they ſhould or might lawfully haue done before ẏ making of this act, nor extẽd to geue any libertie or power to any parſon or vicar of any church or vicarage for to make anie leaſe or graũt of ante their meſuages, lãds, tenements, tithes, profits, or vicarages, herediments, belonging to their churches, otherwiſe, or in any other maner, thẽ they ſhould or might haue done, before ẏ making of this act: any thing contained in this act, to ẏ cõtrary not withſtanding. And furthermore bee it &c. ẏ al leaſes at any time wỏn the ſpace of iiij. yeres next before the 12. day of April, in the 31. yeare of our ſouereigne Lord the kings raigne, made by writting indẽted vnder ſeale, by any perſon or perſõs of ful age, of whole memorie, not vnlawfully coacted, nor being couert baron, for terme of yeres, of any manors, lands, tenements, or other hereditaments, wherof the leſſor or leſſors, were ſeiſed of any eſtate of inheritance, of ꝫ in the ſame, to their owne onely vſe, at the time of making any ſuch leaſe thereof, and wherof ẏ leſſees, their executors, or aſſignes be now in poſſeſſion, by vertue of the ſame leaſe, ꝫ no cauſe of reẽtrie or forfaiture ther of, had or made, ſhalbe good ꝫ effectual in ẏ law, againſt the leſſors, their heires ꝫ ſucceſſors, ꝫ the heires ꝫ ſucceſſors of euery of them, according to the couenants, articles, ꝫ agreements, ſpecified in euery ſuch indenture of leaſe: ſo alwaies there be reſerued ꝫ yerely payable during the ſame leaſe to the ſaid leſſors, their heires or ſucceſſors, or to ſuch other, as ſhould or ought to haue had, the ſame manors, lands, tenements, or hereditaments ſo leaſed, after the deceaſe of ſuch leſſors, in caſe no ſuch leaſe had thereof ben made, as much yerely rent for ẏ ſame, as was at any time thereof yelden or paied wỏn xx. yeres next before the making of any

Olde leaſe
Liues
Rent
Taile ſpecial Heire
Wife
Indenture
Alien
Fine
Parſon Vicar
Tythes
Full age

such lease or else such leases to be of no other force ne effecte, then they were before the making of this present act. And moreover for certain cõsiderations be it &c. ỹ no fine, feoffemẽt or other act or acts hereafter to be made suffered or done, by ỹ husband onely of anie manors, lands, tenemẽts, or hereditamẽts, being the inheritãce or freehold of his wife, during ỹ coverture betwene thẽ, shal in any wise be or make any discontinuance therof, or be preiudiciall or hurtfull to the said wife or to her heirs, or to such as shal have right, title, or interest to the same by the death of such wife or wives. But ỹ the same wife & her heires, & such other to whom suche right shall appertayne after her decease shall and may then lawfully enter into all such manors, lands, tenements, & hereditamentes, according to their right & titles therein, any such fine, feoffemẽt, or other act to the contrary not withstanding: fines leuied by the husband & wife whereunto the said wyfe is partie & priuie, onely except. Prouided furthermore that this clause or act extẽd not to geue any libertie to any such wives, or to her heires, for to auoid any lease hereafter to be made of any the inheritance of ỹ wife, by her husbãd & her for terme of xxi. peres, or vnder, or any her inheritance for terme of three lines at the vttermost, whereupon as much yearely rent or more, is, or shalbee reserued, & yearely paiable during the same lease, as was at any time therfore yelden or payd within xx. peres next before ỹ making of any such lease, according to the tenour of this present act, anie thinge therein contained to ỹ contrarie not withstãding. Prouided also, that this act extende not to make good any lease or leases heretofore made by any ecclesiastical person or persons, by their couẽt or cõmon seale, which be made voide or taken away by authoritie of parliamẽt hereafore made, nor extende to make good any lease or leases, heretofore made by any ecclesiasticall perso or persõs now being attainted of treason, vnder their couent seale or otherwise, or by any person or personnes now being attainted of treaso by act of parliament or otherwise. But that al & singuler such lease & leases, & euery of thẽ now made, or hereafter to be made, shalbee of suche like effect & strength in ỹ law, & none other, as they & euery of thẽ were before the making of this act, any thinge before mencioned in this act, to the contrary therof not withstãding. An. 32. H. 8. ca. 28.

Fines Feoffements

Discõtinuãce Wife Heires

Enter

Wife party

xxi. yeres

iii. Liues

Ecclesiastical Persons

Attainted

3 ¶ As much of the same acte (s. of An. 28. H. 8. ca. 11. vvhich is before 1.) as doth concerne the making good of the said leases, ne any clause, sentence, prouision, or article therein contained, shal extend to be cõstrued, or adiudged to extend to any lease ỹ shall be made by any person, vicar, or any other, having anye spirituall promotion, after the feast of the Purification of our Ladye next comming. An. 1. & 2. P. & M. ca. 17.

4 ¶ Be it &c. That all gifts, graunts, feoffements, fines, or other conueyances or estates frõ the first day of this present parliamẽt, to be had, made, done, or suffered, by any Archbishop or Bishop, of any honors, castels, manors, lands, tenements, or other hereditaments, being parcel of the possessions of his Archbishopricke or Bishopricke, or vnited, appertaining or belonging to any of the same Archbishoprickes or Bishoprickes, to any person or persons, bodies politike or corporat, other then to ỹ Quẽnes highnes, her heires & successors, whereby any estate or estats should or may passe from the same Archbishops or Bishops, or any of them, other then for the terme of xxj. peres, or three lyues, from such time as any such lease, graunt, or assurance shal begyn, and whereupon the olde accustomed yerely rent or more shalbe reserued, & paiable yerely during the said terme of xxj. peres, or three lines, shalbe voide and of none effect, to al intents, constructions, and purposes: any law, custome, or vsage, to the contrarie in any wise not withstanding. An. 1. Eliz. not printed.

Gifts

Archbishop Bishop

Queene

xxi. yeres iii. Lyues

Olde rent

5 ¶ And for that long and vnreasonable leases made by Colledges, Deanes, and Chapters, Parsons, Vicers, & other hauing spiritual promotions, be the chiefest causes of the Dilapidations, and the decay of all Spiritual lyuinges and Hospitalitie, & the vtter impouerishing of all successors, Incumbents in the same: Be it enacted by the authoritie aforesaid, that from henceforth, all leases, giftes, graunts, feoffements, conueiances, or estates to bee made, had, done, or suffered, by any Maister and fellowes, of any Colledge, Deane and Chapter of any Cathedral or Collegiat Church, Maister or Cardyan of any hospital, Parson, Vicar, or any other hauyng any Spirituall or Ecclesiastical liuinge, of any houses, lands, tythes, tenements, or other hereditamẽts, being any parcel of the possessions of any such Colledge, Cathedrall churche,

Cathedral Churches Hardian of holpital Parson Vicar

Chapter

Chapter, Hospital, Parsonage, Vicarage, or other spiritual promotion, or any waies appertaining or belonging to the same, or of any of thē, to any person or persons, bodies politique or corporat (other then for ỳ terme of xxj. yeres, or iij. lives, from the time as any such lease or graunt shalbe made or graũted, whereupon the accustomed yerely rent or more, shalbee reserued & payable yerely during the said terme) shalbe vtterly voyd, & of none effect, to al intents, constructions, & purposes: any lawe, custome, or vsage to the contrary in any wise notwithstanding. Prouided neuertheles, & be it enacted by thauctority aforesaid, that this act nor any thing therein conteined, shalbe taken nor cõstrued to make good any lease, or other graunt to be made by any such colledge or collegiat church, within eyther of both the vniuersities of Oxford & Cambridge, or els where within the Realme of Englande, for more yeres then are limitted by the private statuts of ỳ same colledges. Prouided alwaies ỳ this statute shall not extende to any lease hereafter to be made, vpon surrender of any lease hertofore made, or by reason of any couenant or condition conteined in any lease hertofore made, & now cõtinuinge, so that the lease to be made do not conteyne more yeres thē the residue of the yeres of the former lease now continuing shalbe, at ỳ time of such lease hereafter to be made, nor any lesse rent then is reserued in the said former lease, An. 13. El. cap. 10. See heere following 8. 9. & 10. certein addicions and alterations of this statut in seueral points.

xxj. yeres
iij. lives
Old rent Voyd.
Oxford Cambridge
Surrender

6 ¶ That the liuings appointed to Ecclesiastical ministers, may not by corrupt & indirect dealings, be transferred to other vses. Be it enacted by the auctoritie of this present parliament, ỳ no lease after the xv. day of May next following the beginning of this parliament, to be made of any benefice or ecclesiastical promotiō with cure, or any part thereof, & not beinge imporied, shall endure any longer then while the lessor shal be ordinarily resident, & seruinge the cure of such benefice without absence aboue fourscore dayes in any one yere, but ỳ euery such lease, so soone at it, or any part thereof, shall come to any possession or vse aboue forbidden, or immediatly vpon such absence, shall cease & be void, & the incumbēt so offending, shal for ỳ same lose one yeres profit of his said benefice, to be distributed by the Ordinary amōg the poore of the parish. And ỳ al chardginges of such benefices with cure, hereafter with any pencion or with any profitte out of the same to be yelded or taken, hereafter to be made, other then rents to be reserued vpon leases hereafter to be made, according to the meaninge of this act, shalbe vtterly voyd. Prouided ỳ euery person by ỳ lawes of this realme allowed to haue two benefices, may demise the one of thē, vppon which he shall not then bee most ordinarily resident, to his curate onely that shall there serue the cure for him: but such lease shal endure no longer then during such curates residence, wythout absence aboue xl. dayes in any one yere. This act to continue to ỳ end of the next parliamēt. An. 13. El. ca. 20. And An. 14. El. ca. 11. this statut is continued vnto the end of the next parliament, with the addition here 7. next following & See also an other alteration here after 10.

Benefice Spiritual promotion
Resident
xx. dayes
Voyd
Incumbent
Fort.
Ordinary
Poore people
Pencion
Voyd
ij. benefices
Curat
40. dayes

7 ¶ Prouided also, & bee it enacted, that these wordes (so soone as it, or any part ther of, shal come to any possession or vse aboue forbidden) or which wordes are conteined in the said statute, made in the said 13. yere of Eliz. touching leases of benefices, & other ecclesiastical liuings with cure (before 6.) shal not be reuiued by this act, but remayne discontinued, & shal from hēceforth be omitted out of the said act: any thing in ỳ said act or in this act, to the contrary notwithstanding. And where sundry euil disposed persons, haue defranded the true meaning of ỳ said last mencioned statut, made in the said 13. yere, by bondes & couenants of suffering other persons to enioy Ecclesiasticall liuings, and the fruites thereof, for that such bondes and couenants are not in law taken to be leases, although in dēde they amount to as much: Be it therefore enacted, that all bondes, contractes, promises, & couenants, hereafter to bee made, for suffering or permitting any persō to enioy any benefice or ecclesiastical promotion wō cure, or to take profits or fruites thereof, other then such bondes & couenents, as shalbe made for assurance of any lease heretofore made, shalbe to al intents & purposes adiudged of such force & validitie, & not otherwise, as leases by the same persons made of such benefices and Ecclesiastical promotions with cure. And be it further declared and enacted, that all leases, bondes, promyses, and couenants, of, and concernynge benefices and Ecclesiasticall liuinges wyth cure, to bee made by any Curate, shalbe of no other nor better

Ecclesiastical liuings
Wordes
Couenants
Curat

better force, validitie, or continuance, then if the same had ben made by ỹ beneficed person him selfe, ỹ demised, or shal demise the same to any such curate. An. 14. El. cap. 11.

Winchester & Eaton

8 ¶ And where in one other act made in the said 13. yere of Eliz. entituled. An act against fraudulent giftes, to the intēt to defeate dilapidations of Ecclesiastical lininges & for leases to be graunted by collegiat churches (before 5.) there is one braūch to avoyd certeine leases to be made by masters and fellowes of Colleges, Deanes & Chapters of Cathedral or Collegiat churches, Master or gardians of any Hospitall, or by any Parson, Vicar, or any other having any spirituall or ecclesiastical lining: Be it enacted, that the said braunch, nor any thing therein conteyned, shal not extend to any graūt, assurance, or lease of any houses, belonging to any the persons, bodies politike or corporat aforesaid, nor to any grounds to such houses appertaining. which houses be scituat in any citie, borough, towne corporate, or market towne. or the suburbes of any of them, but that al such houses & grounds may be graūted, demised, & assured as by ỹ lawes of this realme, and the severall statutes of the sayde colleges, cathedral churches, and hospitals they lawfully might have beene before the making of the said statut, or lawfully might be, if ỹ said statut were not, so allway ỹ such house be not the Capitall or dwelling house vsed for the habitation of the persons, above said, nor have grouū to the same belonging, above the quantity of 2. acres: any thing in the said act to the contrarye, notwithstanding. Prouided allway, & be it enacted, ỹ no lease shalbee permitted to be made by force of this act in reuertion, nor wout reserving the accustomed yerely rent at the least, nor without charging the lessées with the reparations, nor for longer terme then 21. yeres at the most, nor any houses shalbee permitted to be alienes, vnles that in recompence thereof, there shalbe afore, with, or presently after such alienation, good, lawful, & sufficient assurance made in fee simple absolutly to such Colledges, houses, bodies, politike or corporat, and their successors, of lands of as good value, & of as great yerely value at the least, as so shalbe alienes: any statute to the contrary, notwithstanding. Anno 14. Eliz. cap. 11.

Ecclesiast. lininges

Leases

Hospitals

3. parts reserued Corne

Bodies politikes

Rent

Colledges Cathedral Churches

2. Acres

Old rents

Reparations 40. yeres

Alien

9 ¶ For the better maintenance of learning, and the better reliefe of scholers in the vniversities of Cambridge & Oxford, & the colleges of Winchester & Eaton. Be it enacted, that no master, provost, president, warden, deane, governor, rector, or chiefe ruler of any college, cathedrall, church, hall, or house of learning, in any of the vniversities aforesayd, nor no provost, warden, or other head officer of the said colleges of Winchester or Eaton, nor the corporatiō of any of ỹ same, by what title, style, or name soever they now be, or shal or may be called, after ỹ end of this present session of parliamēt, shal make any lease for life, lyues or yeres, of any ferme, or any their lands, tenements, or other hereditaments, to ỹ which any tithes, errable lād, meadow, or pasture, doth or shal appertaine, except the one third part at the least of the olde rent be reserued & payed in Corne for the sayde Colledges, Cathedrall Church, Halles, and houses, that is to say, in good wheat after vi. s. viij. d. the quarter or vnder, & good malt after v. s. the quarter or vnder, to be delivered yerely vpon dayes prefired at the saide colledges, cathedrall churches, halles, or houses, & for default ther of, to pay to the said colledges, cathedrall church, halles, or houses, in ready mony, at the election of the said lessées, their executors, administrators, & assignes, after the rate, as ỹ best wheat & Malt in the market of Cambridge, for the rents that are to bee paied, to the vse of the house or houses there, & in the market of Oxford, for the rents ỹ are to be paid to the vse of the house or houses there, & in the market of Winchester, for the rents that are to be paied, to ỹ vse of the house or houses there, & in the market of Windsore, for the rents ỹ are to be paied to the vse of ỹ house or houses at Eaton, is or shalbe sold the next market day, before the said rent shalbe due, wout fraud or deceipt. And that all leases, otherwise hereafter to be made, & al collateral bonds or assurāces, to the contrarie by any of the said Corporations, shalbe void in law, to all intents & purposes. The same wheat, Malt, or ỹ money cōming of the same, to be expended to the vse of the reliefe of the commons & dyet of the sayd colledges, cathedrall churches, halles, & houses, & the fellowes & scholers in the same, & to the vse aforesaid, vpon payne of deprivation to the governors & chiefe rulers of the said colledges, cathedral churches halls, & houses, & al other therto consenting.

Cambridge Oxford

Winchester Eaton

Lease

Commons Dyet

Deprivation

Prouiso

Prouided alwaies, ỹ this act, or any thing therein contayned, shall not extend, or be in any wyse prejudiciall to any leases to bee made

Mounkes Barne

made of a Barne called Mounken Barne with a certein porcion of tithes rysing, growing, & being in ỹ parish of Southwerke, in the countie of Surrey, being parcel of ỹ possessions, of Maudelyn College in Oxford, so that the terme demysed in, and by the said lease, excēde not the number of terme yeres, from and after the feast of S. Michael tharchangel next commynge, any thinge therein specified to the contrarye notwithstanding. Prouided also, that this acte shall not extende to any lease to bee made by the Presidēt and Scholliers of the Colledge of S. John Baptist in Oxford, to anye heire male of Sir Thomas White late knyght and Alderman of London, founder of the said Colledge, which lease shalbee made according to the meaning of the foundation & statutes of the said Colledge of the manor of Fyfielde, and no other hereditamentes. An. 18. El. ca. 6.

Prouiso

Sir Thomas White

Fyfielde

10 ¶ Whereas since the makyng of the statute. An. 13. El. ca. 10. (before. 5) diuers of those ecclesiastical personnes haue made new leases, long before the expiration of the former yeres, cōtrary to the true meaning of the said statute, Bee it therefore enacted, by this present parliament, ỹ all leases hereafter to be made by any of the said ecclesiastical, spiritual, or collegiat persōs or others, of any their said ecclesiasticall, spirituall, or collegiat lāds, tenemēts, or hereditamēts, whereof any former lease for yeares, is in, being not to be expired, surrendred, or ended, within three yeres, next after the makinge of any such new lease, shalbee voyde, frustrate, and of none effecte, any lawe, vsage, or custome to the contrarie notwithstāding.

Ecclesiastical persons Colledges

3. yeres

And be it likewise enacted, by the auctoritie aforesaid, that all and every band and couenāt whatsoeuer, hereafter to be made, for renewing or making of any lease or leases, contrarie to the true intent of this acte, or of the said act made in the said xiii. yere of Eliz. shalbe vtterly voide: any lawe, statut, ordinance, or other thing whatsoeuer to the contrarie in any wise notwithstanding.

Band Couenant

Voyde

Prouided alwaies, that this act, nor any thing therein contained, shall extend or bee preiudicial, to make frustrate or voide, anie lease or leases, heretofore made by any of ỹ said spiritual or ecclesiasticall person or persons, or any of them: but that the same, and euerie of them, are of the like force and effect, as they or anye of thē were before the making of this present statut: this act or anything therein contained to the contrarie notwithstāding. And where Sir Thomas White, late knight and Alderman of London, for aduancement of good learning, hath founded one Colledge in the vniuersitie of Oxford, called S. John Baptists Colledge, and being seased of the manor of Fithyde, alias Fifield, in the countie of Bark. did together with all other his lands, tenements, and hereditaments, geue, and assure the said manour, with the appurtenaunces, to the Presidēt and Scholliers of the saide Colledge for euer: And neuertheles the sayde Sir Thomas White, hauing thē one Ralf White his brother liuing, and sundry kinsmen, to whom by course of the cōmon law, his landes might haue discended, did deuise, & order, and by the statutes which he prouyded for the said house, & by order of the now visitour of the saide Colledge, it is ordeined that the said manour of Fithyde, alias Fyfield, with the appurtenances, should bee demised by the said Presidēt and Scholliers, for the time being, to the saide Ralfe, for the terme of fowrescore & nineteine yeres if the said Ralfe should so long liue, and so it is intended that from heire male to heire male, of the said Sir Thomas White, newe demises should from time to time be made, of the said manour with the appurtenances, to euery suche heire male successiuelye, for the terme of fowrescore & nineteine yeres, if such heire male should so lōg liue, yelding to the said Presidēt & Scholliers, for the time being, such rent as now is reserued, with such further couenants & conditions, as by ỹ said Sir Thomas White or visitor, is agreed & appointed.

Sir Thomas White

Orfords Colledge

Presidēt

Heire male

99. yeres

And where since the decease of the sayde sir Thomas White, the said assurances to the said Presidēt & Scholliers, in all, or the most part of the lands, tenements, and hereditamēts, of ỹ said founder, were found in some respect vnperfect, & insufficiēt in law, & ỹ thereupon ỹ said Ralfe White to whō ỹ aduātage of such imperfectiō came by law, did neuertheles take no such aduātage, but did willingly make perfect ỹ said assurances, according to the true meaning of ỹ said sir Thomas White his brother, accepting only one lease of the saide manour, in suche sort as by the saide visitor was appoynted, with the copiholdes, and other appurtenances of the said manour. For remedy whereof be it enacted, that the Presidēt & Scholliers of the sayde Colledge, may from time to time

Copyholdes

time demise the sayd manors, coppholdes, & other appurtenances, to euery heire male of the said sir Thomas White succesiuely, according to the fourme of the lease thereof alredy made to the said Ralfe, & that euerye such lease so to bee made & euery couenaunt made or to be made for the performāce of the same, shalbe good in law, as if ỳ said acte made in ỳ sayd viii. yere of El. had neuer bē had nor made: any thing in ỳ sayd act made in the said viii. yere, or any other act or matter whatsoeuer to the contrarye, notwithstanding.

And where as in one other statute made in the said viii. yeare of her maiestie, entituled, An act touching leases of benefices, & other Ecclesiastical liuings wtin cure (before 6.) one clause is contained, that the Incumbent offending ỳ purport of the said statut, shall for ỳ same lose one yeres profit of his said benefice, to bee distributed by ỳ Ordinary amōg the poore of the parish, as by the sayd branch in the said last recited statut appeareth: Be it therefore enacted, by thauctoritie aforesaid, that after complaynt made to the Ordinary, & sentence geuen vpon any offence cōmitted by the Incumbēt, wherby he shall or ought to lose one yeares profit of his benefice as afore shewed, that the Ordinarie within two monethes after suche sentence geuen, & request to him made by ỳ Churchwardens of the said parish, or one of them, shal graunt the sequestration of such profits, to such inhabitant or inhabitantes within ỳ parish wher such benefice shalbe, as to him shal seme meete & conuenient, & vpon default therein by the Ordinarie, that it may & shalbe lawful to euery parishioner, where ỳ benefice is, to retaine and keepe hys or their tithes, & likewise for the Churchwardens of the said parish, to enter & take the profites & glebe lands, & other rents, & duties of euery such benefice, to be imployed to the vse of the poore as aforesaid, vntil such time as sequestration shalbe cōmitted by the Ordinarie, & then aswell the Churchwardēs, as parishioners, to yelde accompt of, & make paiment to him or them, to whom such sequestration shalbe cōmitted, & that he or they to whom such sequestration shalbe committed, from time to time, shall iustly and truely imploy and bestowe the said profits, or the true and iust value therof, without fraude or guyle, to such vses as by the said statut is limytted and appointed, vpon paine or forfaiture of the double value of such withholden profits, to be recouered in the ecclesiasticall court by the poore of the sayde parish. Anno 18. El. capitulo 11.

Ecclesiastical liuings
Incumbent
Ordinary
Church wardens
Sequestratiō
Tithes
Glebe lands
Poore
Accompt
Forf.
Ecclesiast. court
Poore

¶Lee.

FOrasmuch as it is perceyued by manye graue & wise men, aswell of the Citie of Lōdon as of the countrey, that it were very cōmodious & profitable both for ỳ citie & the Countrey, that the riuer of Lee, otherwyse called Ware riuer, might be brought wtin the land to the North part of ỳ said citie of Lōdō, the same to be cut out of the said riuer, in the most aptest & meetest place of the sayde riuer of Lee, to haue from thēce the leading & passage of the said water, thorough suche a conuenient and meete cut, as may serue for the nauigatiō of Barges & other vessels, for the carryage & conueying aswell of all marchandies, corne, and victuals, as other necessaries from the towne of Ware, & all other places neere the said riuer, vnto the said Citie of London, & from the said Citie, to ỳ said places, and the towne of Ware, & also for Lighters and Whirries, for conueying of the Quenes subiectes, to & fro, to their great ease & commoditie. In consideration of the premisses, and of diuers sundrie commodious, profitable and beneficiall causes which are like to ensue to the bodye of thys common wealth, and so incidently to many particular persōs: Be it enacted by ỳ Quenes most excellent maiestie, with the assent of the Lordes spirituall and tēporal, and the cōmons in this present parliamēt assēbled, and by thauctority of the same, ỳ it shalbe lawful to the Lord Maior, cōminaltie, and citizens of the city of London, & their successors, at any time or times hereafter, to begin and continue the laying out of such conuenient limits of ground, for the making of ỳ trēch for the said riuer, at such breadth, as to them and their deputies and workemen shalbe seene cōuenient & meete for the same, and in that place ỳ they shal finde to be most apt & meete for that purpose to haue, take, and vse for the purpose aboue said, such and so muche grouñd, tuning and by al ỳ length as the said new Chānel, cut, or riuer shal passe, as shal be requisite for the conueying of the said water, and also fiftie or lx. foote in breadth on eche side of the said ryuer, by all the length of the same: so alway that they do not in any one place, take in breadth both in Channel and in grouñd on both ỳ sides of the water, aboue ỳ breadth

Ware riuer
London
Nauigation
Carriage
Ware towne
Lighters
Whirries
Maior of London
60. Foote

160. Foote

bredth of 8. foote in al, which cõuenient bredth of grounde on both sides, is thought nædful to be had, for ỳ ground & soile of necessity must be occupied on both sides of the said riuer, aswel for the laying of the earth ỳ shalbe cast out of the said trench, to serue in the lower groũds, & especially nere ỳ said riuer, to make substancial bãkes for ỳ preseruation & kæping of the countrey from inundations when ỳ fludds shal arise, as also for way to passe in Tronkes & Cartes, which must carry away ỳ gravell & other earth, in very great quantity from the hilles whereas the cut must be very dæpe, to such places as shalbe conuenient to helpe to make vp ỳ said

Bankes

bankes, & otherwise to bestowe the same: & also for ỳ whẽ it shal please God ỳ the same shalbe brought to passe & full effect, that the whole ground on both sides of the said riuer may lye in one leuil from the sayd Citie of London, to ỳ place where the said riuer or trench shall haue his beginninge out of the maine Riuer of Lee, & to the end also, ỳ in al places within ỳ limitt & distance, al people may with great ease & commodity, go in & out of their tilthoates & other bessels whatsoeuer without perill, & so walke by foote, as long as it shal please them, and also ỳ the

Bargemen

bargemen may vpon the same groũd wout offending any other, yea to their bessels frõ place to place alongst ỳ same, as of like they shalbe driuen to do against ỳ streame, being loden. And be it enacted, that the said

Maior

Maior comnaltie, & citizens, & their succesors for euer, shal haue ỳ said groũd alongst al ỳ said whole length, for such composition as they shal make with the lords owners, & occupiers of the soyle & ground. Prouided alwaies & be it enacted, that if in the new cut, there

Breaches

happen any breaches, inundation, or hurts, the Maior & citizens of London shal stop ỳ breaches at their owne charges, & so maintaine them from time to time. And be it also enacted, that the said lord Maior, commnaltie, & citizens, shall haue the whole iurisdiction, conservation, rule, & gouernement, aswel of the said new cut riuer, & ground of eche side, as also ỳ royalty of the fish & fishing of the same and profits of the said groũd soile, and water to them & their successours for euer, and also shal haue auctority to

River Fishing

Punish

punish aswel all such transgressors as shal offende in the breakinge of such good order as shalbe hereafter made, for such of ỳ Quæns maiesties subiects as shall haue occasion to transaile & passe by the same newe cut riuer, as also euery other person & persons which shal breake such good & holsome rules & orders as shalbe prouided & ordeined for ỳ preseruation, kæping, & maintaining of the said riuer, & euery part thereof. And further be it enacted, ỳ the sheriffes and Iustices of the peace, & such other as it shal please the Lord Chauncelor, or L. Kæper of the great seale to put in cõmission for the same, aswell of Middlesex, Essex, as of Hartfordshire, or ỳ more part of them, by their discretions, shal at the costs & charges of the countrey, after that ỳ said new cut shalbe made & finished, cause the same from such place whereas the newe cut shall beginne, vnto the towne of Ware, alongst the said ryuer, to be sufficiently clensed of al ỳ shelfes and shalows,

Clense

and to bring the same to a conuenient depth in al places, for the passages of barges, tilt-boates, and other vessels, in as good and cõueniẽt depth, al the way of the same, as shal be made & continued in the aforesaid newe riuer, by the Maior, commnaltie & citizens of the said citie of London, & so to contynue the same, from time to time vpon ỳ paines therefore to be limitted, & leuied by the discretions of the said Commissioners, or the more part of them. And also that all other

Buyldings

buyldings & obstacles, standing in, or vpon the said riuer, which may be found impechments or letts to this good worke, may be remoued & taken away, to the end that this may be a good and perfit worke, and by the grace of God, to such good effect and commoditie, as is hoped & looked for. Prouided alway, & be it enacted, that this act shal not extend to take away any building, locke, or obstacle, which by the said Commissioners,

Cõmissioners

or the more part of thẽ, shalbe thought not to hinder the passage of boats, or vessels, by & through the said ryuer. And be it further enacted, that the Maior, Cominalty, & Citizens of London, shal make and maintain

Maior

at their costes & charges, such sufficient hedges and fences, as shalbe requisite betwene the groundes so by them to be taken to the vse aboue said & ỳ grounds of other owners, and also conuenient bridges & waies, for the

Hedges Fences

Bridges

passage of the Quænes subiectes and their carrypages.

Prouided alwaies, & be it further enacted, by the auctoritie aforesaid, ỳ the lord Chãcelor, or lord kæper of ỳ great seale of England for the time being, shall & may by hys discretion, and at the request of the layde Lord Maior, Comminyltie, and Citizens

L. Chãcelor

for

for the time being, appoint & auctorize by cõmission vnder the great seale of Englãd, vi. Commissioners, whereof iiij. to be of ỹ said citie of Londõ, & ỹ other iij. to be of the counties adioinnig to the said ryuer of Lee, vz. fower of euery the shires of Essex, Middlesex, & Hertfordshire, and euery of the said iij. hauing landes, tenementes, or hereditamẽts, of the clere yerely value of xl. marks, in the same shires, or some of them, & not being citizens of London vsing the trade of marchãdize, which vij. commissioners, or the more nomber of them, shal haue full power & lawful authoritie to treat, agree, and cõpound with, such numbers of the freeholders & inhabitants of the said counties, as to their discretions shal seeme meete & conuenient, for the scouring, clensing, reparing, & keping of ỹ said ryuer of Lee, frõ such place where as the new ryuer or cut shal haue the beginning vnto ỹ said town of Ware, in such sort as ỹ same may be nauigable for boats, barges, & other vessels. And further be it enacted, ỹ vntil or before such order or meanes be deuised & agreed vpõ by the said cõmissioners, & the said commission returned into ỹ high court of chauncery, it shal not be lawfull to the said Lord Maior, citizens, & cõmunaltie, to put the said digging, trenching, or new cutting of the sayd riuer, in execution, nor to cut or take in any ground, by force of this statut, any thing in this act to the contrary notwithstandinge. And be it further enacted, ỹ the Maior, Citizens, & cõmunaltie of London, shal not by vertue of this act take any mans ground, vntil they haue cõpounded with the owners of ỹ same ground: and shall within v. yeres next after thende of the session of this parliament, cut and finish the same. Prouided alway, & be it enacted, that all the Quenes subiectes their boates, and vessels, shall haue free passage through the said riuer, aswel the new cut as the olde ryuer, without interruption or molestation, by reason of, or for his or their passage, as in other common ryuers & waters they lawfully may do. Prouided alwaye, that this law shal not extend to make ỹ said riuer to be clensed, otherwise then any persons be or shalbe compellable by the law, or by the statut of Sewers, to clense the same. Prouided also, and be it enacted, that if any person shal refuse to be reasonably compoũded with, for grounde to be taken in for the sayd new cut and bankes: then the said vij. commissioners, or the more part of them, shal appoint and determine the compesition and bargaine betweene both the parties, and the satisfaction for such ground, and all wates, bridges & other thinges to the same pertayninge. Prouided alway, and be it further enacted, that if the sayd new cut, shalbe the meane and occasion that any milles beneath or above ỹ beginning of the said new cut, shalbe by vertue of this act destroyed, or the profit therof decaied by want of water: then the said Lord Maior, comminalty, and Citizens of London, shal yeld and pay to ỹ owners of such milles so decayed, & to such persons as shal haue any detrimẽt or losse by such decay, such reasonable recompence in money or yerely rent, or otherwise, as the sayd vij. Commissioners, or other vij. Commissioners in like sorte to be chosen and authorized, or any vij. of them, shal determine & appoint. And that such owners their heires & assignes, shal haue such reasonable remedy, by action of debt, or distresse, or otherwise, to recouer, haue, & obtaine the said recompẽce, as the Lord Chauncelor, or Lord Keper of ỹ great seale of Englãd for the time being, together with the said vij. Cõmissioners, or with any vij. of them, shal appoint: any thing in this act to the cõtrary not withstanding. An. 13. Eliz. cap. 18.

vi. commissioners

xl. marks land

Repairyng

Nauigable

Commission returned

Maior

Compound with the owners v. yeres

Boats Free passage Riuer

Sewers

Refuse to compound

Cõmissioners

Wates Bridges

Milles

Recompence

Action of debt Distres

¶ Leete.

FIrst you shal tel vs, by the Othe that you haue made, if al the iurors that owe suyt to this Court be come, as they ought to be, and which be not. And if al the chiefe pledges be come with their deceners, & whych be not. And if al the deceners be in the assise of our soueraigne Lord the king, & whych be not, and who receiued them. And if there be any of the Lords villains fugitiue, dwelling other where then in ỹ kings demeanes, & of such as be within the kings demeanes, if they haue not abiden there a yere & a day. And if there be any of the Lords villaynes in frankpledge, other where then in thys court. Of customes and seruices due to this court withdrawen, how, and by whom, and in what Baylifes time. Of purpresture made in lands, woodes, and waters, to annoyance. Of walles, houses, dykes, & bridges, sett vp or beaten downe to annoiance. Of bounds with drawen & take away. Of wayes & pathes opened or stopped. Of watters turned or stopped, & brought from their right course. Of breakers of assises, and of their

Iurors

Pledges Deceners

Villaines

Frankpledge

Customes

Purpresture

Bounds

Wayes

Waters

their receiuors. Of cõmõ thæues & of their receiuors. Of pety thæues, as of gæse, hens or sheates, of corne. Of thæues that steale clothes out of windowes. Of such as goe in message for thæues. Of hue & crie leuied & not pursued. Of bloodshed, & of frayes made. Of escapes of thæues or felons. Of persõs outlawed & returned not hauing the kinges warrãt. Of womẽ rauished not prosecuted before ỳ Coroners. Of clippers and forgers of money. Of tresare foũd. Of assise of bread & ale brokẽ. Of false measures, as of bushels gallons, yardes, & elles. Of false ballãces, & weights. Of such as haue a double measure, & buy by ỳ greater & sel by ỳ lesse. Of such as continually haunt tauernes, & no man knoweth whereon they do liue. Of such as slæpe by day & watch by night, & fare well & haue nothing. Of cloth sellers & curriers of leather, dwelling out of marchant townes. Of such as take church or churchyard, & after depart without doing ỳ which belõgeth thereunto. Of persons imprisoned & after let goe without warrant. Of such as take dowes in winter by dorefalles or engins. And of all these things you shal do vs to wit, by ỳ othe that you haue taken. An. 18. E. 2.

Thæues

Blondshed Frayes & Escapes

False measures

Pigeons

¶Libell.

AT what time the Libell is graunted by the lawe, that it be graunted & deliuered to the partye without any difficultie. An. 2. H. 5. cap. 3.

¶Limitation.

Writ of right

TOuching conueiance of discent in a writ of right from any aũcestor, frõ the time of king Henry the elder the yeare & day. It is prouided, ỳ from hencefoorth there bee no mencion made of so longe time, but frõ the time of king Henry our graundfather. And this act shal take effect at Pentecost, ỳ xxi. yere of our raigne, & not afore. And ỳ writs before purchased, shall proceede, writtes of Mordaunce

Mordaunce Nativo habẽdo

not passe the last return of king John from Irelãd into Englãd. And this act shal take effect as before is declared: writs of Nouel

Nouel diss.

disseisin shal not passe the first viage of oure soueraigne Lord the king that now is, into Galcoigne. And this prouision shal take his effect from the time aforesaid, and all writs purchased before shall proceede. Merton. ca. 8. An. 20. H. 3.

2 ¶And for as much as it is long tyme passed since the writtes vnder named were limitted: It is prouided, ỳ in cõueying a discent in a writ of right, none shal presume to declare of the seisin of his auncestor, further or beyond ỳ time of king Richarde vncle to king Henry, father to the king that now is, & that a writ of Nouel disseisin, of partitiõ, which is called Nuper obijt, haue their limitatiõ since the first viage of king Hẽrie father to the king ỳ now is, into Galcoign. And ỳ writs of Mordaunce ster, of Colynage, of Ayel, of Entre. and of Nativis, haue their limitation from ỳ coronatiõ of ỳ same king Henry, & not before: neuertheless all writs purchased now by thẽ selues or to bee purchased betwene this & ỳ feast of S. John for one yere complete, shalbe pleaded frõ as long time as heretofore they haue ben vsed to be pleaded. W. 1. ca. 38.

Writ of right

Nouel diss. Nuper obiit

Mordaunce

3 ¶No maner of person or persons shall frõ hencefoorth sue, haue, or maintain, in any writ of right, or make any description, title or claime of, to, or for any manors, lãdes, tenemẽts, rẽts, ãnuities, cõmõs, pẽcions, portiõs, corodies, or other hereditamẽts, of the possession of his or their auncestor or predecessor, & declare & alledge anye further seisin or possession of hys or their aũcestor or predecessor, but õly of ỳ seisin or possessiõ of his aũcestor or predecessor, which hath bene or now is, or shalbe seised of the saide manors, lãds, tenemẽts, rẽts, annuities, cõmõs, pẽcions, portions, corodies, or other heredytaments, within lx. yeres, next before ỳ teste of ỳ sãe writ, or next before ỳ said prescripti-on, title, or claime so hereafter to be sued, cõmenced, brought, made or had. And be it &c. ỳ no maner persõ or persons shall hereafter sue, haue, or maintaine, anye assise or Mordãcester, colinage, aule, writ of Entre vpon diss. dõe to any of his aũcestors or predecessors or any other actiõ possessary, vpon the possession of any of hys aũcestors or predecessors, for any maners, lãds, tenemẽts, or other hereditamẽts, of any further seisin or possessiõ of his or their ãcestor or predecessor but õly of ỳ seisin or possessiõ of hys or their aũcestor or predecessor which was or hereafter shalbe seised of ỳ same maners, lands, tenemẽtz, or other hereditamẽts, within 50 yeres next before the teste of ỳ original of ỳ sãe writ herafter to be brogbt. And be it &c. ỳ no plõ or persõs shall hereafter sue, haue, or maintain any actiõ for any maners, lãdz tenements, or hereditaments, of, or vpon his or their owne seisin or possession therin, aboue

60. yeres Teste

Assise Mordaunce Colinage Ayel

50. yeres. Teste

xxx. peres

above xxx. peres next before ỳ telle of ỳ original of ỳ sãe writ hereafter to be brought. And be it &c. ỳ no person or personnes shal hereafter make any avowrie, or cognisance for any rẽt, suit, or service, & alledge any seison of ante rẽt, suit, or service, in the same avowry or cognisãce in the possessiõ of his or their aũcestors, or predecessour or predecessors, or in his owne possession, or in the possessiõ of any other whose estate he shall prẽtẽd or claime to have, above 50. peres next before the making of ỳ said avowry or cognisance. And ouer ỳ be it &c. ỳ al formedons in reuerter, formdons in remainder, & Scire facias vpõ fines of any manors, lands, & tenemẽts, or other hereditamẽts at any time hereafter to be sued, shal be sued, vsed & takẽ within 50. peres next after the title & cause of actiõ fallen, and at no time after the said fifty peres passed.

Anowry Cognisance

50. peres.

Formedons Scire fac.

50. peres.

And be it &c. ỳ if any person or persõs at any time hereafter do sue any of the said actions or writs, of any manors, lands, tenements, or other hereditamẽts, or make any avowry, cognisaunce, prescription, title, or claime, of or for any rent, suit, service, or other hereditaments, & cannot prẽme that he or they, or his or their auncestors or predecessors were in actual possession or seison of & in the same manors, landes, tenemeates, rẽts, suits, services, annuities, [illegible]ons, pensions, portiõs, corrodies, or other hereditaments, at any time or times, wõin the peres before limitted, & appointed in thys present act, & in maner & fourme as is aforesaide, if the same be trauersed or denied by the partie plaintife, demaundant or auowãt, or by the partie tenant or defendant: that then & after such trial therin had, al & euery such person & persons & their heires shal frõ henceforth be vtterly barred for euer of al & euery the said writs, actions, auowries, cognisance, prescription, title, & claime hereafter to be sued, had, or made, of, & for ỳ same maners, lãds, tenements, hereditamẽts, or other the premisses or any part of the same: for ỳ which the same action, writ, auowry, cognisance, prescription, title, & claime hereafter shalbe at any time had, sued, or made. Prouided alwaies, and be it &c. that all & euery person & persons which now haue any of the said actions, writs, & auowries, Scire facias, cognisance, prescriptiõs, title, or claime depẽding, or that hereafter shal sue, cõmence, make or bring any of the saide writes or actions, or make any of the said auowries, cognisãces, prescription, titles, or claime, at anye tyme before the feast of the Ascention of our lord God, which shalbe in the yere of our Lorde God. 1546. shall alledge the seison of his or their aunceslors or predecessors, or his own possession & seison, & also haue all other lyke aduantages to all intents and purposes in ỳ same writs, actions, auowries, cognisãces, prescriptions, titles, & claimes, as he or they might haue had at any time before the making of this estatute, this acte or any thinge therein contained to the contrarie notwithstãding. Prouided also & be it &c. that if any person or persons beyng now within thage of xxi. peres, or couert baron, or in prison, or out of this realme of England, now hauing cause to haue, sue, commence, make or bring any of the said writs, act õs, or to make auowries, cognisances, prescriptions, titles, or claimes, that it shalbe lawful to such person & persons being wõin age, couert baron, in prison, or out of the Realme, to sue, commence, or bring any of the saide writtes or actions, or make any of the sayd auowries, cognisances, prescriptiõs, titles, or claimes, at any time wõin vi. yeares next after suche person or persons, now being wõin age, shal [illegible] the age of xxi. peres, or wõin vi. [illegible] after such person or persons now being couert baron shalbe sole, or within vi. peres next after such person or persõs now being in prison shalbe at his liberte, or wõin vi. peres next after suche person or persones now being out of this realme, shall come & be within this realme. And that euery such person & persons in their said actiõs, writs, auowries, cognisances, prescription, titles, or claimes, to be made, sued, or commẽced within the said vi. peres, shall alledge within the said vi. peres the seison of his or their aunceslors, or predecessors, or of his owne possession, or of the possession of those whose estate he shal then claime. And also within the same vi. peres shall haue all & euery like aduauntages to all intents and purposes in the same, as he or they might haue had before the making of this acte, and as though this act had neuer bene had ne made. This act or any thing therin cõtained to ỳ cõtrary notwithstanding. Prouided also ỳ if it happen the said person or persons nowe beinge within age, or couert baron, in prison, or out of this realme, hauing cause to sue, cõmẽce, make, or bring ante the said writs, actions, auowries, cognisance, prescription, title, or claime, to deceale, wõin age, or being couert,

Alledge seisin

Within age Couert baron Imprison

vi. peres

Trial

Barre

Writes Actions

Die wõin age

as

as is afore ſaid, or during the time that he or they ſhalbe in priſon, or out of this realme, vj. yeres or to deceaſe within vj. yeres next after ſuch perſon or perſons ſhal accõpliſh his or their full age, or ſhalbe at large within this realme, or ſhal become ſole, & no determination or iudgemẽt had of ſuch titles, actõs, or rights ſo to them accrued, ẏ then the next heire or heires of ſuch perſon or perſons being in priſon, or out of this realme, or within age, or being couert baron ſo dying, ſhal haue & enioy al & euery ſuch libertie, aduãtage, to ſue, demaund, anowe, declare, or make their ſaid titles, claime, or preſcriptions, within vj. yeares next after ẏ death of ſuch perſon or perſons, now impriſoned, or being out of this realm, or within age, or couert de baron, in ſuch lyke maner & forme, to al intents & purpoſes, as the ſame infant after his full age, or the ſayd woman couert, after ẏ death of her huſbãd, or the ſame perſon being out of this realme after his repaire or cõming into ẏ ſame, or the ſaid perſon impriſoned after his enlargment and comming out of priſon, ſhould or might haue had within vj. yeres then next enſuyng, by force & vertue of the prouiſion laſt before rehearſed: any thing in this act conteined, to the contrarie therof, in any wyſe notwithſtanding. Prouided alſo, that if any perſon or perſons, before ẏ ſaid feaſt of the Aſcention of our Lord god, which ſhalbe in the ſaid yere of our Lord God 1546. commence & ſue any of the ſaid actions or writs or make any anowrie, preſcription, title, or claime, & ẏ ſame action, writ, anowry, cogniſance, preſcription, title, or claime, happen by ẏ death of any the parties of ẏ fãe, to be abated before iudgement or determination therof had: ẏ then the ſaid perſon or perſons being demãdants or anowants, or making any ſuch cogniſaunce, preſcription, title, or claime, being then on liue, & if not, then the next heire or heirs of ſuch perſon or perſons ſo deceaſed, may cõmence or purſue hys or their action & ſuit, & make his or their anowrie, cogniſãce, preſcription, title, or claime, for, or vpon the ſame matter within one yere, next after ſuch action or ſuit abated, & ſhall haue & enioy al & euery ſuch liberty & aduãtage, to ſue, demãd, anow, declare, or make their ſaid titles, claimes, or preſcriptions within the ſaid one yere, as ẏ demaãdant or demandants in ſuch writ or ſuit abated, or as ſuch as did anow or make cogniſance, title, claime, or preſcription, ſhould or might haue done, had, vſed, made, or enioyed in the ſaid

vj. yeres

Heirs

vj. Yeres

Abate before iudgement

Heirs

One yere

former action or ſuit: any thing in this act to the contrarie notwithſtanding. Prouyded furthermore, ẏ if any falſe verdict happẽ here after to be geuen or made, in any of the ſaid actiõs, ſuits, anowries, preſcriptions, titles, or claimes: ẏ then the party greeued by reaſon of ẏ ſame, ſhall & may haue his attaint, vpon euery ſuch verdict ſo geuen or made, & the plaintif in the ſame attaint vpon iudgement for him geuen, ſhal haue his recouery, execution, & other aduãtage, in like maner & forme, as heretofore hath bẽ vſed & accuſtomed: any thing before in this act cõtained, to ẏ contrary notwithſtãding. An. 32. H. 8. c. 2.

False verdict

Attaint

Recouery Execution

4 ¶ The ſaid former acte, made in the 32. yere of ẏ raigne of the ſaid late king H. (s. ca. 2. before 3) or any article, clauſe, ſentẽce, or matter therin cõtained, ſhalnot extend to any writ of right, Aduowſõ, Quare impedit or aſſise of Darrein preſentmẽt, nor Iure patronatus, nor to any writ of right of ward, writ of rauiſhmẽt of ward, for ẏ wardſhip, of, or for the warſhip of the caſtels, honors, manors, lãds, tenements, or hereditamẽts, holden by knights ſeruice, nor to ẏ ſeiſer of ẏ wardſhip of ẏ body of any ward, or wards, or to the ſeiſer or wardſhip of any caſtells, honors, manors, lands, tenemẽts, or hereditaments, holden by knights ſeruice: but ẏ al & euery perſon & perſons, bodies politik & corporat, their heires & ſucceſſors, & ẏ heires & ſucceſſors of euery of thẽ, ſhal & may haue, maintein, & purſue, al & ſinguler ẏ ſaid writs of right, of Aduowſon, Quare impẽ, aſſiſe of Darrein preſentmẽt, Iure patronatus, writs of right of ward, Rauiſhment of ward, & al ſo ſeiſe the wardſhip, both of ẏ body, & of the caſtels, honors, manors, lands, tenements, & hereditaments, holden by knights ſeruice, in like maner & forme, to all intents, conſtructions, & purpoſes, as they or any of thẽ ſhould, or might haue don, made, or purſued before the making of the ſaid act, made in ẏ ſaid 32. yere, as though th ſame act had neuer ben had or made: any thing in the ſayd former acte, to the contrarie not withſtanding. An. 1. M. 1. Parl cap. 5.

Aduowſon Quare impedit Darreine preſ. Iure patronatus Writ of Right Wardſhip

Knightes ſeruice

¶Linne

AN. 33. H. 8. cap. 34. It was enacted, that the kings Letters patẽts, dated 7. Iuli, An. 29. H. 8. made to ẏ towne of Linne, of ij. faires or markets to be holdẽ yerely in ẏ towne, be made void & of none effect, ſauing to ẏ towne, al other their liberties & other things cõpriſed in any other letters patẽts.

Faires Markets Voyde

2 ¶An.26.H.8.ca.9. An act was made for the repayring of the towne of Lynne.

¶Linnen cloth.

Dowlas Lockeram

Forf.

Repealed

Alyen Denyzen

Dowlas Lockeram

Forf.

Moitie

Stretch

Beat

Chalke

ANno 21.H.8.cap.14. It was enacted, that none shal bring into England any linnen cloth called Dowlas & lockeram, not conteining ỳ length & breadth declared in the statut, vpon pain of forfaiture, & after An.28 H.8.ca.4. this act is repealed, & it is there enacted, ỳ no maner of person, English, nor stranger, denizen, nor alien, put to sale any whole peece or half of ỳ said linnē cloth, called dowlas & lockeram, vnles there be mēcion expressed vpon euery of the said whole pēce or half pēce of ỳ said linnē cloth called dowlas or lockeram so put to sale, as is aforesaid, ỳ whole & entier nūber of ỳ yards, or ells, ỳ is conteined in euery such whole peece or half pēce, vpō pain of forfaiture of ỳ same whols pēce or halfe pēce, not cōteining ỳ number of yards, or ells so mēcioned vpon euery of ỳ said whole pece or half pece so put to sale, as is aforesaid. The one halfe of euery such forfaitures to be to the king our soueraigne lord, & thother halfe to him that shal seise & wil sue for the same, by action of debt, bill, plaint, information, or otherwise, in which actiō, suit, or information, no wager of law, nor essoin, shalbe admitted or allowed. Prouided alwaies, ỳ this act, or any thing therin conteined, be not preiudicial ne hurtful to any person or persons, ỳ before ỳ 1. day of this parliamēt, hath made any seiser, or put in any information, into any of the kings Courts, for any maner of forfeiture, done or cōmitted by any person or persons, contrarie to the said estatut, made the said 3. day of Nouember, the 21. yere of the raigne of our said soueraigne Lord, kinge Henry 8. An.28.H.8.cap.4.

☞ 2 ¶Where certain euil disposed & deceiptful persons, vsing to buy & ingros into their hands, great store of lynnen cloth, do vse to cast the peces of cloth ouer a beame, or pece of timber made for their purpose, & do by sūdry deuises, racke, stretch, & draw the same, both of length & breadth, & that done, do then with bateldores, peces of timber & wood, & other things, sore beat ỳ same, euer casting therupon certain deceiptful liquors mingled wt chalk & other like things, wherby the said cloth is not only made to seme much finer, & thicker to the eye, then it is in dede, but also the thredes thereof bee so losed & made lucke, that after iij. or iiij. washinges, it wil scarcely hold together, to the great deceipt, hinderance, & losse of the subiects of this realme. Be it therfore enacted by the auctoritie of this present parliament, that if any person or persons, shall hereafter willingly vse, or cause to be vsed, ỳ afore said deceipts, or any other act or acts, meane or meanes, to, in, or wt any kind of lynnen cloth, where by the same shalbe deceiptfull or worse, to & for the good vse therof: that then ỳ said cloth shalbe forfaited, & the offendor therein to be punished by one moneths imprisonment at the least, & shall pay such fines, as shalbe assessed for his or their offence or offences, by the Justices, before whom he or they shalbe condēpned, according to ỳ tenor of this act. And be it further enacted &c. ỳ al & euery of the Justices of Oier & determiner, & Justices of assises in al their Sessions, & all Justices of peace in euery countie & place of this realme, or iij. of them at the least, wherof one to be of the Quorum, shal haue ful power & auctoritie, to enquire, heare, & determine ỳ offences before said, in their sessions, by information, indictment, or vpon ỳ trauers of any presentment, or indictment, found before ỳ said Justices, or any of thē. And be it further enacted by the auctority aforesaid, ỳ if any person or persōs, shal seise any such deceiptful linnen cloth: then he or they shall at the nert sessions of the peace (after ỳ said seiser, to be kept wtin ỳ shire or place, where the seiser was made, or before ij. Justices of peace, wherof one to bee of the Quorum) make due information of the offēce, & of the seiser of the said cloth, or els shal procure the offendors to be thereof indicted, at the sayd nert sessions after ỳ said seiser. And shal also be bound before the said Justices by Recognisance, or obligation, to ỳ vse of the Quēns maiestie, her heires and successors, in such forme, as the said Justices, or any of them shal think mete for ỳ greatnes of ỳ matter, & to pursue ỳ same matter wyth effect, & to geue euidence as of right appertaineth, & also to pay & geue the moitie of al ỳ he or they shal so recouer, & receiue to the sherife or other accomptant, to the vse of ỳ Quēnes Maiestie, her heires & successors, & the one halfe of all the forfaitures and fines, of and for the premisses, to be vnto the Quēnes Maiestie, her heires and successors, and the other moitie to him or to them, that shall make information, or procure indictments, of, & for the premisses, & shal follow ỳ same with effect. And further be it ordeyned and enacted

Forf.

Imprison

Fines

Inst. of Oier & ter.

Inst. of ass.

Inst. of p.

Quorum

Enquire

Oier & ter.

Sessions

2. Inst. of p.

Quorum

Recognisance

Euidence

Moitie

Sheriffe

Moitie

enacted by the auctho3ity afo3eſaid, that the Iuſtices, bef3e whom any ſuch offẽce ſhal be tried, ſhal certifie ẏ ſame by their eſtreat vnto the Eſchequer, at the leaſt yearely at Michaelmas, as they be boũd to do other their eſtreats, & vpon ẏ certificat, the barõs of the Eſchequer, to haue ful power & auctho3itie, to make p3oces fo3 ſo much therof, as by this eſtatute ſhall appertaine to the Queens maieſtie, in like maner & fo3me, as they only do fo3 any other fines & amerciamẽts, ſo certified bef3e thẽ. An. 1. El. ca. 13.

Certifie Eſchequer

Barons of the Eſchequer

p3oces

¶ Liuerie & Ouſter le maine.

Enqueſts Eſchetors

*Where inqueſts taken by his Eſchetors by any of the kings writs purchaſed out of the Chauncery beinge returned, & it bee found by ſuch enqueſts, that nothing is holden of the king, whereby the king ought to haue the ward of ſuch lãds & tenements, by reaſon of ẏ enqueſt taken by his Eſchetors, ẏ immediatly & without any delay, the Eſchetors ſhalbe cõmaunded by ẏ kings writ, had out of the kings Chaũcery, to put from their hands, al the lands & tenements ſo taken into the kings poſſeſſion, & if they haue taken any p3ofits of ſuch lands & tenemẽts, ſo takẽ into the kings hands by them, from the time ẏ ſuch lands & tenements fell into the kings hands, they ſhall make full reſtitution to him, o3 them, fo3 whom it was found by enqueſts taken by ẏ ſame Eſchetors, that ſuch lands ought to remaine: Saning al way to the kinge, in caſe ẏ after ſuch time, as his eſchetors haue diſcharged their hands, by fo3ce of the kings writ, as bef3e is ſaid, if any thing happen to be found in ẏ Chaũcery, o3 the Eſchequer, o3 in any other of the kings Courts, whereby the ward of ſuch lands, whereof the Eſchetors haue diſcharged their hands in fo3me afo3eſaid, ſhould belong vnto the king, ẏ immediatly he in whoſe poſſeſſions ſuch lãds happen to be, ſhalbee ſommoned by a writ out of the Chauncery, to be afo3e ẏ king at a certaine day wherefouer &c. to ſhew if he can ſay any thing, wherefo3e the king ought not to haue ẏ ward of ſuch lands, accoding to the fo3me of the euidences o3 remembrances found fo3 ẏ king. And if he come in, & ſhew why the ward of ſuch lands doth not belong vnto ẏ king, but doth ſhew ẏ it ought to belong & remaine to himſelfe, he ſhal go quite, & ſhal retaine the ward. But in caſe that the party warned doth not come, o3 if that he come & can ſhew nothing, to put the kyng from the ward, the lands & tenemẽts ſhalbe fo3thwith reſeiſed into the kings handes, to be kept in name of ward ſhip vnto ẏ lawful age of ſuch heires, as bef3e is ſaid. And if it be found vpon the enqueſts taken by ẏ Eſchetors & returned, ẏ the ward of the ſame lands & tenements conteined in the inqueſt, & ſeiſed into ẏ kings hands, ought not to remaine vnto the king: then the Eſchetor ſhal be commaunded fo3thwith to diſcharge his hands therof, & to reſtore the iſſues wholy. In like maner, if it be founde afterward by the euidences & remẽbrance in ẏ chauncery, Eſchequer, o3 otherwhere, as bef3e is ſaid, that our ſoueraigne Lo3d the king, ought to haue the ward therof, the king ſhalbe anſwered vnto fo3 the whole iſſues & p3ofits, by the hands of ſuch as held the ſame lands & tenements, from the time they were firſt taken into ẏ kings hands by his Eſchetors, by the writs aboueſaid. And this o3der ſhal be obſerued from hencefo3th in the Chauncery, notwithſtanding a certaine o3dinãce lately made, by our ſoueraigne Lo3d the king, concerning landes & tenements taken into his hands by his Officers, & not to be deliuered but by the king him ſelfe, and as it is contained in a certaine Diuidenda o3 Indẽture, made betwene ẏ king him ſelf & his Chaunceloz, wherof one part remaineth in the cuſtody of the Chaũceloz. An. 29. E. 1.

Wards

Chauncery Lands

p3ofits

Reſtitution

Eſchequer

Summoned

Reſeiſe

Reſtore iſſues

2 ¶ Where the Eſchetor o3 the ſherife, ſeiſeth lands into the kings handes (where there is no cauſe of ſeiſer) & after when it is found no cauſe, ẏ p3ofits taken in the mean time haue bene ſtil reteined & not reſtored, when ẏ king hath his Ouſter le maine. The king wil, that if hereafter any lands be ſeiſed, & after it be out of his hands, by reaſon ẏ he hath no cauſe to ſeiſe no3 to hold it, the iſſues ſhalbe fully reſtored to him, to whom the land ought to remaine, & which hath ſuſtained the damage. Artic' ſuper char. ca. 19.

Eſchetor Sherife

Iſſues

3 ¶ Becauſe that the Eſchetors & other the kings miniſters, by the kings commaundement from the Chauncerie, haue ben charged at the Eſchequer, of the fermes & rents of the lands & tenoments, which were takẽ into the kings hands, by the death of the tenants, which held of him to the heires & other, to whõ ẏ ſaid lands & tenemẽts ought to diſcend, reuert. o3 remaine, wherof the termes of paimẽts were to come after ſuch liuery made, fo3 ẏ rate & po3cion of ẏ time ẏ the ſãe lands & tenemẽts were in the kings handes: It is accoded & ſtabliſhed, that of

Eſchetors

manoꝛs, cities, boꝛoughs, townes, hũdꝛeds, fraunchyses, & al other lands, & tenements, whereof pꝛofit doth rise from time to time through the yere, as of Milles, herbage, tol, plæs, & pꝛofits of Courts, & al such issues & pꝛofits, euery Eschetoꝛ & other minister, which hath seised such lands & tenemẽts to ẏ kings vse, shalbe holde to answere to the king foꝛ the rate & pozcion of ẏ time, accoꝛding to the old course in the Eschequer. And that of auncient fermes & rẽts, which be to be paied at certaine termes, as rent secke, & rent seruice, whereof no pꝛofit riseth til the day of payment, such fermes & rents shalbe paied to them, which haue liuerie out of the kings hands, at the termes of payments of the said fermes & rents, which followeth after such liuery made, aswel of ẏ time past, as of the time to come. An. 28. E. 3. ca. 4.

Milles Tolle

Eschequer

Rent secke Rent seruice

¶ Liueries of Companies & Reteiners.

Note that in all the Statutes vnder thys title, vvhere you finde this word (Hatts) the french vvord is (Chaperons) vvhich rather signifieth hoodes. And where you find (Badges) the french word is (Signes)

☞

BEcause that diuers people of small garyson of land, oꝛ rent, oꝛ other possessions, do make great retinue of people, as well of Esquiers as of other, in many parties of ẏ Realme, gꝛeuing to them Hatts, & other liuerie of one suit by the yere, taking agayne towards thẽ, the value of ẏ same liuery, oꝛ percase the double value, vꝑ such couenant & assurance, ẏ euery of them shal maintaine other in al quarelles, be they reasonable oꝛ vnreasonable, to the great mischiefe & oppression of the people: It is oꝛdeined & alleꝛted, that the statutes & oꝛdinances made in such case beꝛoze this time bene kept & duely executed. And moꝛeouer ẏ king doth straight ly defend, that from henceforth no such liuerie be gꝛeuen to any man foꝛ maintenãce of quarels, noꝛ other confederacies, vppon paine of imprisonment, & gꝛeuous forfayture to the king. And the Justices of assises shall diligently enquire of al them ẏ gather them together in fraternities by such liuery to do maintenãce, & they which thereof shal be found guilty, shalbe duely punished, euery man after ẏ quantity of his desert. An. 1. R. 2. ca. 7. See after 3. 7. & 10. this cõfirmed.

Hatts oꝛ Hoodes

Quarrels

Maintenãce Quarrels Imprisonment. Forfaiture. Justices of assise.

Fraternities Maintenãce

2 ¶ No yoman, noꝛ other of lower estate then an Esquire, from henceforth shal vse noꝛ beare any liuerie, called liuerie of company, of any Loꝛd vppon the Realme, if he bee not menial and familiar continually dwelling in the house of his said Loꝛd. And that the Justices of peace shall haue power to enquire of them which do the contrary, & them to punish accoꝛding to their discretion An. 16. R. 2. cap. 4. See after 4.

Yeman Esquire

Liuerie of Company

Justices of p.

Discretion

3 ¶ The Statut made in the first yere of our eaigne, of liueries of Hatts, shalbe holde & kept vppon the paines conteined in ẏ same statut (before 1.) & vpon paine to be imprisoned, & to make fine & raunsome to ẏ king. An. 20. R. 2. cap. 1.

Hatts oꝛ Hoodes

Imprisonment Fine

4 ¶ Marlets called yomen, noꝛ none other of lesse estate then esquires, shal vse noꝛ beare no signe of liuery, called Liuery of cõpani, of any Loꝛd vppon the realme, vnles he be menial & familiar, oꝛ continual officer of his said Loꝛd. And ẏ the Justices of ẏ p. shal haue power to enquire of them which do ẏ contrarie, & thẽ to punish accoꝛding to their discretion. An. 20. R. 2. cap. 2. See before 2.

Yoman Esquier

Justices of p.

Discretion

5 ¶ To eschew maintenance, & to noꝛish loue, peace, & quietnes of all parts thꝛoughout the Realme: Be it &c. that no Loꝛde, of what estate oꝛ condition soeuer he bee, shal vse noꝛ gene any liuery of signe of Company, to no knight, esquire, noꝛ yoman, within the realme afoꝛesaid: Sauing alwaies that our souereigne Loꝛd the king, shal gene only his honoꝛable liuerie to his Loꝛdes tempoꝛal, to whom it shall please him: Sauyng also ẏ our said souereigne loꝛd shal gene his honoꝛable liuery to his knights & Esquiers menial, & also to his knights and Esquiers which be of his retinue, and do take of him their yerely fee foꝛ terme of life. Moꝛeouer it is accoꝛded & assented by ẏ king, his loꝛds & commons afoꝛesaid, ẏ the said knights & Esquires shal not in any wise weare their said liueries in their countreis oꝛ countyes, where they bee resiant oꝛ dwelling, noꝛ in none other place vppon the realme out of the kings pꝛesence, & if any Loꝛd do ẏ contrary & that duly pꝛoued, he shal make fine & raunsome at the kings wil. And if any knight oꝛ Esquire do the contrarie, & be thereof duely attainted, he shal lose his said liuerie, & foꝛfait his fee foꝛ ever. And ẏ no yoman take noꝛ weare any liuery of ẏ king, noꝛ of none other Loꝛd, vpon paine of imprisonment, & to make fine & raunsome at the kings wil. Pꝛouided alway, ẏ the Constable & Marshal of England foꝛ the time being, vꝑ their retinue of knights & Esquires, may weare the

Loꝛd

Knight Esquire Yoman

Knights Esquires

Loꝛd Fine

Knight Esquier Exil. Yoman

Imprisonment Fine

Constable & Marshall of England.

the said liuery of the king, vpon the borders & Marches of the realme in time of warre. Prouided also, that al they that wil trauel & passe ouer into ẏ parties beyond the Sea, to to seeke honor, may weare ẏ same liuery in those parties without being therefore any wise greeued or impeached. Moreouer it is accorded & alleged, ẏ no Archbishop, bishop, abbot, nor prior, nor none other man, of holy Church, or temporal, of what estate or condition be he vpon the said Realme, shal geue any liuery of cloth to any man, but onely to his menial seruants & officers, or to them ẏ be of his Counsel, aswel spiritual as temporal, learned in the one law or in ẏ other, vpon payne to make fine & raunsome at the kings wil. And this statute shall begyn to take place, from the feast of Candelmas next to come. An. 1. H. 4. cap. 7. See here 6. 7. & 9. more.

Marches warre

Archbishop Bishop Abbot Prior

Cloth

Fine

☞

6 ¶ Forasmuch as the former part of the statut made An. 1. H. 4. ca. 7. (before 5) (cõcerning ẏ kings liueries, & liueries & signes of companies,) is very expediẽt & necessary. Be it &c. ẏ the same statut shalbee firmely holden & kept, ioyned thereto, ẏ the Justices of the one bench & of ẏ other, & the Justices of assises, & of the peace, haue power & authority, to enquire, heare, & determin in this case, by record in their presence, or by enquirie to be made from time to time. And that the dukes, earles, barons, & baronets of the realme, may weare the said liuery in their countrey & els where. And also that the said knights & esquiers, may weare ẏ said liuery in going from ẏ kings house, & returning to the same. Prouided alwaies, that the same knights & esquires weare not the same liueries in their countries or countrey, wher they be resiant or dwelling, vpon the payne contained in the said statut. Moreouer it is accorded, ẏ the Prince may geue his honorable liueries of signe to ẏ said Lords, & to his menial gentlemen, & ẏ the said Lords may weare the same, as they weare ẏ kings liuerie, & that ẏ menials of the prince may also weare the same, as the kings menials, & in the fourme, and vpon the paynes aforesaid. An. 2. H. 4. cap. 21.

Just. of both B. Just. of ass. Just. of p.

Presence

Dukes Earles Barons

knights Esquiers

Payne

Prince

☞

7 ¶ Whereas there is an ordinance made in the Statut. An. 1. H. 4. ca. 7. (before 5.) concerning the gyuing of Liueries of cloth. Be it &c. that aswel that statut, as the statut of Liuerie of hatts, made in ẏ time of king R. 2. (s An. 2. cap. 7. before 1.) be holden & firmely kept, & put in due execution, ioyned to the same, that if any knight, or any other person of lesse estate, do geue any such Liuerie of cloth, or of hatts, against ẏ fourme of the said statuts, ẏ he shal incurre ẏ paine of a C. s. for euery such liuerie of cloth, or of hatts, to be paid to the king, as often as he shal do contrarie to this estatut or ordinãce, & that he which receiueth any such liuery of cloth, or of hatts, shall likewise incurre the paine of xl. s. to be paid to ẏ king, as afore is said, & he that wil sue in this case, shall haue the one halfe of such paines for his labour. And that ẏ same paynes be in no wise pardoned. Moreouer it is ordeined, ẏ no congregations, nor cõpany be made, of such liueries of cloth nor of hatts e, at ẏ proper costs of the congregation or company, vpon pain of euery man of the same congregation or company, ẏ doth contrarie to this ordinãce or statut, to pay to the king xl. s. The guilds & fraternities, & also the people of Misteries of Cities & boroughes within the realme, that be founded or ordeyned to a good intent or purpose onely except. And the Justices assigned to take assises, shal haue power to enquire from time to time in their Sessions of the matters aforesaid, & the same to certifie in ẏ kings bench. Prouided alwaies, ẏ in ẏ time of warre, it shalbe lawful to lords, knights, and esquiers, which trauell in such warre, to geue their liuery of clothing, or of hatts, such, & in such wise, as best to thẽ shal seeme for ẏ time of such warre, without being any wise vexed or inquieted in this behalfe, by force or vertue of this statut. An. 7. H. 4. capit' 14.

Knight

Hatts or Hoodes

Geuer for. C. s.

Taker' Payne xl. s.

Informer Moitie

Companyes

Payne xl s. Guildes

Just. of ass.

Certifie

Warre Lords Knightes Esquiers

*

8 ¶ That the said estatuts (that is to say. An. 1. H. 4. ca. 7. concerning liueries of cloth before 5. & An. 7. H. 4. ca. 14. before 7. & An. 1. R. 2. ca. 7. before 1.) shalbe holden & kept, and put in due execution, according to their forme & effect. An. 13. H. 4. cap. 3.

9 ¶ Item whereas it is ordeined by dyuers Statuts, made in ẏ times of the kings noble progenitors (before 5. & 7.) That no knight, nor none other of lesse estate, should geue any liuery of clothes or hatts, to other then to his menials, & hys Officers, & men learned in the one law or ẏ other, vpon the paine of C. s. to be leuied of the geuer, & xl. s. of the taker, as often as they do the contrarie, & he that would sue should haue the one halfe of ẏ paine after that, ẏ they therof be duely conuict. And ẏ the Justices of assises, & Justices of peace, in euery county of England, should haue power from tyme to

Knight

Hatts or Hoodes Officers

Just of ass. Just. of p.

time in their ſeſſions, to enquire of the ſayd matters, & them to heare & determine, as in the ſaid ſtatuts & ordinãces fully appeareth. Which ſtatuts & ordinances haue not been duely kept, becauſe ỹ they that do contrarie to the ſtatuts & ordinãces before ỹ ſaid Juſtices, cannot be indicted by reaſon of ỹ great maintenances in this behalfe vſed. Our ſouereigne lord the king, willing to expel ſuch maintenances, hath ordeined by ỹ auctoritie aforeſaid, that the ſaid Juſtices ſhal haue power by the ſame auctoritie, aſwel at the kings ſuit as the parties, to award writs of Attachment & diſtres, againſt them, which from hencefoorth do the contrarie of the ſaid ſtatuts & ordinances, in the counties where they hold their ſeſſions, directed to ỹ ſheriffs of the ſame counties, returnable before the ſame Juſtices or Juſtice for the time being in their ſeſſions. And if the ſaid ſheriffes returne, ỹ they againſt whom ſuch writs iſſued, haue nothing, then a Capias & Exigend ſhalbe awarded againſt them, in ỹ maner as ſhalbe done againſt them that be indicted before Juſtices of peace, of treſpas done with force & armes againſt ỹ kings peace. And if they appeare at any of the ſaid writs the ſaid Juſtices ſhal haue power & auctoritie aforeſaid, to examine thẽ of ỹ matters aforeſaid. And they whom they finde by examination, to haue done to the contrary of the ſaid ſtatuts & ordinances, ſhal incurre ỹ paine comprized in the ſame ſtatuts, that is to ſay, the greuer C.s. & the taker xl. s. as often as they ſhal do to the contrarie, in the maner & fourme, as they ſhould do, if they were by enqueſt duely conuicted before the ſaid Juſtices, ſo as the ſaid ſtatuts & ordynances extend them ſelues (as to examination) to liueries to be geuen after the feaſt of Chriſtmas next comming, againſt the forme of the ſaid ſtatutes thereof made before this time. Prouided that the ſaid ordinances extende alſo into the Counties of Cheſter & Lancaſter, by the examination & proceſſe, as afore is ſaide, of the Juſtice of Cheſter or his lieutenant there, as by examination of the Juſtices of the Countie of Lancaſter, ſo to be made, againſt all them which ſhal do the contrarie of the ſaid ordinãces in time to come. Prouided alſo, that al the ſtatutes & ordinances before made & not repealed, of liueries of cloths, by Lords geuen or to be geuen (before 5) againſt the forme of the ſame ſtatutes, ſhal ſtãd in their force. And that this ſtatut extend not (as to the execution of examination) to the Sheriffes of London, Maiors for the time that they ſhalbe officers, Serieants of the law, at the time ỹ they take the ſame eſtate vpon them, to them that do commence in the Vniuerſities wỹin the Realme of England, at the time of their commencement: Nor to them which during the times aforeſaid, ſhal take any liueries of them. And alſo ỹ al thoſe that ſhall take any ſuch liueryes of cloth, or of hattes, of any Lord ſpiritual or temporall, or of any great Lady, in, or of England, againſt the forme of the ſaid ſtatuts, they ſhalbe likewiſe examined & puniſhed in the maner, as they that take ſuch liueries of knights, or other of leſſe eſtate, as before.

Prouided alwaies, that in ỹ time of warre, it ſhalbe lawfull to the Lordes, knightes, and eſquires, that do trauail in ſuch warre, to geue their liueries of clothing, or of hatts to their ſouldiers, & in ſuch wiſe as to them beſt ſhal ſeme. And that it ſhalbe lawful for ſuch ſouldiers to take & weare ſuch liueries, of clothing or of hattes, for the time of ſuch warre, wout being in any wiſe moleſted in this partie, by force or vertue of the ſame ſtatutes. And that moreouer, if any perſon of what eſtate or condition he be, after the ſaid feaſt of Chriſtmas, of his owne auctoritie & proper coſtes, do buy or weare for his clothing, any clothes or hatts, called liueries of the ſort or ſuit of any Lord, Lady, knight, eſquire, or other perſon, for to haue ſupportation, ſuccour, or maintenance in any quarrel, or in any other maner, if he bee thereof duely conuict by examination, or in other maner before by the ſtatuts declared, he ſhal incurre the paine before limitted, of them that take liueries of Lordes or other perſons aforeſaid, & moreouer ſhall haue a whole yeres impriſonment, wout being let to baile or mainprize for their falſitie & ſubtill imagination in this part. An. 8. H. 6. ca. 4. See here 10. more

Maintenãce Juſtices

Writs of Attachment Diſtres

Sellions Sheriffes

Capias Exigend

Examins

Paine

Examination

Cheſter Lancaſter

Maiors Sheriffes of London Serieants of the law

Lord Lady

Examination

Warre

Souldiers

Proper coſtes

Maintenance

Examination

Fol.

Impriſon Mainprize

10 ¶ For aſmuch as notwithſtanding al the former ſtatutes, diuers perſons in great number do daily offende in the ſame, not fearing the forfaitures of the ſame. Be it ec. That all Statuts and ordinances made before this time againſt any perſons for giuing or receiuing of Liueries & badges, ſhal be fully obſerued & kept. And moreouer that no perſon, of what eſtate, degrée, or condition that he be, by him ſelfe, or any other for hym, from the feaſt of the Natiuitie

Badges or ſignes

of

of Saint Iohn Baptist, which shalbe in the yere of our lord God 1468. shall geue any such liuerie or badge, or retaine any person other thē his menial seruāt, officer, or learned man in the one law or the other, by any writting, othe, or promise, & if any do ꝑ contrarie, ꝑ then he shall renne in paine & forfaiture for euery such liuerie or badge geuen C.s. & ꝑ reteiner or taker of such othe, writting, or promise, or reteiner by Indenture, for euery such reteyning or taking of any such othe or promise, or reteining by indenture, shal incurre ꝑ paine & forfaiture of C. s. for euery moneth ꝑ any such person is so reteyned with him by othe, writting, indenture, or promise. And also ꝑ euery person so reteined by writting, indenture, othe, or promise, for euery moneth that hee is so reteined, shal forfait & lose C.s. And moreouer, the king by thaduise, assent, & aucthoritie aforesaid, hath ordeined & stablished, ꝑ al wel before ꝑ king in his Bench, as before the Iustices of the common place, Iustices of peace in their Sessions, Iustices of Oier & terminer, & gaile deliuerie, the kings Iustices of the cōties palantine of Lancaster and Chester, for the time being, in euery of those the kings Courts aforesaid, before thē or any of them. And in the regaly & Court of the Archbishop of Yorke in Heramshire before the Iustices there. And in the Court of ꝑ Bishop of Durham, in the county palantine of Durhā, before his Iustices there euery person ꝑ wil sue or complaine against any person or persons, offending or doyng against ꝑ forme of this ordinance, or of any other of the premisses, shalbe admitted by ꝑ discretion of the Iudges in euery of the said Courts to geue information for the kynge therin, of any of the premisses, wōin the iurisdiction of euery of the said courts done or committed. And euery such Informer, if he wil, shalbe admitted to sue for the king and him selfe, actions or action vpon the same, by information to be geuen or made in any of ꝑ said Courts, against as many such offendors in one bill or information to be named as liketh him which so informeth. And this information so geuen shall stand & bee in strēde of a bill or original writ. And that thereupon al such proces shalbe had & made, as is had & made vpon an originall writ of Trespas done against the kings peace. And if any thoffendors be present in any of the said Courts, be by the commaundement of euery of the Iudges in the same courts, shal be brought in & put to answere to such bill or bils by such information by an Othe first to be made vpon a booke by the Informer, before any of the said Iudges, ꝑ his complaint is rightfull, without any other or further proces therin. And ꝑ the same Iudges & euery of them, in euery of the said courts, shal haue power in their seueral iurisdiction to examine al persons defendants & euery of them, vpon euery such information, and to iudge him or them conuict or attainted, as wel by such examination, as by trial, as the case requireth, after the discretion of ꝑ Iudges. And also they shalbee charged by the iudgement in the same to ꝑ person cōplaynant or informer in this behalfe, of all the costes had in the same by the discretion of ꝑ Iudges & Iudge in the same, & also ꝑ same partie complainant, to haue the one halfe of the said forfaitures, & the king ꝑ other halfe. And al such execution to be had for the Informer in this behalfe, as is had or ought to be had, in recoueries of debt or trespas at his pleasure, & ꝑ no protection nor essoine be allowed vpon any such information. And that no Sherife or Cozoner, returne vpon any defendant being a person sufficient, in any suit grounded vpon any of the premisses, any lesse issues then xx.s. at ꝑ first day of the distres, & at the second day xxx.s. & at the iij. day xl.s. & so at euery day after more by x.s. in issues. And if any sherif or cozoner do the cōtrarie: ꝑ then he shal forfait for euery such returne against the forme aforesaid xx.s. And also by thaduise, assent, & auctority aforesaid it is ordeyned, ꝑ in euery citie, borough, towne, & port of this realme corporate, wherein ꝑ Maior, sherifes or sherife, bailife or bailifes, or other chiefe Officer of such citie, borough, towne or port, haue power to heare & determin personal plees, the same Maior, sheriffs, or sherif, bailif, or bailifes, or chief officer in ꝑ court holden before thē, or any of them, wōin any such citie, borough, towne, or port, shal haue al like & such auctority to receiue such information, & to heare & determin al wel by examination as by triall, by their discretion, al things done concerning ꝑ premisses, by or to the inhabitants wōin the iurisdiction of the same court, & to make & put this ordinance in execution, in like maner & forme, as is aboue ordeined. And ꝑ our souereigne lord ꝑ king, shal haue the one halfe of ꝑ forfaitures, & the Informer therin, & ꝑ Maior, sherifes or sherif, bailif or bailifes, or chiefe Officer of such citie, borough,

Geene Retaine

Writing Othe Promise

Forf.

Reteynes

Forf. Euery moneth

Reteined

Forf. Euery moneth

Iust. of common place
Iust. of p.
Iust. of Oier & ter.

Lancaster Chester

Regaly

Heramshire

Durham

Discretion Information

Informer

Action

Proces

Commaundemēt

Othe

Examine

Discretion

Costes

Moitie

Execution

Sherife Cozoner

Issues.

Forf.

Citie
Towne
Port
Maior
Sherife
Bailife

Determyne

Information

Examination

Triall

Moitie

rough, towne, or port, to haue the other half, equally to be deuided betwixt them, whereof the part pertayning to the Maior, Sheriles or Sherife, bailife or bailifes, or chiefe Officer, shalbe applied to ỳ vse of such citie, borough, towne, or port. And that al retey-nings, & euery reteining by indenture, or other writing, othe, or promise, of any person made before the said feast, other then to be menial seruant, or officer, or of his counsel, or for lawful seruice done, or to be done, shal be from the said feast vtterly void & of no force nor effect. Also it is ordeyned & established, by ỳ statute, assent, & authoritie aforesaid, ỳ our soueraigne Lord ỳ king shal haue the one halfe of al the said pains & forfaitures, in maner & forme before ordeined, except in cities, boroughs, townes, & diuers other places, where any person or persons haue by reaſō of their priuiledges, liberties, franchises, or graunts, like forfaitures and paines. And ỳ euery such person or persons shal haue the halfe of ỳ said forfaitures and paines made by this act, according to their priuiledges, liberties, franchises & graunts, as the kinge should haue, if the saide priuiledges, liberties, franchises, and graunts had not ben had, graunted nor made. Prouided alwaies, ỳ this act extend not, nor be preiudicial to any gift, graunt, or confirmation, made, or to be made, of any fée, annuitie, pencion, rent, lands, or tenements by the king, or any other persons or persōs, to any person or persons for their counsel, géuen or to be geuen, & their lawful seruyce done, or to be done, & for none other vnlawfull cause, nor none other vnlawfull intent: although ỳ the person or persons, to whom such gift, graunt, or confirmation is, or shal be made, be not learned in the one law or other. Also it is ordeyned, by thauthise, assét, & auctority aforsaid ỳ euery such gift, grāt or confirmation shalbe of like force & effect, & as good, effectual, & auailable, as they & euery of them were, if this act had not bene made. And by the said auctoritie it is ordeyned, ỳ no Origend shalbee awarded by any of the Justices for ỳ time being, into ỳ said counties palantine of Lancaster and Chester, or either of them, or in ỳ said Bishopricke of Durham, against any person or persons, vpon any information, suite, or proces to be made, by force of this ordinãce & statut. And if any Origent be awarded, or an Outlagarie thereupon pronounced in any information, suit, or proces to be made by vertue of this ordinãce, as before is said that then such outlagary shalbe vtterly void & of no force nor effect, without any suit by writ of error or otherwise. Prouided also, ỳ this ordinance do not extend to any Liuery giuen or to be giuen at ỳ kings or Quenes Coronation, or at ỳ stallation of an Archbishop, or Bishop, or erection, creation, or mariage of any Lord or Lady of estate, or at any creation of knights of ỳ Bath, or at the cōmencement of any Clerk in any vniuersitie, or at the creation of Sercants of ỳ law, or to be giuen by any guild, fraternity, or misterie corporat, or by the Maior, & sheriles of the Citie of London, or any other Maior, sherife, or other chiefe officer of any city, borough, towne, or port of this realme of England for ỳ time being, during that time, & for executing their office or occupation, nor to any badges or liueries to be giuen in deffece of ỳ king, & of this his realme of England, nor to the Constable & Marshall, nor to any of them, for geuyng any badge, liuerie, or tokē, for any feat of armes to be done within this Realme, nor to any wardens of the Marches toward Scotlād, for any liuerie, badge, or token for them to be gēuen from Trent Northward, at such time onely as shalbe necessarie to leuy people for defence of the said Marches, or any of them. An. 8. E. 4. cap. 2. ✶

Voyde

Moitie

Liberties & priuiledges

Annuitie for counsel

Origend

Lancaster Chester Durham

Outlawrie

Voyde

Archbishop Bishop Lord Lady Knightes of the Barhe Vniuersitie Sericants at the law Guild Maior Sheriffes of London

Badges

Constable Marshal

Armes

Wardens of Marches

Trent

Marches

11 ¶An. 12. E. 4. cap. 4. an acte was made, that Prince Edward might geue liueries & retaine, not wtstanding the statut.

12 ¶An. 19. H. 7. cap. 14. an acte was made against reteiners & geuing of liueries & badges, to endure during the kings life.

Badges

¶London.

IT is prounded by our soueraigne Lord the king & his Justices, & also graunted vnto by ỳ citizens of London, that Archbishops, Bishops, Earles, Barons, & other ỳ haue rents in London, & for any tenemēts ỳ the rēts are behind, & they cannot recouer those rents, that it shalbe lawful for them to distraine their tenaunts for the arrerages, as long as there is any thing to be found within the fée, wherby they may be distrained, & if not, then ỳ tenants shalbe implicaded of the gauelet by a writ of Customes & seruices, which may be wel don by their fremen of ỳ city presented in their hustings, for ỳ keping of their suit, to gather the rērēts, so ỳ if the tenaunts do knowledge their seruices, they shal incontinent & wout delay satisfie their

Archbishops Bishops Earles Barons

Rents

Distreine

Gauelet

Hustinges

Seruice

their lords of their arrerages, & if they deny them their seruices, the demãdants shal immediatly name ij. witnesses, whose names shalbe enrolled, & shal haue a day to bring thẽ forth at ẏ next hustings, at which day if they bringe forth their witnesses, & it is shewed by thẽ, at the ful Court of their owne sight & hearing, ẏ the same plaintifes haue at any time receiued the rẽts, which they demande of ẏ tenemẽts, then ẏ tenãts shal leese their fées by award of the court, & ẏ plaintifs shal recouer their tenements in demeane, but if they will knowledge their seruice vnto their Lords as before is said, & likewise the arrerages, then the arrerages, shalbe doubled, by the iudgement of the court, and they shal geue to ẏ sherife for the wrongful with holdinge (if they be able to do it without ouercharging of them) the sõme of an C.s. but if they do not come in, after due somons in the hustings, then ẏ same fées shalbe deliuered vnto ẏ plaintifes in the ful hustinges, to be holden & kept, in their owne hands for one yere & a day, within the which time yf the tenants do come vnto them, & do offer to satisfie them of the double arrerages, & to ẏ sherife for his amerciament, as before is sayd: then they shal haue their tenementes againe: But if not, then after one yere and a day accomplished, such tenements shal remaine vnto the lords of thole fées by iudgement of the court in their demeane for euermore. And then such landes shalbee called Forchoke, because such tenements shall remaine for euer in demeane to the lords of ẏ fées for the default of the seruice. The same ordinaunce shalbe kept & obserued if the tenants do confesse or knowledge the arrerages, & be not able to make satisfaction therfore, as it is said before. An. 10. E. 2.

Recouer

Arrerages Sherifes

Forchoke

Confesse

2 ¶ Because that ẏ errours, defaults, and misprisions, which be notoriously vsed in ẏ citie of London for ẏ default of the good gouernance of the Maior, of the sherifes, & the aldermen, can not be enquired nor found out by people of the same Citie: It is ordered & established, that the said Maior, sherifes, & aldermen, which haue the gouernance of ẏ Citie, shal redresse & correct the defaultes, errours, and misprisions aboue named, & the same duely punish from time to tyme vpon a certaine paine, that is to say for the first default 1000. markes to the kinge, & for the second default 2000. markes, & for the third default, that the fraunchise & the liberties of the Citie to be taken into the kinges hande. And be it begonne to enquire vpon them at S. Michael next cõming, so ẏ if they make not due redresse as afore is said, it shal be enquired of their defaults by enquests of people of foraine coonties, ẏ is to say of Kent, Esser, Suller, Hertford, Buckingham, and Berke, aswel at ẏ kings suit as others that wil complaine. And if the Maior, sherifes, & aldermen be by such enquests, thereto assigned, indicted, they shalbe made to come by due proces before the kings Justices, which shalbe to the same assigned out of ẏ said cytie, before whom they shall haue their aunswere aswel to the king as to ẏ party. And if they put thẽ in enquests, ẏ same enquests shalbe taken by foraine people as afore is sayd. And if they be attainted, ẏ said paine shal incurre & bee leuied of the sayd Maior, sherifes, & aldermen for default of their gouernance. And neuertheles ẏ plaintifs shall recouer the treble damages against the said Maior, sherifes, & aldermen. And because ẏ the sherifes, be parties to this busines, the constable of the Tower, or his liuetenaunt, shal serue in ẏ place of ẏ sherifes, to receiue the writs, aswel originals of the Chauncery as iudicials, vnder the seale of ẏ Justices, to do therof executiõ in ẏ said citie. And proces shalbe made by attachmant & distres, & by exigend if nede be, so ẏ at the kings suit the exigende shalbe awarded after the first Capias returned, & at the the third Capias returned, at the suit of ẏ partie. And if the Maior, sherife, & aldermen haue lands or tenements out of ẏ citie, proces shalbe made against them by attachment & distres in the same coũties, where the lands or tenemẽts be. And ẏ euery of the said Maior, sherifes, & aldermen ẏ wil, may aunswere before the said Justices particularly for him selfe, as wel at the peril of other, which be absent, as of him selfe. And this ordinance shalbe holden ferme & stable, notwithstandinge any maner franchise, priuiledges, or Customes. And ẏ this ordinãce extend to al cities & boroughs of the realme, where such defaults or misprisions be vsed, & not duely corrected nor redressed. Sauing ẏ ẏ ẽquests shalbe takẽ by foreine people of ẏ sãe county, where such cities or boroughs be. And ẏ the pain of those of ẏ said boroughs & towns which shal be therof attainted, shalbe iudged by ẏ discretion of ẏ Justices which shalbe therto assigned. An. 28. E. 3. ca. 10. Se here following. 4.

Errours

Maior Sherifes

Punish

1000 Markes

1000 Liberties seised

Enquests

Attaint

Default of gouernance

iii. damages

Constable of the tower

Writs

Proces

Maior Sherifes

Cities Boroughes

Enquests

3 ¶ An. 42. E. 3. ca. 7. it was enacted to endure to the next parliamẽt that Londoners and

and none other might sel by retail victailes.

4 ¶The paines aforesayd aswel of the thousand marke, & of ꝑ two thousand mark, & of the seison of the franchise, comprised in the said statut, ꝑ is to say 28.E.3. ca. 10. before 2. shall not be limited in a certaine, but ꝑ the payne in this case be by ꝑ avuise & discretion of ꝑ Justices thereto assigned, as other cities & boroughs be wtin the realme, & that the remnant of the same statute, & the proceise thereof, stand in their force. An. 1. H.4.cap.15.

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¶Mainprise & baile.

Clerke Crowne

IF a clerke, for any crime or offence touching the crowne, be arrested, & after ward by the kings cõmaundement let to baile or replevished, so ꝑ they to whom he was let to baile, be to have him before our Justicers: The sherties from henceforth, nor they to whõ he was let to baile, shall not be amerced (if they have his body before our Justicers) although he wil not, nor may not answere before thẽ by reason of ꝑ privilege of his clergie. Marl.ca.28.An.52.H.3.

Sherties

2 ¶And for asmuch as sherifes, & other, which have taken & kept in prison, persons detected of felony, have divers times let out by plevin such as were not replevisable, and have kept in prison such as were replevisable, because they would gaine by some, and greeve other: And for asmuch as before this time it was not determined, what persons were replevisable & which not, but onely of them that were taken for the death of man, or by commaundment of the king, or of his Justicers, or for the forests. It is provided, & by the king commaunded, that such prisoners as be before outlawed, and they which have abiured the realme, prevours & such as be taken with the mainour, & such as have broken the kings prison, theues openly proclaimed & knowen, & such as be appealed by prevours, so long as the prevours be living, (If they be not of good name) & such as be taken for house burning feloniously done, or for falle money, or for counterfaiting ꝑ kings seale, or persons excõmunicat taken at the request of the bishop, or for manifest offences, or for treason touching the king, shalbe in no wise replevisable by the cõmon writ nor without writ. But such as be indicted of larceny by enquests taken before sheriffs or bailifes, by vertue of their office, or for light suspection, or for pety larceny, ꝑ amounteth not above ꝑ value of xij.d (if they were not guilty of some other larceny afore time or such as are accused of receit of theeves, or felons, or of commaundement or force, or of aide in felony done, or charged wt some other trespas, for which one ought not to leese life nor member, & a man appealed by a prevour after ꝑ death of the prevour (if he be no cõmõ theefe nor defamed) shal frõ hencefoorth be let out by sufficiẽt suerty, wherof ꝑ shirif wil be answerable, & that without geving ought of their goods. And if ꝑ sheriffe, or any other, let any go at large by suerty, ꝑ is not replevisable, if he be sheriffe or constable, or any other bailife of fee, which hath keeping of prisons, & thereof be attainted, hee shall leese his fee & office for ever. And if ꝑ under sheriffe, constable, or bailife of such as have fee for keeping of prisons, do it contrary to ꝑ will of his lord, or any other bailife being not of fee they shal have iij. yeres imprisonmẽt & make fine at the kings pleasure. And if any withhold prisoners replevisable, after ꝑ they have offred sufficient suertye, hee shall pay a grievous amerciament to the kinge. And if he take any reward for ꝑ deliverãce of such, he shall pay it double to ꝑ prisoner & also shal pay a grievous amerciament vnto the king. W.1.cap.15.An.3.E.1. Abiure Prevours & Breakers of prison Felons Appealed by prevours Burners of house Forgers of money Treason Excõmunicat Larceny Suertie Sherifes Constable Lose office Bailife Imprison Fine Refuse suerties Amerce ☞ ✱

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5 ¶Item where as divers persons frõ day to day be arrested & imprisoned for suspection Outlaw

Suspection of felony

pection of felony, sometime of malice, and sometyme of a light suspection, & so kept in prison without baile or mainprise, to their great vexation & trouble: It is ordeined established, & enacted by auctority of this present parliamẽt, ỹ every Justice of peace in every coũtie citie or towne, shal haue auctority & power, by his or their discretion, to let such prisoners & persones so arrested to mainprise, in like forme as if ỹ same prisoners & persons were therof convicted of record before ỹ same Justices in their sessions. An. 1. R. 3. cap. 3. This act is repealed by 3. H. 7. cap. 3. as appeareth here following 6.

Just. of p.

Mainprise

Repealed

6 ¶ For asmuch as since the making of the statut 1. R. 3. cap. 3. before 5.) diuers not mainpernable haue bene let to baile, and so many felons haue escaped. Bee it &c. ỹ the Justices of ỹ p. in every shire, city, & towne, or two of thẽ at the least, wherof one to bee of the Quorum, haue auctority and power to let any such prisoners or persons mainpernable by the law, ỹ bene imprisoned wỉn their seuerall counties citye or towne, to baile or mainprise, vnto the next generall session, or vnto the next gaole delinery of the same gaoles in every shire, citie, or towne, as wel within fraunchise as without, where any such gaoles bee ne, or hereafter shalbe. And that the said Justices of the peace or any of them so taking any such baile or mainprise, do certifie the same at their next generall sessions of ỹ peace, or the next generall gaoles deliuerance, of any such gaole wỉn every such countie, citie, or towne, next following, after any such bayle or mainprise so taken, vpõ paine to forfait vnto the king for every default thereupon recorded x. li. And ouer that it is &c. that every sherife, bailife of fraunchise, & every other person hauinge auctority or power of keeping of gailes or of prisoners for felony, in like manner and fourme do certifie the names of every such prisoner in their keeping, & of every prisoner to them cõmitted for every such cause, at the next general gayle delinery, & in every coũtye or fraunchises where any such gaile or gailes bene or hereafter shalbe, there to bee calendred before the Justices of the deliuerance of the same gaile. Wherby they may, aswel for the king as for the party, proceede to make delinerance of such prisones according to the law, vppon paine to forfait vnto the kinge for every default there recorded an C.s. And ỹ the foresaid act (s. of An. 1. R. 3. cap. 3. before 5.) geuing auctority and

Just. of p.

Quorum

Just. of p.

Certifie

Forf.

Sherife Bailife

Forf.

power to any Justice of the peace by him selfe, be in ỹ behalfe vtterly voyd & of none effect, by auctority of this present parliament. An. 3. H. 7. cap. 3. But See the first article of this statute altered by An. 1. & 2. P. & M. here followyng 7.

7 ¶ For that since the making of ỹ statut 3. H. 7. cap. 3. (before 6.) one Justice of peace in the name of him selfe, & of one other of his fellowes, beinge not made prime to ỹ cause wherfore the prisoner should be bayled, hath often times by sinester meanes set at large the notablest offendors, beinge not replevisable by law, and hath also to hide his affection signified the cause of the apprehension to be but only for suspectiõ of felony, to the great peril of true subiects & incorragement of thẽues & euil doers, & contrary to the true meaning of the said statut. Bee it &c. That from & after the first day of Aprill next comminge, no Justice, or Justices of peace, shal let to baile or mainprise, any such person or persons which for any offence or offences, by them or any of them cõmitted, be declared not to be replevised or bailed, or be forbidden to be replevied or bayled, by the estatut of Westminster 1. (s. cap. 6. before 2.) made in the parliament holden in the iij. yere of the raigne of kinge Edward the 1. And further more ỹ any person or persons arrested for manslaughter or felony, or suspection of manslaughter or felonye, beinge bailable by the law, shal not after the sayde first day of Aprill, be let to baile or mainprise by any Justice of peace, if it bee not in open sessions, except it be by iij. Justices of peace at the least, whereof one to be of the Quorũ, & the same Justices to be present together at the time of the said baylement or mainprise, which Baylement or mayneprise, they shall certyfie in writinge, subscrybed or signed with their owne handes at the next general gaole delinery, to be holden wỉn the countie where the said person or persons shalbe arrested or suspected. And ỹ the said Justices, one of thẽ, beinge of the Quorum, when any such prisoner is brought before them, for any manslaughter or felony before any baylement or mainprise, shal take the examination of the sayd prisoner, and information of them that bringe him, of the fact, and circumstances therof, and ỹ same or asmuch therof as shalbe material to prove ỹ felony, shal put in writing before they make ỹ same bailemẽt, which said examination, together wỉn the said bailemẽt,

Just. of p.

Manslaughter Felony

Open sessions

ii. Just. of p.

One of the Quorum

Together

Bailement

Certifie

Gaole deli.

Examine the prisoner

Information of the bringers

the

Certifie Gaole deli.

the said Justices shal certifie at the next general gaole delivery, to be holden within ỳ limittes of their Commission, & that every

Cozoner

cozoner, vpō an inquisition before him soūd, whereby any person oz persones shalbe indicted foz murder oz manslaughter, oz as

Indicted Accessaries before

accessarie oz accessaries to the same, before the murder oz manslaughter cōmitted, shall

Evidence

put in writing the effect of the evidence geuen to the iurie before him being material. & as wel the said Justices, as the said cozoner shal haue aucthozity by this act, to binde al such by recognisance oz obligation, as do declare any thing material to proue the sayde murder oz manslaughter, offences, oz felonies, oz to be accessarie oz accessaries to the same, as is afozesaid, to appeare at the next

Recognisāce Obligation

generall gaole deliuerie to be holden within the conntie, citie, oz towne cozporat, where the trial thercof shalbe: then & there to geue evidence against the party so endicted, at the time of his trial, & shal certifie aswel ỳ same evidence, as such bond & bondes in writing, as he shal take together with the inquisitiō oz indictment before him taken & found, at, oz before ỳ time of his sayd triall thereof, to be had oz made. And likewise the said Justices shal certifie al & euery such bond, taken befoz them in like maner as is befozesaid of bailements & examination. And in case any

Just. of p.

Justice of peace oz Quozum, oz cozoner, shal after the said first day of Aprill offend in any thing contrary to the true intent & meaning of this present act: That then ỳ Justices of gaole delivery of the shire, citie, town oz place, where such offences shal happen to

Just. of gaole delivery

Examinatiō

be cōmitted, vpon due proofe thereof by examination before thē, shall foz euery such offence set such fine on euery of the same Justices of peace & Cozoner, as the Justices of

Fine

gaole delivery shal think meete, & shal estreat

Estreate

the same as other fines & amerciaments asselled before Justices of gaole delivery ought to be. Prouided alwaies & be it &c. that Justices of peace, and Cozoners within the citie of London and the countie of Middlesex, & in other cities, bozoughs, & townes cozporat within this realme, & Wales, shal within their seueral iurisdictiōs, haue auctho-

Prouiso Just. of p. Cozoner London Middlesex Cities

zity to sette to baile, felons, & prisoners, in such maner & fozme, as they haue ben heretofoze accustomed: this act oz any thinge therein contained, to the cōtrary notwithstanding. And also shal take examinatiōs and bonds, as is afozesayd, vppon euery baylement by them oz any of them to be made, & shal certifie euery such bailements, bonds & examinations by them oz any of them taken oz made, at the next gaole delivery to be holden within the shire, Citie, Bozough oz towne where their seueral iurisdictions extendeth, vpon the like paine & fozfaiture, as is befoze limitted in this present act. And be it &c. ỳ no writs of Habeas corpus oz Cerciorari, shalbee hereafter graunted, to remoue any prisoner out of any gaole, oz to remoue any recognisance except ỳ same writs be signed with the proper hand of the chiefe Justice, oz in his absence of one of the Justices of ỳ court, out of the which the same writs shall be awarded oz made, vpon paine ỳ hee that writeth any such writs, not beinge signed, as is afozesaid, to fozfait to our sayd Soueraigne Lozd the king & the Quēne foz euery such writ & writs v.li. An. 1. & 2. P. & M. cap. 13. See prison 6. Anno 2. 3. P. & M. cap. 10. a like statute for prisoners that bee taken for suspection of felony, and be not bailed, concerning examination & taking of recognisances, and certifying of them.

Habeas corpus Cerciorari

Chiefe iust.

Clerke Foyl.

¶ Maintenance.

Clerkes Pzesentment to a church

NOne of the kinges Clerkes, noz of any Justicer, from hencefozth shall receiue the pzesentment of any church wherof ther is any plee of debate in the kings Court, wi-

Licence

out special licēce of the king, & this the king fozbiddeth vpon paine to leese the Church & his seruice. And that no clerke of any Justi-

Clerke

cer oz sherife, take part in any quarrels oz matters depending in the kinges court, noz shall wozke any fraude where by common

Fraude

right may be delayed oz disturbed, & if any so do, he shalbe punished by the peine afozesaid, oz moze greeuously, if ỳ trespas do so require. W. 1, cap. 28. An. 3, E. 1.

2 ¶ Because the king desireth ỳ cōmon right be ministred to al persons, aswel pooze as rich: he commaundeth and defendeth, ỳ none of his Councellours, noz of his house, noz non of his other ministers, noz no great man of the Realme, by him selfe noz by o-

Great men Quarrels

ther, by sendinge of letters noz otherwise, noz none other in this land great noz smal, shall take vppon them to maintayne quarrels noz partes in the country, to the let & disturbance of the comon lawe. An. 1. E. 3. cap. 14. perlia. 2. See this confirmed here after 6. & 7.

3 ¶ We haue commaunded & vtterly defended, ỳ none of our house, noz of the-

K. houshold

that bee about vs, nor other which be towardes our derre beloued companion the Quene, or our sonne prince of Wales, or towards our coustes, or prelates, Earles, barons, nor other great nor smal of the land of what estate or condition they be, shal not take in hand quarelles, other thē their own nor ỹ same maintaine by thē, nor by other, priuily nor apartly, for gift, promise, amitey, fauor, or hatred, nor for none other cause in disturbance of law or hinderance of right & reason, vpon the paines afore said (That is, that body, goods & lāds shalbe at the kings pleasure, as it appeareth, by the 1. Chap. of the same parliament) but ỹ euery man may be free to sue for, & defēd his right, in courts & els where, according to the law. And wee haue straitly cōmaunded our saide sonne, & diuers Earles & other great men, being before vs, ỹ they on their behalfe shal do to be kept this ordināce without default, & that they suffer none, which be towards them to attempt against this ordinance by any way. An. 20. E. 3. cap. 4.

4 ¶ For that many handlers & maynteiners of quarels & sides in the countrey, be borne out by lords, & are therby the more incouraged, so ỹ many men ar disherited & delayed of their right, or vniustly condempned or otherwise disturbed or oppressed. Be it &c. that al ỹ great men from henceforth shal void from their retinue, fees & robes, al such handlers & maiteinors in the countrey, wōut shewing to thē frō henceforth any ayd, fauour, or comfort in any maner. And more ouer we haue ordeined to do come before vs at a certaine day, or before them whom we shal depute of our counsaile, such handlers & maintenors of diuers counties, & them do to be diligently examined & charged, ỹ they from henceforth void them of such maintenāces or other procuremēts making, in the countrey in damage of our people. And that vpon greeuous peines which to them shalbe shewed. An. 20. E. 3. cap. 4.

5 ¶ None of the kings counsailors, officers, or seruauntes, nor none other person within the realme of England, of whatsoeuer estate or cōdition they be, shal frō henceforth take nor sustaine any quarel by maintenance, in the countrey nor els where, vpon a greeuous paine, ỹ is to say, ỹ said coūcellours & the kinges great officers vpon a paine, which shalbe ordeined by ỹ king him selfe, by the aduice of the lordes of his Realme, & other lesse officers & seruants of the king aswel in ỹ Eschequer and all his other courts, as of his owne many, vpon paine to lose their offices & seruices, & to be imprisoned, & from thence to be raunsomed at the kings will euery of them after their degree, estate, & desert. And al other persōs through ỹ realme, vpon paine of imprisonment, & to be raunsomed as other aforesayde. An. 1. R. 2. cap. 4.

6 ¶ For the greeuous cōplaint ỹ is made of maintenours of quarelles and champertours, it is ordeined & assented, ỹ the statuts thereof made in the 1. & 4. yere of king Edward, graundfather to our soueraigne Lord the king ỹ now is (before 2. and after Nisi prius 5) & also in ỹ first yere of our soueraign lord the king that now is, (before 5.) shalbe holden & kept, & duely executed in all points. An. 7. R. 2. cap. 15.

7 ¶ For that nothing within the realme conserueth ỹ subiects in more quietnes and concord, then the due ministration of lawes, & the indifferēt trial of titles & issues, which are now greatly hindered by maintenance, imbracery, champerty, subornation of witnesses, sinell er labour, buying of titles and pretensed rights of persōs not being in possession, whereby great perjury, trouble, oppression & disinheritance haue followed. Be it &c. That al statuts heretofore made concerning maintenance, champerty & imbracery, or any of thē, now standing & being in their ful strength & force, shalbee put in due execution according to the tenours & effects of the same statuts. And ouer that be it &c. ỹ no person or persons of what estate, degree, or condition soeuer he or they be, shall from henceforth bargaine, buy or sell, or by any wayes or meanes, obtayne, get or haue, any pretensed rightes or titles, or take promise, graunt, or couenant to haue any right or title of any person or persons in or to any manors, lands, tenements, or hereditaments, but if such person or persons which shall so bargaine, sell, gene, graunt, couenant or promise the same, their antecessours or they by whom hee or they claime the same, haue beene impossessed vpon of the same, or of the reuersion or remainder thereof, or taken the rents or profites thereof by the space of one whole yere next before ỹ said bargaine, couenaunt, graunt, or promise made, vppon payne that hee that shall make any such bargaine, sale, promyse, couenaunt, or graunt, to forfayt the whole value of the landes, tenementes or hereditamentes, so bargained,

Retayners

Quarels

Champertors

Champertie Imbracery

Buy titles.

Forf.

and none other might sel by retail vitailes.

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Mainprise

Repealed

6 ¶ For almuch as since the making of the statut 1. R. 3. cap. 3. before 5.) diuers not mainpernable haue bene let to baile, and so, many felons haue escaped. Bee it &c. ỳ the Justices of ỳ p. in every shire, city, & towne, or two of thẽ at the least, wherof one to bee of the Quorum, haue auctority and power to let any such prisoners or persons mayn-pernable by the law, ỳ bene imprisoned wi-in their seuerall counties citye or towne, to baile or mainprise, vnto the next generall session, or vnto the next gaole delinery of the same gaoles in every shire, citie, or towne, as wel within fraunchise as without, where any such gaoles bene, or hereafter shalbee. And that the said Justices of the peace or any of them so taking any such baile or mainprise, do certifie the same at their next generall sessions of ỳ peace, or the next generall gaoles deliuerance, of any such gaole wi-in every such countie, citie, or towne, next following, after any such bayls or mainprise so taken, vpõ paine to forfait vnto the king for every default thereupon recorded x. li. And ouer that it is &c. that every sherife, bailife of fraunchise, & every other person hauinge auctority or power of keeping of gailes or of prisoners for felony, in like manner and forme do certifie the names of every such prisoner in their keeping, & of every prisoner to them cõmitted for every such cause, at the next general gayle delinery, & in every coũtye or fraunchises where any such gaile or gailes bene or hereafter shalbe, there to bee calendred before the Justices of the deliuerance of the same gaile. Wherby they may, aswel for the king as for the party, proceede to make delinerance of such prisones according to the law, vppon paine to forfait vnto the kinge for every default there recorded an C.s. And ỳ the foresaid act (s. of An. 1. R. 3. cap. 3. before 5.) geuing auctority and power to any Justice of the peace by him selfe, be in ỳ behalfe vtterly voyd & of none effect, by auctority of this present parlyament. An. 3. H. 7. cap. 3. But See the first article of this statute altered by An. 1. & 2. P. & M. here followyng 7.

Justice of the peace

Certifie

Forf.

Sherife Bailife

7 ¶ For that since the making of ỳ statut 3. H. 7. cap. 3. (before 6.) one Justice of peace in the name of him selfe, & of one other of his fellowes, beinge not made priuie to ỳ cause wherfore the prisoner should be bayled, hath often times by sinester meanes set at large the notablest offendors, beinge not replevisable by law, and hath also to hide his affection signified the cause of the apprehen-sion to be but only for suspectiõ of felony, to the great peril of true subiects & incorage-ment of theeues & euil doers, & contrary to the true meaning of the said statut. Bee it &c. That from & after the first day of Aprill next comminge, no Justice, or Justices of peace, shal let to baile or mainprise, any such person or persons which for any offence or offences, by them or any of them cõmitted, be declared not to be replevised or bailed, or be forbidden to be replevied or bayled, by the estatut of Westminster 1. (s. cap. 6. before 2.) made in the parliament holden in the iij. yere of the raigne of kinge Edward the 1. And further more ỳ any person or persons arrested for manslaughter or felony, or suspection of manslaughter or felonye, beinge bailable by the law, shal not after the sayde first day of Aprill, be let to baile or mainprise by any Justice of peace, if it bee not in open sessions, except it be by iij. Justices of peace at the least, wherof one to be of the Quorũ, & the same Justices to be present together at the time of the said baylement or mainprise, which Baylement or mainprise, they shall certyfie in writinge, subscrybed or signed with their owne handes at the next general gaole delinery, to be holden wi-in the countie where the said person or persons shalbe arrested or suspected. And ỳ the said Justices, one of thẽ, beinge of the Quo-rum, when any such prisoner is brought before them, for any manslaughter or felo-ny before any baylement or mainprise, shal take the examination of the sayd prisoner, and information of them that bringe him, of the fact, and circumstances therof, and ỳ same or asmuch therof as shalbe materi-al to proue ỳ felony, shal put in writting be-fore they make ỳ same bailemẽt, which said examination, together wi- the said bailemẽt,

Manslaughter Felony

Just. of p.

Open sessions

Quorum

One of the Quorum

Together Bailement

Certifie

Gaole deli.

Examine the prisoner

Information of the wytnesses

the

Certifie Gaole deli.

Cozoner

Indicted Accessaries before

Evidence

Recognisãce Obligation

Just. of p.

Just. of gaole delivery

Examinatiõ

Fine

Estrete

Proviso Just. of p. Cziers London Middlesex Cities

the said Justices shal certifie at the next generall gaole delivery, to be holden within ỳ limittes of their Commission, & that every cozoner, vpõ an inquisition before him foũd, whereby any person oz persones shalbe indicted foz murder oz manslaughter, oz as accessarie oz accessaries to the same, before the murder oz manslaughter cõmitted, shall put in writing the effect of the evidence geuen to the iurie before him being material. & as wel the said Justices, as the said cozoner shal haue aucthozity by this act, to binde al such by recognisance oz obligation, as do declare any thing material to prove the sayde murder oz manslaughter, offences, oz felonies, oz to be accessarie oz accessaries to the same, as is afozesaid, to appeare at the next generall gaole deliverie to be holden within the conntie, citie, oz towne cozporat, where the trial thereof shalbe: then & there to geue evidence against the party so endicted, at the time of his trial, & shal certifie aswel ỳ same evidence, as such bond & bondes in writing, as he shal take together with the inquisitiõ oz indictment before him taken & found, at, oz before ỳ time of his sayd triall thereof, to be had oz made. And likewise the said Justices shal certifie al & every such bond, taken befoz them in like maner as is afozesaid of bailements & examination. And in case any Justice of peace oz Quozum, oz cozoner, shal after the said first day of Aprill offend in any thing contrary to the true intent & meaning of this present act: That then ỳ Justices of gaole delivery of the shire, citie, towne oz place, where such offences shal happen to be cõmitted, vpon due proofe thereof by examination before thẽ, shall foz every such offence set such fine on every of the same Justices of peace & Cozoner, as the Justices of gaole delivery shal think meete, & shal estret the same as other fines & amerciaments assessed before Justices of gaole delivery ought to be. Provided alwaies & be it &c. that Justices of peace, and Cozoners within the citie of London and the countie of Middlesex, & in other cities, bozoughs, & townes cozporat within this realme, & Wales, shal within their seuerall iurisdictiõs, haue auctho-zity to lette to baile, felons, & prisoners, in such maner & fozme, as they haue ben heretofoze accustomed: this act oz any thinge therein contained, to the cõtrary notwithstanding. And also shal take examinatiõs and bonds, as is afozesayd, vppon euery bayleme̊t by them oz any of them to be made, & shal certifie euery such bailements, bonds & examinations by them oz any of them taken oz made, at the next gaole delivery to be holden within the shire, Citie, Bozough oz townes where their seuerall iurisdictions extendeth, vpon the like paine & forfaiture, as is before limitted in this present act. And be it &c. ỳ no writs of Habeas corpus oz Cerciorari, shalbee hereafter graunted, to remoue any prisoner out of any gaole, oz to remoue any recognisance except ỳ same writs be signed with the proper hand of the chiefe Justice, oz in his absence of one of the Justices of ỳ court, out of the which the same writs shall be awarded oz made, vpon paine ỳ hee that writeth any such writs, not beinge signed, as is afozesaid, to forfait to our sayd Souereigne Lozd the king & the Quæne foz every such writ & writs b. li. An. 1. & 2. P. & M. cap. 13. See prison 6. Anno 2. 3. P. & M. cap. 10. a like statute for prisoners that bee taken for suspection of felony, and be not bailed, concerning examination & taking of recognisances, and certifying of them.

Habeas corpus Cerciorari

Chiefe iust.

Clerke Forf.

¶ Maintenance.

Clerkes Presentment to a church

Licence

Clerke

Fraude

Great men Quarrels

K. houshold

NOne of the kinges Clerkes, noz of any Justicer, from henceforth shall receiue the presentment of any church wherof ther is any plæ of debate in the kings Court, without special licẽce of the king, & this the king forbiddeth vpon paine to læse the Church & his seruice. And that no clerke of any Justicer oz sherife, take part in any quarrels oz matters depending in the kinges court, noz shall worke any fraude where by common right may be delayed oz disturbed, & if any so do, he shalbe punished by the peine afozesaid, oz more greeuously, if ỳ trespas do so require. W. 1, cap. 28. An. 3, E. 1.

2 ¶ Because the king desireth ỳ cõmon right be ministred to al persons, aswel poze as riche: he commaundeth and defendeth, ỳ none of his Councellours, noz of his house, noz non of his other ministers, noz no great man of the Realme, by him selfe noz by other, by sendinge of letters noz otherwise, noz none other in this land great noz smal, shall take vppon them to maintayne quarels noz partes in the countrey, to the let & disturbance of the comon lawe. An. 1. E. 3. cap. 14. perlia. 2. See this confirmed here after 6. & 7.

3 ¶ We haue commaunded & vtterly defended, ỳ none of our house, noz of the-n, that

that bee about vs, nor other which be towardes our deere beloued compaignon the Quene, or our sonne prince of Wales, or towards our courtes, or prelates, Erles, barons, nor other great nor lerned of the land of what estate or condition they be, shal not take in hand quarrelles, other the their owne nor ỹ same to maintaine by the, nor by other, priuily nor apartly, for gift, promise, annuity, fauor, or hatred, nor for none other cause in disturbaunce of law or hinderance of right & reason, vpon the paines afore said (That is, that body, goods & lands shalbe at the kings pleasure, as it appeareth, by the 1. Chap. of the same parliament) but ỹ euery man may be free to sue for, & defend his right, in courts & els where, according to the law. And we haue straitly cõmaunded our saide sonne, & diuers Erles & other great men, beinge before vs, ỹ they on their behalfe shal do to be kept this ordinãce woot default, & that they suffer none, which be towards them to attempt against this ordinance by any way. An. 20. E. 3. cap. 4.

4 ¶ For that many handlers & maynteiners of quarels & sides in the countrey, be borne out by lords, & are therby the more incouraged, so ỹ many men ar disherited & delayed of their right, or vniustly condemned or otherwise disturbed or oppressed. Be it &c. that al ỹ great men from henceforth shal void from their retinue, fees & robes, al such handlers & maiteinors in the countrey, wõut shewing to thẽ frõ henceforth any ayd, fauour, or comfort in any maner. And more ouer we haue ordeined to do come before vs at a certaine day, or before them whom we shal depute of our counsaile, such handlers & mainteinors of diuers counties, & them do to be diligently examined & charged, ỹ they from henceforth void them of such maintenãces or other procurements making, in the countrey in damage of our people. And that vpon greuous peines which to them shalbe shewed. An. 20. E. 3. cap. 4.

5 ¶ None of the kings counsaillors, officers, or seruauntes, nor none other person within the realme of England, of whatsoeuer estate or cõdition they be, shal frõ henceforth take nor sustaine any quarel by maintenance, in the countrey nor els where, vpon a greenous paine, ỹ is to say, ỹ said coũcellours & the kinges great officers vppon a paine, which shalbe ordeined by ỹ king himselfe, by the aduice of the lordes of his Realme, & other lesse officers & seruants of the king al wol in ỹ Eschequer and all his other courts, as of his owne many, vpon paine to lose their offices & seruices, & to be imprisoned, & from thence to be reansomed at the kings will euery of them after their degree, estate, & desert. And al other persõs through ỹ realme, vpon paine of imprisonment, & to be reansomed as other afore sayde. An. 1. R. 2. cap. 4.

6 ¶ For the greeuous cõplaint ỹ is made of maintainers of quarelles and champertours, it is ordeined & assented, ỹ the statuts thereof made in the 1. & 4. yere of king Edward, graundfather to our soueraigne Lord the king ỹ now is (before 2. and after Nisi prius) & also in ỹ xxxiii. yere of our soueraign lord the king that now is, (before 5.) shalbe holden & kept, & duely executed in all points. An. 7. R. 2. cap. 15.

7 ¶ For that nothing within the realme conserueth ỹ subiects in more quietnes and concord, then the due ministration of laws, & the indifferẽt trial of titles & issues, which are now greatly hindered by maintenance, imbracery, champerty, subornation of witnesses, sinester labour, buying of titles and pretensed rights of persõs not being in possession, whereby great perjury, trouble, oppression & disinheritance haue followed. Be it &c. That al statuts heretofore made concerning maintenance, champerty & imbracery, or any of thẽ, now standing & being in their ful strength & force, shalbee put in due execution according to the tenours & effects of the same statuts. And ouer that be it &c. ỹ no person or persons of what estate, degree, or condition soeuer he or they be, shall from henceforth bargaine, buy or sell, or by any wayes or meanes, obtayne, get or haue, any pretensed rightes or titles, or take promise, graunt, or couenant to haue any right or title of any person or persons in or to any manors, lands, tenements, or hereditaments, but if such person or persons which shall so bargaine, sell, gene, graunt, couenant or promise the same, their antecessours or they by whom hee or they claime the same, haue beene impossessed of the same, or of the reuersion or remainder thereof, or taken the rents or profites thereof by the space of one whole yere next before ỹ said bargaine, couenaunt, graunt, or promise made, vpon payne that hee that shall make any such bargaine, sale, promise, couenaunt, or graunt, to forfeyt the whole value of the landes, tenementes or hereditamentes, so bargained,

Eschequer

Losse of office

Imprisõm

Champertors

Champertie Imbracery

Buy titles.

Forf.

bargained, sold, promised, couenaunted, or graunted contrary to the forme of this act: And the buier or taker therof knowyng the same, to forfait also ỳ value of the said lãds, tenemenes or hereditamentes, so by him bought or taken as is aforesayd. The one halfe of the said forf. to be to the king, & ỳ other halfe to the party ỳ will sue for ỳ same in any of the kings courts of record, by action of debt, bill, plaint, or information. In which &c. no essoine &c. And furthermore ỳ no manner of person or persons of what estate, degree or condition soeuer he or they be, do hereafter vnlawfully maintaine or cause, or procure any vnlawfull maintenãce in any action, demaund, suit or cõplaint, in any of ỳ kings courts of ỳ Chauncery, ỳ starre Chãber, White hale, or elsewhere, wtin ỳ kings dominions of England, or Wales, or the marches of the same, where any person or persons haue or hereafter shal haue auctority by vertue of the kings cõmission, patẽt, or writ, to hold plee of lands, or to examine, heare or determine any title of lãds, or any matter or witnes cõcerning the title, right, or interest of any lands, tenemẽts, or hereditaments. And also ỳ no person or persons of what estate, degree, or condition soeuer he or they be, do hereafter vnlawfully reteine for maintenance of any suit or plee, any person or persõs, to embrace any freeholders or turrours, or subborne any witnes by letters rewards, promises, or by any other sinister labour or means, for to maintaine any matter or cause, or to the disturbaunce or hinderance of Justice, or to the procuremẽt or occasion of any maner of periury by false verdict or otherwise, in any maner of courts aforesaid, vpon paine of forf. for euery such offence x.li. the one moity therof to ỳ kinge &c. & thother moity to him that wil sue &c. in which action no essoine &c. (The penalty against suborners of false witnesses is much increased by 5. El. cap. 9. which see in Periury 2.) Prouided alway & bee it &c. that it shalbe lawful to any person or persõs being in lawful possession by taking of the yerely ferme, rents, & profits of or for any manor, lands, tenemẽts, or hereditaments, to buy, obtaine, get, or haue by any reasonable way or means, the pretensed right or title of any other person or persõs, hereafter to be made to, of, or in, such manors, lands, tenements, or hereditaments wherof he or they shal so be in lawful possessiõ: Any thing in this act conteined to the cõtrary notwithstanding.

Buyer

Moitie

Maintaine

Courts

Title of land

Reteiner

Embrace
Subborne
witnesses

Periurie

Forf.
Moitie

And for the due execution of this preſẽt act, be it &c. ỳ ỳ Justices of assise of euery circuit within this realme & elsewhere within the kings dominions, shal in euery coũty within their circuits vj. times in ỳ yere, ỳis to say in the time of their sittinges, for the takinge of assises or delinery of the gaoles, make opẽ proclamatiõs to be made aswel of this preſẽt act, & of euery thing therein conteined, as also of all other statutes heretofore made against vnlawfull maintenãce, champertie, embracerie, or vnlawfull retenowrs, to thintent that no maner of person or persons bearing the same, should be ignorant or miscognisant of the daungers & penalties therin conteined and specified. Prouided alwap & be it &c. that this act shal not extende to charge any person or persons with any ỳ penalties mencioned in the said act, for any offence by him or them cõmitted, contrary to the said act, except the same persõ or persons so offending, be sued thereof by action of debt, bil, plaint or information, in any of the kings courts within one yere next after the same offence by him or them cõmitted as is aforesaid. An. 32. H. 8. cap. 9.

Iust. of ass.

Proclamations

Prouiso

One yere

¶Malt.

AN. 1. E. 6. ca. 10. an act was made for ỳ true making of malt, to endure to ỳ end of ỳ next parliamẽt. An. 7. E. 6. ca. 11. it was cõtinued, & after 1. M. 1. parliament. ca. 3. it was cõtinued vntil the last day of the next parliament & then it expired.

2 ¶An. 33. H. 6. ca. 4. an act was made to endure for 5. yeres against Brewers for making of malt aboue an c. quarters in ỳ yere.

Brewers

¶Marches.

FOr asmuch as the Ministers of the wardens of the Marches adioyninge vnto Scotland called the East march & the west march haue of late taken vpon thẽ to attach men out of the counties of Northumberlãd Cumberland, & Westmerland, & ỳ towne of new Castle vpon Tine, in the county of Yorke, & other places, to aunswere in the warden courts of ỳ sayd marches, vnto indictments, there contrary to old custõe. Be it &c. That if any Minister of any of ỳ said courts, attach any person of his body, or by his goods, out of any of the sayd counties of Northumberland, Cumberlande & Westmerland, or the towne of Newcastle, to aunswere in any of the said Courtes, by colour or cause

Attach

Courts

or cause of any maner of presentment take, or to be taken in any of the said Courts: ỳ it shalbe lawfull to euery person, which shall happen so to be attached, to make resistãce, & not to obey any such attachmẽt. And if any person be endamaged or greued by any such attachment, he shal haue in this behalf an actiõ of trespas, or false imprisõment against thẽ which shal make or do to be made hereafter any such attachment, & in ỳ same to recouer treble damages, if in any of ỳ actiõs ỳ matter pleaded passe or be iudged for the plaintife in ỳ same. And the defendãt to haue ij. yeres imprisonment, & moreouer to pay to the king a C.s. And ỳ the Iustices of peace in their sessions of ỳ peace, theriffes in their turnes, & also stewardes of leetes in their leets by thẽ to be holden, shal haue power to enquire of al such attachmẽts made or to be made out of any of ỳ said coũties of Westmerland, Cũberland, or Northũberland, or ỳ towne of Newcastle. And therin & vpõ the same, to do & proceed as they may do & proceed vpon presentmentes taken before thẽ in their sessions of peace, turnes or leetes, or trespas, or of fraies made agaynst the kings peace. An.31.H.6.ca.3.

Resist

Trespas False imprison m. damages

Imprison

Iust. of p. Sheriffes Stewards

Enquire

★

¶Mariners

Arrest

BEcause that diuers Mariners, after that they be arrested & retained for the kings seruice vpon the sea in defence of ỳ realme, & thereof haue receyued their wages perteining, do flee out of the sayd seruice without licence of the admiralles or of their lieutenants, to the great damage of the king and his realme, and hinderance of the sayd voyages. It is ordeyned & stablished, ỳ al those Mariners, which from hencefoorth shal doe in such maner, & ỳ truely found and proued before the Admiral or his lieutenant, shalbe holden to restore to our said soueraigne lord the king the double of that they haue taken for their wages, and neuertheless shal haue one yeres imprisonment without being deliuered by mainprise baile, or by other way. And the kinge wil and commaundeth to all sheriffes, maiors, and bailifes within fraunchises and without, that at the certification of the said Admirals or their lieutenants, by their letters thereof to be made, testifyinge the said parte, shal incontinent without tarying make an other commaundement of the king our Soueraigne Lord, to take and attach al fugitiue mariners by their boope, within their bailiwikes within fraunchyses & without, and put them in prison there to abide in good and sure keepinge, till they haue made gree to the king as afore is said, and thereof haue a speciall commaundemẽt of our Soueraigne Lord the kinge of their deliueraunce. And like punishment shalbee made of serieauntes of armes, maisters of shippes, & all other that shalbe attainted by inquiry before the Admiral or his lieutenãt afore layd, that they haue any thinge taken of the sayd maryners for to suffer them to go at large out of ỳ said seruice, after ỳ they haue bẽ arrested for ỳ same seruice. An.2. R.2.cap.4.

Restore

Imprison Mainprise

Certifie Admiral

Fugitiue

Imprison

Seriants of armes

2 ¶Be it enacted &c. ỳ the foresaid master, wardens, & assistaunts of the Trinitie houle at Detford strond aforesaid, beinge a cõpany incorporated as before, shall & may lawfully by vertue of this act, from time to time hereafter, at their willes and pleasures and at their costs, make, erect, & set vp such & so many beacons, markes & signes for the Sea, in such place or places of ỳ sea shores, and vnplandes neere the sea costes, or forelandes of the sea, only for sea markes, as to them shal seme most meete, needefull, & requisite, whereby the daungers may be auoided & escaped, & shippes the better come vnto their portes without peril. And ỳ all such beacons markes & signes, so to be by them or their assignes, erected, made, & set vp, at the costs & charges of the said Master, wardens, & assistants, shal & may be continued, renued, & be maintained from time to time at the costs & charges of ỳ said master, wardens, & assistants: any thing to the contrary hereof, notwithstandinge. And be it further ordeined & enacted by the authority afore said, ỳ no steeples, trees, or other thigs now standing, as beacons or markes for the sea, whereof to the owner or occupyer of the place (where the same doth grow or stande, before the first day of March next cõming) notice shalbe geuen by the Quenes maiestes letters, vnder her Signet: shall at any time hereafter be taken downe, felled, or otherwise cut downe, vpon paine that euery person by whose procurement or consent such offence shalbe committed, shal forfayt the summe of one C.li, whereof ỳ one moitie to the Quenes Maiestie, and the other moity to be to the maister, Wardens, and assistants of the sayd Trinitie house. And if the sayd person or persons so offendinge, be not of the value of one hundreth poundes then

Wardens Trinitie house

Sea markes

Steeples Trees

Forf. Moitie

then the ſame perſon and perſons, to be demed cõuict of outlary, ipſo facto, to all conſtructions and purpoſes. And further, be it enacted by thauctho͠itie afo͠eſaid, ẏ al Mariners, and ſeafaring men, dwelling about the ſaid riuer of Thames, being therto licẽced by the ſaid maſter wardẽs & aſſiſtants, and hauing ſufficient certificat of ſuch licẽces from the ſaid maſter & Wardens, as well betwene their voiages as at other times at their wils & pleaſures, by force herof, (ẏ better to kæpe & refraine thẽ ſelues frõ folly, ydlenes, and lewd cõpany, & fo͠ the reliefe of them, thir wiues, and children) ſhall and may frælỹ and quietly exercyſe and rowe in their owne wherries, o͠ any other mens wherries by thẽ to be hired, o͠ wherin they ſhalbe hired to wo͠ke by & downe the ſayd riuer of Thames, to apply & follow the o͠dinary paſſing & carying of ẏ Quẽns maieſties people to and fro͠, as other watermẽ cõmonly called whirrymen of the ſame riuer vſe & accuſtome to do, without impeachment, hinderance, o͠ let, to ẏ contrary. And that ſuch ſeafaring men, ſhal not thereby be drawen vnder any other gouernment, then vnder the ſaid Maſter, wardens, and aſſiſtants, as they were befo͠e: Any act, ſtatut, p͠ouiſion, p͠oclamation, o͠dinaunce, o͠ cuſtome herto fo͠e againſt the p͠emiſſes o͠dayned o͠ made, in any wiſe notwithſtanding. An. 8. El. cap. 13.

Thames

Wherries

Whirrimen

¶Marſhalſie.

COncerning the auctho͠ity of ſtewards & marſhals, and of ſuch places as they may hold, & in what maner. It is o͠deined ẏ from hencefo͠th they ſhal not hold plẽ of fræhold, no͠ of debt, no͠ of conenant, no͠ of any contract made betwene ẏ kings people but only of treſpas done within the kinges houſe o͠ within the bierge, and of ſuch contractes and conenants that one of the kings houſe maketh wͭ an other of ẏ ſame houſe, and within the houſe & none other where. And they ſhal plead no plẽ of treſpas, except the party were attached by them befo͠e the king departed from ẏ place where the treſpas was cõmitted, & ſhall plead thẽ ſpẽdily from day to day, ſo ẏ they may be pleaded & determined befo͠e that the king depart out of the limittes of the ſame bierge where the treſpaſſes was done, and if it ſo chaunce that they cannot be determined within ẏ limits of the ſame bierge, then ſhal the ſame plẽs ceaſe befo͠e the ſteward, and be matters determinable at the cõmon lawe. And from hencefo͠th the ſteward ſhall not take cognizance of debts no͠ of other things but of ſuch only as be of ẏ kings houſe, no͠ ſhal hold none other plẽ by obligation made at the diſtres of the ſteward o͠ the marſhall. And if they attempt any thing contrary to this o͠dinãce it ſhal be holden as voyd. And fo͠ as much as heretofo͠e many felonies ẏ haue bene cõmitted within the bierge haue bene vnpuniſhed, & all becauſe the cro͠ners of the countrey haue not ben auctho͠iſed to enquire of felonies done within the bierge, but onely the Co͠oner of the kinges houſe, which neuer cõtinueth in one place, by reaſon whereof there can be no triall made in due maner, no͠ the felones put in exigent no͠ outlawed, no͠ no thing therof p͠ſẽted in ẏ Eire, the which hath bene aſwel to the great damage of the kinge, as to the diſturbance of his peace: It is o͠deined that from hencefo͠th in caſes of ẏ death of men, wherof the co͠oners office is to make view & inqueſt, it ſhalbe cõmaunded to the co͠oner of the countrey that he with the co͠oner of the kings houſe ſhall do as belongeth to his office & inrol it. And that thing, that cannot be determined befo͠e the ſteward becauſe the felons cannot be attached, o͠ fo͠ other like cauſe ſhalbe remitted to the cõmon law. So that exigendes, outlawries, & p͠eſentments ſhalbee made thereupon in the Eire by the co͠oner of the countrey, as wel as of other felonies done out of ẏ bierge, neuerthelesſe they ſhal not omit by reaſõ hereof, to make attachments freſhly vpon ẏ felonies done. Articuli ſuper chartas cap. 3.

Debts

Voyd

Felony

Co͠oners

Attachment

2 ¶And ẏ in euery caſe, where enqueſts be to be takẽ befo͠e the ſteward & the marſhal of the kings houſe, that ſuch enqueſtes be takẽ by men of the countrey thereabout, & by no men of the kings houſe, except it bee of ẏ contracts, couenãts o͠ treſpaſſes made by men of the kinges houſe of either part, & that in ẏ ſame houſe, acco͠ding to an other ſtatut thereof made, in the time of the ſayd Edwarde the graund father (before 1.) An. 5. Ed. 3. cap. 2.

Enqueſts

K. houſhold

3 ¶In euery caſe, where enqueſts be to be taken befo͠e the ſteward o͠ marſhal of the kings houſe, the ſame enqueſtes ſhalbe taken by people of the countrey thereabout, & not by people of the kings houſe, except it be of contractes, couenauntes, o͠ treſpaſſes made by ẏ people of the ſame houſe, acco͠ding

Enqueſts

K. ſeruants

Bierge

Treſpas

ding to the stat therof made, in ỳ time of ỳ same king ỳ graũd father. An. 10. E. 3. ca. 2.

Proclamatiõ

Preists

4 ¶ Preists & other people of holy church taken in ỳ Marshalsey of the kings houses, shal pay suche fées as ley people pay reasonably & no moze. An. 9. R. 2. ca. 5.

Fees

5 ¶ The court of the steward & marshal of the kinges house, noz also the iurisdiction of thẽ, shal not passe the space of xii. miles to be compted about the towel of our said soueraigne lozd the king. An. 13. R. 2. ca. 3.

xii. miles

6 ¶ Where as the marshall of the marshalsey of the court of our soueraigne Lozde the kings house, in the time of king Edward graundfather of our soueraigne lozd ỳ king that now is, was wõt to take ỳ fées as hereafter followeth, ỳ is to say, of euerye person that cõmeth by Capias to the said court 4. ð. and if he be let to mainprise til his day ii. ð. moze, & euery person which is impleaded of trespas & findeth ii. mainpernours to kéepe his daye till thend of the plée. to take foz the cause two pence, of the defendaunt, and of euery person committed to prison by iudgement of ỳ steward, in whatsoeuer maner ỳ same be iiii. ð. of euery persõ deliuered of felony, of euery felon let to mayprise by the court iiii. ð. which fées were wõt to be takẽ & paid in ful court. as the king hath wel perceiued by the cõplaint of ỳ said cõmons ther of made in ỳ said parliamẽt: The same oure soueraigne lozd ỳ king, to all such ourelles & oppzessions to be done to his people, against the gwd custões & vsages made & vsed in the time of his progenitozs, by the aduice & assẽt of the lozds spirituall & tẽpozal, & at the supplication of ỳ said cõmons, hath ozdeyned & stablished, ỳ if the said marshal oz his ministers vnder him, take other fées thẽ aboue is declared, ỳ the same marshal & euery of hys said ministers shal lose their offices, & pape treble damages to ỳ party greeued, & that ỳ party greeued haue his suit beforе ỳ steward of the said court foz the time being. And also it is ozdeined & stablished that no seruitour of billes ỳ beareth a staff of the same court, shal take foz euery mile frõ the said court to ỳ place wher he shal do his seruice, no moze thẽ one peny, & so foz xii. miles xii. ð. & foz to serue a Venire facias, duodecim &c. oz a Distringas out of ỳ same court, the double. And if any of the laide seruitozs of bils do the cõtrary, he shalbe punished by imprisonment, & make a fine to the kyng after the discretiõ of the steward of the same court, and also be fozbidden the court. And the same stewards shal haue power to make proclamation at his cõming to the laide court in euery comtrey frõ time to time, of al ỳ articles afozesaid, & thereof to make punishment as is afozesaid. An. 2. H. 4. ca. 23.

Oppression

Lose office & damages

Officer

Imprison Fine

Proclamatiõ

7 ¶ Because ỳ Stewards & Marshals of ỳ kings house, do vse to hold pleas betwene parties which be not of ỳ same house, making mencion in their recozdes ỳ the plaintifes & defendants were of the said house, against the wil of the defendaunts & against law. Be it et. That in any suit from hencefozth by the said defendants to be takẽ, they shal not be estopped by such recozd, to saye, that they thẽselues oz the playntifes in the same recozd specified, were not at the tyme of the laide plea oz suit thereof cõmenced, of the kings house as by ỳ same recozd is supposed, but the defendants shal haue their auerment to say that they thẽselues oz ỳ said plaintifes were not of the same house at the time of such plea oz suit cõmenced. The said recozd oz other matter vsed in the same cõteyned notwithstanding. An. 15. H. 6. ca. 1.

Suertie

Auerment

¶ Masons.

Cõgregatiõs

Such Chapiters & congregations shal not be frõ hencefozth holden. And if any such be made, they ỳ cause such chapiters & congregatiõ to be assẽbled & holdẽ, if they therof be cõuict shalbe iudged foz felons. And ỳ al ỳ other masons ỳ come to such chapiters & congregations bée punished by imprisonmẽt of their body and make fine & raũsome at the kings wil. An. 3. H. 6. ca. 1.

Felony

Imprison Fine

¶ Matrimony & mariage.

Anne of cleues

AN. 12. H. 8. ca. 25. an act was made cõcerning ỳ dissolution of the mariage betwene ỳ king & the Lady Anne of Cléues, declaring ỳ mariage to be void, & thereby is repealed, all letters patents made foz foynture oz dower. And ỳ it is treason to maintaine that mariage, & therein is a pardon to all thẽ that haue cõmitted treason oz misprision of treasõ in speaking oz doing agaĩst ỳ mariage. See Crowne. An. 25. H. 8. ca. 22. of degrées of mariage prohibited.

Treason Pardon

Degrees

2 ¶ An. 28. H. 8. ca. 7. mariages wỳin certain degrées ther expzessed were prohibited. But by 1. & 2. P. & M. as much of ỳ acte as concerneth prohibition to mary wỳin those degrées, is repealed.

Repealed

3 ¶ That frõ ỳ first day of the moneth of July next cõming in ỳ yere of our Lozd god a 1540. al & euery such mariages as within

this church of Englād, ſhalbe cōtracted be-
twene lawful perſons, as by this act we de-
clare al perſōs to be lawful, that be not pro-
hibited by Gods law to mary, ſuch mariages
being cōtract & ſolēpniſed in the face of
the church, & cōſūmate wᵗ bodily knowledge
of frute of children, or childe, being had ther-
in betwene the parties ſo maried, ſhalbe by
aucthority of this preſēt parliamēt aforeſaid
dāmed, iudged, & taken to bē lawfull, good,
iuſt, & indiſſoluble, notwᵗſtāding any precō-
tract or precōtracts of matrimonie, not cō-
ſūmate wᵗ bodely knowledge, which eyther
of the perſons ſo maried, or both, ſhall haue
made wᵗ any perſon or perſōs before ỳ time
of cōtracting that mariage which is ſolēp-
niſed & cōſūmate, or wherof ſuch frute is en-
ſued or may enſue as aforeſaid: & notwᵗſtā-
ding any diſpenſation, preſcription, lawe, or
other thing graūted or confirmed by acte or
otherwiſe. And ỳ no reſeruatiō or prohibitiō
(Gods law except,) ſhal trouble or impeach
any mariage wᵗout ỳ leuiticall degrees. And
ỳ no perſon of what eſtate, degrē or cōditi-
on ſoeuer he or ſhe be, ſhal after the ſaid firſt
day of the monethe of July, aforeſaid, bē ad-
mitted in any of ỳ ſpiritual courts within ỳ
kings realme, or any his graces other lāds
& dominiōs, to any proceſſe, plee, or allegati-
on cōtrary to this aforeſaid act. An. 32. H. 8.
ca. 38. This article in this act cōcernig pre-
contracts, is repealed by 2. E. 6. & ỳ reſidue
was repealed by 1. & 2. P. & M. but it is re-
nued by 1. El. ca. 1.

Precontract

Diſpenſatiō

Repealed
Renued

4 ¶ An. 2. E. 6. ca. 21. It was enacted ỳ
all lawes & ordinācs poſitiue, prohibitinge
prieſts mariages, & al paynes & forfaitures
therin ſhould be void. And after. An. 5. E. 6.
ca. 12. It was enacted, ỳ prieſts mariages
ſhould be lawful, & their children legitimate
& inheritable, & the prieſt to be tenāt by the
curteſy, & the wife to be ēdowed. But after
thoſe two actes were in 1. M. 1. parliāmēto
cap. 2. repealed.

Prieſts
mariages

Children le-
gitimate
&. by the
curteſy
Dower
Repealed

5 ¶ All & euery decrē, ſentence & iudge-
ment of diuorce & ſeparation betwēne the
ſaid king your father, & the ſaid late Quēne
(s. Queene Katherin) your mother, & al the
proceſſes cōmenced, followed, geuen, made,
or promulged by ỳ ſaid Thomas Cranmer
then Archbiſhop of Canterbury, or by ante
other perſon or perſons, whatſoeuer, wher-
by the ſame moſt iuſt, pure, & lawful mary-
age, betwene the ſaid late kinge your father
& the ſaide late quēne your mother was or
is pronounced, or in any wiſe declared to be

Diuorce

vnlawful or vniuſt, or againſt ỳ law of god,
be & ſhalbe frō the beginning & frō hēceforth
of no force, validity, or effect, but be vtterly
nought, voide, fruſtrate, & annihilate, to all
intents, cōſtructiōs & purpoſes as if ỳ ſame
had neuer ben geuen, or pronounced. And be
it et. that al wel the ſaid act of parliamēt en-
tituled, an act declaring the eſtabliſhmēt of
the ſucceſſiō of the kings moſt roial meieſty
of ỳ imperial crowne of this realme, made
in the xxv. yere of the raigne of ỳ king your
father (s. ca. 22.) bē repealed & bē void & of
none effect, as alſo al and euery ſuch clauſes,
articles, braunches, & matters cōteyned and
expreſſed in ỳ foreſaid act of parliamēt made
in ỳ ſaid xxviii. yere of ỳ raigne of ỳ ſaid late
king your father (s. ca. 7) or in any other act
or acts of parliamēt, as wherby your hyghe-
nes is named or declared to be illegitimat,
or ỳ ſaid mariage betwene the ſaid kig your
father & the ſaid quēne your mother, is de-
clared to be againſt the word of God, or by
any meanes vnlawful, ſhalbe & be repealed
& be void & of no force nor effect, to al intēts
conſtructions & purpoſes, as if the ſame ſē-
tence or acts of parliament had neuer bene
had ne made. And that the ſaid mariage had
& ſolēpnized betwene your ſaid moſt noble
father king Henry, & your layde moſt noble
mother Quēne Katherine, ſhalbē diffinp-
tiuely, clerely, & abſolutely declared, dāmed
& adiudged to be & ſtād with Gods law and
his moſt holy word, & to be accepted, repu-
ted & taken of good effect and validitie to all
intents & purpoſes. An. 1. M. 1. parliamento
cap. 1.

Repealed

Void

Succeſſion

Repealed

¶ Marchants & marchandiſes.

ALl marchants (if they were not openly
prohibited before) ſhall haue their ſafe &
ſure conduct, to enter & depart, to go, & tarie
in the realme as well by land as by water,
to buy & ſell without any maner of euil tols
by the olde and rightful cuſtomes, except in
time of warre. And if they bē of the lande
making warre againſt vs, & be found in our
realm at ỳ beginning of ỳ warrs, they ſhal-
be attached wout harme of bodye or goodes
vntil it bē knowē vnto vs or our Juſticers
how our marchāts be intreated there in the
lande making warre againſt vs. And if our
marchaunts be well intreated there, theirs
ſhalbe likewiſe wᵗ vs. Magna carta ca. 30.

Conduct

Tolles

Warre

Attache

2 ¶ All marchants, ſtraūgers, and deni-
zēs, and al other and euery of them of what
eſtate or condition ſoeuer they bē, that will
buy

Denizens

Corne Wines Victails

buy or ſell corne, wines, auer de pois, fleſh, fiſh, & al other liuings, & victail, wools, clothes, & all other thinges bendible, frō whencesoeuer they cōe by ſeems or denizēs, at what place ſoeuer it be, citis, borough, towne, port of the ſea, faire, market, or els where wīn ỳ realme, wīn fraūchiſe or without: may freely wout interruption, ſell thē to what perſons it ſhall pleaſe thē, as wel for ſeems as denizens. Except alwaies ỳ enemies of our ſouereigne lord ỳ king, & of his realme. And if happely any diſturbaunce bē done to any marchaunt ſtraunger or denizen, or any other for the ſale of ſuch things in any City, borough, towne, port of ỳ ſea, or other place which hath fraūchiſe, & the Maiors & bailifs, or other which haue ỳ rule of ſuch fraūchiſe, being required by ỳ ſaid marchant, or other thereof to prouide remedy, & doth not, & bē therof attainted, ỳ fraūchiſe ſhalbe ſeiſed into the kings hands. And neuertheleſſe he & the other which hath dōe this diſturbāce againſt this ſtat, ſhalbe boūd to yeld & reſtore to the ſaid marchāt his double dāmages which he hath therby ſuſteined. And if ſuch diſturbāce or interruptiō be done to ſuch marchāts, or to other in ſuch townes or places where no fraūchiſe is: And ỳ lord if he be preſent, or his bayliſe, conſtable, or other ruler of the ſayde townes & places, in ỳ abſēce of ỳ ſaid lords, being therin required to do right, & doth not & therof be attainted, they ſhal yeld to ỳ partie plaintif his double dāmages as afore is ſaid. And the diſturbers in the one caſe & the other, as wel within the fraūchiſe as wout, if they be attainted, ſhal haue one yeres impriſonment. And neuertheleſſe to be raūſomed at the kings will. An. 9. E. 3. ca. 1.

Enemies

Maiors Bailifes

Damages

Lords Bailife Conſtable

Damages

Imprifon

3 ¶ No alien or denizen vpon ỳ sāe pain ſhal not be troubled, but ỳ he may freely buy ſuch things aforeſaid, in ỳ ſaid places, & cary thē where it pleaſeth him, to his own vſe, or to ỳ profit of ỳ king, or of the great men, or the cōmōs of the realme. Sauing that ſuch marchāts aliens, ſhal cary no wine out of ỳ ſame realme, as is conteyned in their charter. And it is enacted, ỳ the thinges aforeſaid, ſhalbe ſurely obſerued & kept in euerye citie, borough, towne, port of the ſea, & other places wīn the realme, notwithſtanding charters of fraūchiſe, graūted to thē to the contrary, nor vſage, nor cuſtome, nor iudgemēt geuen vpon their charters, vſages, or cuſtomes ỳ they can alledge. Which charters, vſages, & cuſtomes if any be, our ſouereigne lord the king, his prelates, Earles, Barōs, great men, & the cōmons aforeſaid, holdeth thē of no force nor effect, as thinges graunted, vſed, or accuſtomed, to ỳ derogation of ỳ king & of his prelates, Earles, Barōs, and great men of his realme, & to the oppreſſion of ỳ cōmons. Saued alway to the kynge & to other, the cuſtomes due of the ſaide marchandiſes. An. 9. E. 3. ca. 2.

Wine

Charters

Alien Denizen

4 The Chauncelour, treaſourer, and the Iuſtices aſſigned to holde the kinges pleas, where they come ſhall enquire of ſuch diſturbances & greuance, & the ſame to puniſh according as is beſore ordeyned. And neuertheleſſe the king ſhal aſſigne by cōmiſſion of his great ſeale, certaine perſons, where and whē it ſhal pleaſe him, to enquire of ſuch diſturbāces & grevāces, & ỳ ſame to puniſh as afore is ſaid. An. 9. E. 3. ca. 1.

Chauncelor Treaſorer Iuſtices

Enquiris

5 ¶ All marchants denizens, & ſeems, except thoſe which be of our enemitie, may without lett, ſafely come into ỳ ſaid realme of England, wt their goods & marchandiſes & ſafely tarry & ſafely returne, paying the cuſtomes, ſubſidies, & other profits reaſonably therof ove. So alwaies, that franchyſes, & free cuſtomes, reaſonably graūted by vs & our auncеſtors, to the citie of London & other cities, boroughes, & good townes of our realme of England, be to them ſaued. An. 14. E. 3. ca. 2. Stat' 2.

Denizens

Cuſtomes

London

6 ¶ After the ſaid feaſt of S. Michaell, euery Marchant of the Realme and other, may freely ſel & buy & paſſe the ſea wt their marchandiſes of wolls, & all other things, paying the cuſtomes of old times vſed, according to ỳ ſtatuts beſore this time made, at the laſt Parliament holden at Weſt. in middel Lent. An. 15. E. 3. cap. 5.

Woolles Cuſtomes

7 ¶ That the ſaid ſtatute, that is to ſay, of 9. E. 3. cap. 1. (before 4) in al points & articles conteined in the ſame, be holden, kept & mainteined, & if that any ſtatut, charter, letter patent, proclamation, or cōmaundement, vſage, allowance, or iudgement bee made to the contrarie, ỳ ſame ſhalbe openly repealed, voide, & holden for none. And moreouer that euery marchant & other, of what condicion he be, alien or denizen, that bring wynes, fleſh, fiſh, or other victailes, clothes, woollells, auoier de poiſe, or any other maner marchandiſes or chaffer, to the citie of London, or other cities, boroughes, & good townes of Englande, or port of the ſea, may freely & without challenge or impechment of any, ſel in groſſe, or at retaile, or by parcels at his will, to al maner people

Wines Victailes

London

Groſſe ſale Retaile

that wil buy the ſame notwithſtãding any fraũchiſes, graũts or cuſtomes vſed, or any other thing done to ẏ cõtrary, ſithẽce ẏ ſuch vſages & fraũchiſes be to the cõmon preiudice of ẏ king & his people. And ẏ no Maior, Maior Bailife Catchpole bailife, catchpole miniſter, nor none other, ſhal medle with the ſale of any maner victaile vendible, brought to Cities, boroughs, or other townes, nor faire nor market, but only he to whõ the victailes be, & ẏ proclamatiõ be therof made of new, in al coũtes Proclamatiõ of Englãd, & in the Citie of London, & in all other cites, boroughs, good townes, ports of the ſea, & other places within the realme of Englãd, where nede ſhal be. And ẏ ẏ king thereupon do to bee aſſigned his Juſtices at Juſtices al times ẏ ſhal pleaſe him, & if nede be to ẽquire of al thoſe ẏ ſhal come againſt this ordinãce, or do any thing againſt the ſame, & to puniſh thẽ, according to the pain cõtained in ẏ ſame ſtat made the ſaid yere. And ẏ euery perſõ ẏ wil ſue againſt any ſuch, ſhal Writ haue a writ in the chãcery to attach him as a diſturbour of the common profite, to cauſe him to come thereof to make anſwere to the kings court. An. 25. E. 3. ca. 2.

8 ¶ Whereas much people of ẏ realme, Lombardes which haue made contracts wt Lombardes that be named of ẏ cõpanies dwelling in the ſãe realme, which Lombardes after ẏ they haue made their obligations to their creanſours, haue ſodeinly eſcaped out of ẏ realme without agreement made to their creãſors, in diſcript & great dãmage of the people: It is accorded & aſſented, ẏ if any marchãt of ẏ cõpany, knowledge him ſelfe bound in that maner, that then the cõpany, ſhal anſwere the debt. So ẏ an other marchant, which is not of the company, ſhal not be therby greued nor impeached. An. 25. E. 3. ca. 23.

9 ¶ All marchant ſtraũgers, which bee not of our enemite, of what lande or nation that they be, may ſafely & ſurely vnder oure protection & ſafeconduct come & dwel in our ſaid realme & lands where they will, & thyther to returne with their ſhips, wares, & al maner marchandiſes, & freely ſel their marchandiſes at the ſtaple & elſe where within Staple the ſame realme & lãds, to any that wil buy them paying the cuſtomes therof due. And Cuſtomes more, to aſſure the marchãts ſtraũgers and other bringing goods & marchãdiſes within the ſaid realme and lãds, we wil and graũt for vs and for our heires and ſubiects, that nothing ſhalbe taken ouer the cuſtomes aforeſaid, nor taken of thẽ to our vſe by coleur of ſale, nor in other maner againſt their will, nor by the miniſters of vs or of our heires: nor by the miniſters of anye of the prelates dukes, Earles, barõs, lords, nor ladies, nor Officers of none other great nor ſmall. And if anye miniſter, or other by colour of his office, or in other maner take any thing of thẽ againſt their agreement, he ſhalbe incõtinently arreſted by the Maiors and baylifs of ẏ place, Arreſt if it be out of the ſtaple, or by the Maior or miniſters of the ſtaple, if it bee within the ſtaple. And ſpeedy and ready procès ſhalbee Proces made againſt him from day to daye and frõ hower to hower, according to the lawe of the ſtaple, and not at the common lawe, as well out of the ſtaple as within, at euerye mãs complaint that ſo ſhalbe greeued. And if he be thereof attainted, he ſhal pay to the marchant the double of that that he hath ta- ii. damages ken, and as muche to vs. And that no commiſſion be made to take ſuch prices of ẏ ſaid marchants, & if any Cõmiſſion be made, it ſhalbe holden for none. An. 27. E. 3. ca. 2.

10 ¶ All Marchants aſwel aliens as de- Denizens nizens, may buy wolls, leather, woolfels & Wolles lead, through our Realme & lands, without Leather coun or colluſion, to abate ẏ price of the ſaid Lead marchandiſes. So alwaies that they bring ẏ ſame to the ſtaples. And ẏ no Marchant Engliſh, Welſh, nor Iriſh, ſhal carry any maner of wooles, leather, woolfels or lead, Woolfelles out of ẏ ſaid realme & lands, vpon the paine of life & member, & of forfaiture of the ſayd marchãdiſes, & of al their other goods & catels againſt vs, & of forfaiture of all theyr Forf. lands & tenements againſt ẏ chiefe Lords, & the chiefe Lords ſhall haue a writ of Eſcheat on ẏ caſe. And ẏ no ſtrãge marchãts by coun betwirt them & Engliſh, Iriſh, or Welſh marchants, ſhal bring ẏ ſaid wares & marchandiſes of Engliſh, Iriſh, or welſh marchants, in part or in al. Nor ẏ no Marchant Engliſh, Iriſh, nor welſh, nor other, make coune or colluſion with marchants ſtrangers, to carry their wolles, leather, wolfelles, or lead, to the parties beyond the ſea, out of the Realme and lands aforeſaid, vnder the name of Marchants ſtraungers, nor ſhal ſend nor hold their ſeruants, or other their atturneis, in the parties beyonde the ſea, out of our ſaid Realme and lands, for to ſell or to surney the ſale of theyr ſayd wolles, leather, wolfells and lead there, or to receyue the money comming of the ſale of the ſaid wolles, leather, wolfells & lead. Nor that no Engliſhman, Iriſhman, nor Welſh-

Welſhman, by him ſelfe, nor by other, take payment of golde nor of ſiluer, nor of other thing in recompence or cõmutation, or in ỹ name of paiment in the parties beyonde the ſea, out of the realme and lands aforeſaid, of marchandiſes ſold in Englãd, Irelãd, or in Wales, touchig ỹ ſtaple, but al ſuch paimẽt ſhalbe made in gold or in ſiluer or marchandiſe in England, Ireland, or Wales, where ỹ cõtract was made, vpõ ỹ forfaytures and paines next aforeſayd. Nor ỹ the marchãts ſtraungers nor denizens make betwixt thẽ priuily nor apertly, any cõpany or cõfederacy in fraud or diſceipt of this ordinãce, nor that none maintaine the ſame for gain, nor in other maner to do any ſuch fraude or diſceipt, vppon the ſame paynes & forfaitures. And alwaies, it is to be vnderſtanden, that euery Engliſhmã, Iriſhmã, or Welſh mã may freely bring their owne wools, leather, woolfel & lead to ỹ ſtaple to ſell there, wout being cõpelled to ſell thẽ in ỹ coũtrey. And ỹ euery marchant ỹ ſhal ſell his wol at the ſtaple bee boũd to warrãt the packing of the ſame wools. An. 27. E. 3. ca. 3. ſtat.

Golde Siluer For.

Packing

Aliens

11 ¶ All marchants aliens & denizens, & other, ỹ do bring wynes, & other wares or marchandiſes, whatſoeuer they be, to ỹ ſtaples, cities, borowghs, and good townes, or to ports of ỹ ſea, wõn our ſaid realme & lands, may ſafely & wout challenge & impeachmẽt of any, ſel them in groſſe or at retaile, or by parcels at their will, to all maner people that will buy the ſame. And that no marchaunt, priuy nor ſtraunger, nor other of what condition ỹ he be, goe by lande, nor by water againſt ſuch wines, wares, or marchandiſes cõming into our ſaid realme & lands, in the ſea or elſe where, to foreſtal or buy thẽ, or in other maner to geue earneſt vpon thẽ, before that they come to ỹ ſtaple, or to ỹ port where they ſhalbe diſcharged, nor entre in ỹ ſhips for ſuch cauſe, till the marchandiſe bee ſet to land to be ſold, vpon the paynes & forfaitures cõtained in ỹ ſame third article aforeſaid. An 27. E. 3. ca. 11. ſtat. ſtapul.

Groſſe Retaile

Foreſtall

12 ¶ If any marchant priuy or ſtraũger, be robbed of his goods vpon the ſea, & ỹ goods ſo robbed come into any parties within our realme & landes, & will ſue for to recouer the ſaid goods, he ſhalbe receiued to proue ỹ ſaid goods to be his owne by his marks, or by his cart or cocket, or by good & lawful marchãts priuy or ſtrãgers. And by ſuche proues ỹ ſãe good ſhalbe delinered to the marchants, wout making other ſuit at the common law, And in caſe that any ſhips goinge out of the ſaid realme & lands, or cõming to the ſame, by tẽpeſt or other miſfortune breake vpõ ỹ ſea banks, & the goods come to ỹ land, which may not be ſaid wrecke, they ſhalbee forthwith wout fraud or deceipt delinered to the marchants, to whõ the goods bee, or to their ſeruants by ſuch proofe as before is ſaid, paiyng to thẽ that haue ſaued & kept the ſame couenable for their trauaile, ỹ is to ſay, by ỹ diſcretion of ỹ cherifes & bailifs, or other cõminiſters in the places guildable, where other Lords haue no fraunchiſe, & by the aduiſe & aſſent of iiii. or vi. of the beſt or moſt ſufficient diſcrete men of the countrey. And if ỹ it be wõn the fraunchiſe of other lordes, thẽ it ſhalbe done by the ſtewards & bailifs, or wardens of the ſame fraũchiſes, & by the aduice of iiii. or vi. diſcrete men of ỹ countrey, as afore is ſaid, without any delay. An. 27. E. 3. cap. 13.

Wrecke

Sherifes Bailifes

Stewards

13 ¶ No marchãt ſtraunger be impeached for an others treſpas, or for an others debt, whereof hee is not debtour, pledge, nor mainpernour. Prouided alwaies, ỹ if oure liege people marchants or other, be indammaged by any lords of ſtraũge lãds, or their ſubiects, & ỹ ſaid lords (duely required) faile of right to our ſaid ſubiects, we ſhall haue ỹ lawe of Marque, & of takyng thẽ againe, as hath ben vſed in times paſt, without fraude or deceipt, and incaſe ỹ debate do riſe (which God defend) betwixt vs & any lords of ſtrãge lands: We will not ỹ the people & marchãts of ỹ ſaid lãds be ſodeinly ſubdued in our ſaid realme & lands becauſe of ſuch debate, but ỹ they be warned, & proclamation therof publiſhed, ỹ they ſhall void the ſayd realme and landes with their goodes freely within forty daies after the warning & proclamation ſo made. And that in the meane time, they be not impeached nor let of their paſſage, or of making their profit of the ſame marchaundiſes, if they will ſell them. And in caſe that for default of winde, or of ſhip, or for ſickneſs or for other euident cauſe, they cannot auoid our ſaid realme & lands wõn ſo ſhort tyme, then they ſhal haue other xl. dayes or more if nede be, within which they may paſſe conuenably, with ſelling their marchaundiſe, as afore is ſaid. An 27. E. 3. cap. 17. ſtatut.

Marque

Proclamatiõ

40 daies warning

14 ¶ It is contayned in ỹ charter of our graundfather, graunted to the marchaunts ſtraungers, & by vs confirmed, that of marchaundiſes, which they ſhall bring into our ſayd realme and landes, and whereof iii. ỹ.

of the pound ought to be paied by ỳ ſaid marchants ſtrangers, accoꝛding to ỳ ſãe graũt, faith & credence ſhalbe geuen to thẽ vpon ỳ valour of the ſaid marchandiſes, by letters, which they may ſhew of the ſame goods of their loꝛds & cõpanions. And if they haueno letters, they ſhalbe beleued by their othe in this behalfe. And now of late it is done vs & our counſel to vnderſtand, by the cõplaint of ỳ ſaid marchants, ỳ albeit they haue letters teſtifying the valour of their marchãdiſes, the ſherife, Maioꝛs, bailifes, & miniſters of many places do cõſtraine thẽ to ſweare foꝛ ỳ ſaid marchandiſes, againſt the fourme of their ſaid charter, & neuertheleſs after ỳ othe made, enſeale their barrels, fardels, & bales, foꝛ which they haue made their othe, & the ſãe let lie iiii. oꝛ v. daies ſo enſealed, befoꝛe ỳ they will ſee ỳ ſame, & ſo they take away from the ſaid merchãts ỳ ſale of their goods to their great damage, we not willing that the marchants ſtrãgers, ỳ come with their marchandiſes into our ſaid realme & lands, foꝛ ỳ cõmon pꝛofit of ỳ ſame, ſhalbe in ſuch maner græued, wil, graunt, & ſtabliſh, ỳ the ſaid charter be holden, & ỳ the barrels, fardels, & bales, and the other goods of the ſayd marchauntes, foꝛ which they haue ſhewed their letters ỳ be not ſuſpicious, oꝛ made the othe as is cõtained in the ſame charter, immediatly after ỳ othe made, oꝛ ſuch letters ſhewed, their goods ſhalbe deliuered to them without delay, therfoꝛ to do their pꝛofit, wꝫout any thing taking of thẽ ouer the cuſtõe of iii. d. of the pound, ſo ỳ the ſherifes, Maioꝛs, bailifes, oꝛ other miniſters, ſhal medle no moꝛe of the ſame goods, vppon paine of impꝛiſonment, & to pay to ỳ party græued by this cauſe, his quatrebie damages, & as much to vs, & vpon ỳ ſame, right ſhalbe don in our chauncery at euery mans complaint An. 27. E. 3. ca. 26.

Letters

Oth

Sheriles

Impꝛiſon iii. damages

15 ¶ An. 37. E. 3. ca. 5. an act was made ỳ merchants ſhould vſe but one marchãdiſe, but it was repealed by 38. E. 3. ca. 2.

Repealed

16 ¶ Al maner of marchants as wel alyens as denizens, may ſel & buy al maner of marchandiſes, & frælỳ cary them out of this realme paying the cuſtões & ſubſidies therof due, except ỳ the Engliſh marchãts ſhall not paſſe out of this realme with wolle oꝛ woolfels. An. 38. E. 3. ca. 2.

Aliens Denizens

Cuſtomes

Wooll Woolfels

17 ¶ Al marchãts aliens, of what realms, coũtries, oꝛ ſeigniozies, ỳ they come which be of the amity of the kinge and of his Realme, may from hẽceforth ſafely and ſurely come within the realme of England, & in al manner cities, boꝛoughs, poꝛtes of the ſea, faires, markets oꝛ other places within the ſame realme within frãchiſe & without, & abide with their goods & al maner marchandiſes, vnder the ſafegard & pꝛotection of the king, as long as ſhall pleaſe them, without diſturbance oꝛ denying of any perſon. And that aſwel thoſe marchants aliens & denizens, & euery of them, that wil buy oꝛ ſell coꝛne, fleſh, fiſh, & al maner other victales & ſuſtenance, and alſo all maner of ſpiceries, fruite, furre, & all maner of ſmal wares, as ſilke, gold wier, oꝛ ſiluer wier, couerchieſes, & other ſuch ſmal wares, may from hence foꝛth, frælỳ & without denying, oꝛ any maner diſturbance, aſwel in ỳ citie of London, as in al cities, boꝛoughes, poꝛtes of the ſea, faires, markets, & other places within the realme, ſel & buy in groſſe & by parcels, to whom, & of whom them pleaſe, denizen oꝛ foꝛreine, except the kings enemies. Except ỳ al maner of wines, aſwel ſwete as other, ſhalbe ſold by the ſaid ſtraungers in groſſe, & by whole veſſels, as they be bꝛought into the realme, & not at retaile, by any in ỳ ſaid cities, boꝛoughes, & other townes franchyſed, but onely by ỳ inhabitants & frẽmen in the ſame. And as to al other great wares as cloth of Golde & ſiluer, ſilke, ſendal, napery, linnen clothe, canuas, & of other ſuch great wares, and alſo all maner of other great marchandiſes, not aboue exꝑeſſed, what ſo euer they be, from hencefoꝛth aſwel alyens as denizens, aſwell in the citie of London, as in other cities, boꝛoughes, poꝛtes of the ſea, townes, faires, markets, & els where thꝛough the ſaid Realme, within franchiſe & without, may ſel the ſame in groſſe to euery perſon foꝛreine oꝛ denizen, ỳ will buy the ſame frælỳ & without any denying (except to the kinges enemies) aſwell by the bale, cloth, oꝛ by the whole peces at theyr pleaſure, and not at retaile, vpon paine of foꝛfaiture of the ſame marchandyſes, but onely the citizens & burgeſes in their owne cities & boꝛoughes, & other good townes frãchiſed, to whom & to no none other ſtraũge marchant of their franchiſe, they may. And it ſhalbe laꝛwful to them wꝫout impech mẽt, to vnfold, vndo, & cut in ỳ ſame their pꝛoper cities & boꝛoughes, the great marchandiſes & other great wares afoꝛeſayd, and aſwell the ſame, as wines & their marchaundiſes, there to ſel in groſſe & at retail at their pleaſure, paying all the Cuſtomes & Subſidies due

Victaile

Spices Furres Silke Gold wyer

London

Groſſe Retaile

Wines

Freemen

Linnen cloth

Cuſtomes Maioꝛs Bailifes

Cities Faires Markets

Groſſe

Foꝛf.

Retaile Cuſtomes

due, notwithſtanding any ſtatuts, ordinances, charters, iudgements, allowances, cuſtomes, & vſages, made or ſuffered to ỹ contrarie: which Charters & franchiſes, if any there be, they be vtterly repealed & annulled as a thing made, vſed, or graunted againſt the common profit or oppreſſion of the people. Saving alwaies to Prelates & Lordes of the realme, wholy their liberties & fraũchiſes, that they may make their purueiances & buyinges of victuals, & of other their neceſſaries, as they were wont to do in old time, & ſauing that ỹ ordinances made before this time of the ſtaple of Calice, be holden in their force & vertue. And it is not the kings mind, ỹ the marchants ſtraungers, & denizens, ỹ wil buy & ſel their wools, woollfells, wares, cloths, iron, & other marchandiſes at faires & markets in the countrey, ſhould bee reſtrained or diſturbed by thys ſtatut, to ſel or buy freely, in groſſe or at retaile, as they were wont to do heretofore. And if it ſo happen, ỹ from henceforth diſturbance be made to any Marchant, alien or denizen, or other vppon the ſale of ſuch things, in citie, borough, towne, port of the ſea, or other place ỹ hath franchiſe, againſt the forme of this ordinance, & the Mayor, bailifes, or other that haue ỹ keeping of ſuch franchiſe, required by the ſaid marchants or other in their name, thereof to make remedy, do not the ſame, & therof be attainted, ỹ franchiſe ſhalbe ſeiſed into the kings hand. And neuertheles, they that haue done ſuch diſturbance againſt this ſtatut, ſhalbe holdẽ to reſtore & yelde to the plaintife his double damages that he hath ſuffered by this occaſion. And if ſuch diſturbãce be made to ſuch marchants, or to other in townes or places where no franchiſe is, & the Lord if hee be preſent, or his Bailife, Conſtable, or other wardein of the ſaid townes & places, in abſence of ỹ Lordes, therof required to do right & do not, & thereof be duely attainted, they ſhal yelde to the plaintife his double damages, as afore is ſaid, & the diſturbors in the one caſe & the other, aſwel wiñ franchyſes as without, if they be attainted, ſhall haue one peres impriſonment, & be raunſomed at ỹ kings wil. And it is ordeined & ſtablyſhed, ỹ the Chauncelor, Treaſorer, & Juſtices aſſigned to hold plees of the king, in the places where they come, ſhal diligently enquire of ſuch diſturbances & greuãces, & do puniſhment according as afore is ordeined. And neuertheles, the kinge ſhall aſſigne by Commiſſion certain people, where & when ſhall pleaſe him, to enquire of ſuch diſturbances and greeuances, and to puniſh the offendours in this partie, as before is ſayd. An. 2. R. 2. cap. 1.

Repealed

Staple

Woolles Woolfells Iron Faires

Maior Bailife

Franchiſes ſeiſed

1. Damages

Diſturbance

Conſtable

2. Damages

Impriſon

Chauncelor Treaſorer Juſtices

Enquire

18 ¶ Al Marchants of Jene, Venice, Cateloigne, Aragon, & other realmes, lands & coũtreis towards ỹ weſt, being of ỹ kings amitie, that will bringe to Hampton, or els where wiñ the realmes, carakes, ſhips, galeis, or other veſſels charged or diſcharged, may freely ſel their marchandiſes to whom pleaſe them, by ỹ maner as afore is ſayd, & there recharge their veſſels of woolles, leather, woolfels, tinne, & of other marchandiſes of ỹ ſtaple, & freely bring thẽ into their countrey towards ỹ weſt, paying at ỹ ports where they charge them, all maner of cuſtomes & ſubſidies, & other duties of Calice, as much as they ſhould pay, if they ſhould bring ỹ ſame marchandiſes to the ſtaple of Caleis, ſo ỹ they find ſufficient ſuerty, that they ſhal bring ỹ ſame ſo towards ỹ weſt, & to no place els where towards the Eaſt, but to the Staple of Calice, if percaſe they wil goe, vpon paine of the forfaiture or deined before this time. An. 2. R. 2. cap. 3.

Hampton

Woolles Leather Woolfelles Tynne

Cuſtome

Suertie

Fort.

19 ¶ Al maner of Marchants ſtrangers, of whatſoeuer nation or countrie they be, being of the amitie of the king & of his Realme, ſhalbe welcome, & freely may come wiñ the realme of England, & elswhere wõ in the kings power, aſwel within franchiſes as without, & there to be conuerſant, to marchãdiſe & tarry as long as them liketh, as thoſe whom our ſaid ſoueraigne Lord ỹ king, by the tenour hereof taketh into hys protection & ſafegard, with their goods, marchandiſes, & al maner familiars. And for ſo much the king wil & commaundeth, ỹ they & euery of them be wel, friendly, & marchãt like intreated & demeaned in al parts with in his ſaid realme & power, wõ their marchandiſes & al maner goods, & ſuffered to go & come, & into their proper countrey peaceably to returne, without diſturbance or impechment of any. An. 5. R. 2. cap. 1. Stat'.

8. Protection

20 ¶ The ſaid ſtatuts of An. 9. E. 3. ca. 1. 2. 3. (before 2. 3. 4.) & An. 25. E. 3. cap. 2. (before 7.) ſhalbe from henceforth firmely holden, kept, maintained, & fully executed in al ỹ points & articles of the ſame, notwithſtanding any ordinance, ſtatut, charter, letters patents, frãchiſe, proclamation, commãdement, vſage, allowance, or iudgemẽt made or vſed to the contrary, & that if any

Statutes

ſtatut, ordinaunce, charter, letters patents, frãchiſe, proclamation, commaundement, vſage, allowance, or iudgemẽt, be made or vſed to ẏ cõtrary, it ſhalbe vtterly repealed, anoied & holden for none. An. 11. E. 3. ca. 7.

Repealed

21 ¶ Marchants ſtraungers, repairinge into the realme of England, ſhalbe well & curteouſly & rightfully intreated, & gouerned in the ſaid realme, to the intent ẏ they ſhal haue the greater courage to repaire into the ſame. An. 14. R. 2. cap. 9.

22 ¶ No Marchant ſtraũger, ſhal alyen, ſel at retaile, nor buy, nor marchandiſe wỏin the realme, with an other ſtraũge marchãt alien, to ſel againe, nor ẏ no ſtraunge marchant alien, ſhal ſel to retaile wỏin the ſame Realme, nor ſhall put to ſale no maner of wares nor marchandiſes (except lininges & victails) & alſo ẏ al aliens ſhal ſel wines by whole veſſels, & ſpicery by whole veſſels & bales, & in no other maner. And ẏ no maner of ſpiceric, after ẏ it be brought into the realme, ſhalbe caried out of ẏ ſame realme, by alien nor by denizen, vpon paine of forfaiture of ẏ ſame. And moreouer the kyng will, ẏ the ſaid ſtatuts of An. 9. E. 3. cap. 1. (before 1.) & An. 25. E. 3. ca. 2. (before 7) & An. 11. R. 2. ca. 8. (before 20.) in al articles & points ſhalbe firmely holden & kept. An. 16. R. 2. cap. 1.

Alyen Retaile

Victailes wynes Spicery

Forf.

Statutz

23 ¶ The ſaid ſtatut of An. 2. E. 3 (which is in Staple 21.) ſhalbe holden and kept in all points and duly executed, notwithſtanding any ordinaunce or vſage to the contrary. An. 20. R. 2. ca. 4.

24 ¶ Al the Marchant ſtraungers & denizens, which bring marchandiſes into thys realme of England, & the ſame do ſel wỏin the realme, & receiue Engliſh mony for the ſame, ẏ they ſhal beſtow the ſame money, vpon other marchandiſes of Englãd, for to bring ẏ ſame out of the realme of England wỏout carying any golde or ſiluer in coyne, plate, or maſſe, out of the ſaid realme, vpon pain of forfaiture of ẏ ſame: ſauing alwaies their reaſonable coſtes. An. 4. H. 4. ca. 15.

Denizens

Money

Gold Siluer Forf.

25 ¶ All the Marchant ſtraungers, of what eſtate or condicion ẏ they be, cõming, dwelling, or repairing, wỏin the Realme of Englãd, ſhalbe intreated or demeaned wỏin the ſame realme, in ẏ maner, forme, & condicion, as ẏ Marchãts denizens be or ſhalbe intreated or demeaned, in ẏ parties beyond ẏ ſea, vpon pain to forf. to ẏ king, al ẏ goods & cattels of ſuch Marchants ſtrãgers, & vpon pain of impriſonmẽt of the body of ſuch

Jmpriſon

Marchant ſtraungers. An. 5. H. 4. ca. 7.

26 ¶ For the better keping of gold & ſiluer wỏin the Realme of England, & for the encreaſe of ẏ cõmodities of the ſaid realme. It is ordeined & ſtabliſhed. ẏ ẏ ſtatuts there of made at the laſt parliamẽt, ſhalbe holden & kept, & put in due execution, ioyned to the ſame, ẏ the Cuſtomers & Comptrollers of our ſoueraigne Lord the king, in al ẏ ports of England, ſhal take ſufficient ſuerties for al maner marchandiſes, brought by ẏ marchants aliens & ſtraungers, comming & repairing to the ſaid ports, to the intent ẏ the money taken for the ſaid marchãdiſes, ſhal be imploied vpon the cõmodities of the realme: Sauing their reaſonable coſtes, as in the ſame ſtatut more fully is cõtained. And moreouer it is ordeined & ſtabliſhed, that ẏ ſaid Marchants, aliens & ſtrangers, ſhal ſel their ſaid marchandiſes ſo brought wỏin the ſaid realme, within a quarter of a yere next after their cõming into the ſame. And alſo ẏ the money which ſhalbe deliuered by exchange in England, be imploied vpon ẏ cõmodities of the realme, wỏin ẏ ſame realm, vpon paine of forfaiture of ẏ ſame money. And ẏ no Marchant, alien or ſtrãger, ſel no maner of marchandiſe to any other Marchant alien or ſtranger, vpon paine of forf. of the ſame marchandiſe. And alſo it is ordeined & ſtabliſhed, ẏ in every citie, towne, & port of the ſea in England, where the ſaid marchants, aliens or ſtraungers be, or ſhal be repairing, ſufficiẽt hoſtes ſhalbe aſſigned to ẏ ſame Marchants, by ẏ Maior, ſherriſes, or bailifes, of the ſaid cities, townes, & ports of the ſea. And ẏ the ſaid Marchants, aliẽs & ſtrãgers, ſhall dwel in none other place, but with their ſaid hoſtes ſo to be aſſigned, & ẏ ẏ ſame hoſtes ſo to be aſſigned, ſhal take for their trauail, in ẏ maner as was accuſtomed in olde time. An. 5. H. 4. cap. 9.

Gold Siluer

Money

Exchange

Forf.

Forf.

Hoſtes Maior Sherrife Bailife

27 ¶ The ſaid ordinaunce of An. 5. H. 4. cap. 9. (before 26.) be vtterly void & annulled for euer. And that the ſame Marchants aliens and ſtraungers, bee at their liberall diſpoſition to ſell their marchandiſes in the maner, as they dyd before the making of the ſaid ordinaunce. Sauing alwayes the fraunchiſes & liberties of the Citie of London. And alſo prouided alwaies, that the ſaid Marchants, aliens and ſtraungers, ſhal not carry, nor do to bee carried out of the Realme, any marchandiſes brought within the Realme by the Marchants alyens and ſtraungers aforeſaid. An. 6. H. 4. ca. 4.

London

28 ¶ Where

28 ¶Whereas at the grevous cõplaint made by the cõmons it is shewed, how that in olde time it was vſed & accuſtomed, ẏ as wel ẏ clothmakers & cloth ſellers, of what ſoever places of the realme they were, repairing & hauing recourſe to the citie of London, as other marchants wᵗ diuers marchãdizes, as wine, yron, oyle, & ware, & other things pertaining to marchãdiſe, exerciſing repairing, & hauing recourſe to ẏ ſaid citie, hath bought & ſold in groſſe, aſwel with aliens as with denizens, of the clothes & other marchandiſes aforeſaid, at their wil & pleaſure, paying in this behalfe only the cuſtões & other deuoires therof reaſonably due, & neuer in al the ſaid time were diſturbed, or in any maner let to ſel or buy in groſſe with marchãts aliens, or denizens of ſuch cloths & marchandizes at their wil & pleaſure, but only to retaile, & now of late aſwel ẏ ſame clothmakers, as other ẏ marchants aforeſaid, by ẏ Maior, sherifs, aldermen, drapers & Marchants of London, be daily diſturbed & lett to ſel & buy in the maner aforeſaid, as wel in groſſe as in retail, & grevouſly & cõtinually conſtrained to ſel their ſaid clothes & marchandiſes only to ẏ marchants & inhabitãts of the ſaid citie, to ẏ ſinguler profit & aduãtage of thẽ of London, & aſwel of the dãmage & loſſe of the lords ſpiritual & temporal, & the cõmons of this realme, as of ẏ ſaid clothmakers & marchants ſo greeued, & an euident enſample, & occaſion to ſuch cloth makers & marchants ſo greeued, to wdraw themſelues from ẏ ſaid city from hẽceforth if remedy be not rather prouided in this behalf. It is ordeined & ſtabliſhed, ẏ aſwel the clothmakers & clothſellers, as other marchants, with their ſundry marchandiſes, as of wine, iron, oyle, & ware, & other thyngs pertaining to marchandiſe, ſhalbe free to ſel in groſſe their clothes, iron, oyle, & ware, & other their marchandiſes, aſwell to all the kings liege people, as to ẏ citizens of London, notwſtanding any franchiſe or liberty graunted to the contrary. An. 7. H. 4. ca. 9.

Clothiers

London

Clothſellers
Wyne
Iron
Oile
Ware
Groſſe ſale

29 ¶An. 4. H. 5. ca. 5. it is enacted, that the ſtatut of An. 5. H. 4. ca. 7. (before 25.) concerning the treating of Marchant ſtrãgers. And ẏ ſtatut of An. 5. H. 4. ca. 9. (before 26) concerning the hoſtes of marchãt ſtraungers, ſhalbe kept & put in execution.

30 ¶No Marchant alien ſhal conſtraine nor binde any of the kinges liege people, by promiſe, couenant, nor liege, to make hym payment in golde, for any maner of debt, which to him may be due, nor refuſe to receiue paymẽt in ſiluer for any maner of ſuch dutty or debt, vpon ẏ pain of double ẏ value of ẏ ſame. And alſo to eſchew ẏ great loſſes which diuers perſõs of this realme of England haue had, & alſo be likely ſo for to haue, for their loanes made of their marchãdiſes to marchants aliens, which haue fled wᵗ the ſãe, & daily take ſanctuaries: It is ordeined ẏ no Engliſhmã ſhal ſel wᵗin this realme, nor do to be ſold frõ henceforth to any marchant alien, any maner of marchãdiſes, but onely for ready payment in hand, or els in marchandiſes for marchandiſes, to be paid & contented in hand, vpon paine of forfayture of the ſame. An. 8. H. 6. cap. 24.

Siluer

Ready payment

Forf.

Gold

31 ¶An. 9. H. 6. cap. 2. it was enacted to endure at ẏ kings wil, ẏ Engliſh marchãts might ſel their cloths to merchant ſtrãgers vpon leding, fro 6. moneths to 6. moneths, notwſtanding ẏ ſtatut of An. 8. H. 6. c. 24.

Lend vi. Monethes

32 ¶An. 18. H. 6. ca. 4. an act was made to ẽdure for viij. yeres, concerning marchãt ſtraũgers to haue hoſtes & ſurueiors, & to ſel their wares within viij. moneths, & to imploy ẏ mony therof vpon Engliſh gwds &c. Se Cuſtome An. 20. H. 8. ca. 5. ẏ cuſtomers & other officers ſhal not occupy merchãdiſe.

Hoſtes
Surueyors
Money
Cuſtomers

33 ¶An. 27. H. 6. ca. 2. an act was made to endure to the nert parliament, againſt bringing of merchãdiſes, made or growing in the lands of the duke of Burgoine, except they reforme an ordinãce made againſt bttering of Engliſh clothes in his countrey.

34 ¶An. 27. H. 6. ca. 3. an act was made to endure to the nert parliament, for Marchant ſtraungers bringing in of victails, to imploy ẏ money vpon the cõmodities of ẏ realme, & not to cary out any money, gold, or ſiluer, received for any ſuch victailes.

Victailes

Money
Gold
Siluer

35 ¶An. 28. H. 6. ca. 1. an act was made to ẽdure for viij. yers, againſt bringing in of marchãdiſe, made or growing in ẏ Ilands of the duke of Burgoine, except he reforme an ordinaunce made, againſt bitteringe of Engliſh clothes in his countrey.

36 ¶See Extorcion 4. of Impoſitions & tares taken by Officers of Marchants, & of punishment for the ſame.

37 ¶An. 4. E. 4. cap. 5. it was enacted, ẏ no merchãdiſe made or growing in ẏ duke of Burgoins lands, & in other countries beyond the ſea, there named, ſhould be ſold or brought into England, vpon pain of forfature, vntil ẏ Duke of Burgoin ſhould make reformation of an ordinaunce that hee had

Forf.

ſtatut, ordinaunce, charter, letters patents, fraūchiſe, proclamation, commaundement, vſage, allowance, or iudgemēt, be made or vſed to ẏ cōtrary, it ſhalbe vtterly repealed, anoied & holden for none. An. 11. E. 3. ca. 7.

Repealed

21 ¶ Marchants ſtraungers, repairinge into the realme of England, ſhalbe well & curteouſly & rightfully intreated, & gouerned in the ſaid realme, to the intent ẏ they ſhal haue the greater courage to repaire into the ſame. An. 14. R. 2. cap. 9.

22 ¶ No Marchant ſtraūger, ſhal alyen, ſel at retaile, nor buy, nor marchandiſe wīn the realme, with an other ſtraūge marchāt alien, to ſel againe, nor ẏ no ſtraunge marchant alien, ſhal ſel to retaile wīn the ſame Realme, nor ſhall put to ſale no maner of wares nor marchandiſes (except lininges & victails) & alſo ẏ al aliens ſhal ſel wines by whole veſſels, & ſpicery by whole veſſels & bales, & in no other maner. And ẏ no maner of ſpiceric, after ẏ it be brought into the realme, ſhalbe caried out of ẏ ſame realme, by alien nor by denizen, vpon paine of forfaiture of ẏ ſaine. And moreouer the kyng wil. ẏ the ſaid ſtatuts of An. 9. E. 3. cap. 1. (before 1.) & An. 25. E. 3. ca. 2. (before 7) & An. 11. R. 2. ca. 8. (before 20.) in al articles & points ſhalbe firmely holden & kept. An. 16. R. 2. cap. 1.

Alyen Retaile

Victailes kynes Spicery

Forf.

Statuts

23 ¶ The ſaid ſtatut of An. 2. E. 3 (which is in Staple 21.) ſhalbe holden and kept in all points and duly executed, notwithſtanding any ordinaunce or vſage to the contrary. An. 20. R. 2. ca. 4.

24 ¶ Al the Marchant ſtraungers & denizens, which bring marchandiſes into thys realme of England, & the ſame do ſel wīn the realme, & receiue Engliſh mony for the ſame, ẏ they ſhal beſtow the ſame money, vpon other marchandiſes of Englād, for to bring ẏ ſame out of the realme of England wout carying any golde or ſilver in coyne, plate, or maſſe, out of the ſaid realme, vpon pain of forfaiture of ẏ ſame: ſauing alwaies their reaſonable coſtes. An. 4. H. 4. ca. 15.

Denizens

Money

Gold Silver Forf.

25 ¶ All the Marchant ſtraungers, of what eſtate or condicion ẏ they be, cōming, dwelling, or repairing, wīn the Realme of Englād, ſhalbe intreated or demeaned wīn the ſame realme, in ẏ maner, forme, & condicion, as ẏ Marchāts denizens be or ſhalbe intreated or demeaned, in ẏ parties beyond ẏ ſea, vpon pain to forf. to ẏ king, al ẏ goods & cattels of ſuch Marchants ſtrāgers, & vpon pain of impriſonmēt of the body of ſuch Marchant ſtraungers. An. 5. H. 4. ca. 7.

Impriſon

26 ¶ For the better keping of gold & ſilver wīn the Realme of England, & for the encreaſe of ẏ cōmodities of the ſaid realme. It is ordeined & ſtabliſhed. ẏ ẏ ſtatuts there of made at the laſt parliamēt, ſhalbe holden & kept, & put in due execution, ioyned to the ſame, ẏ the Cuſtomers & Comptrollers of our ſoueraigne Lord the king, in al ẏ ports of England, ſhal take ſufficient ſurties for al maner marchandiſes, brought by ẏ marchants aliens & ſtraungers, comming & repairing to the ſaid ports, to the intent ẏ the money taken for the ſaid marchādiſes, ſhal be imploied vpon the cōmodities of the realme: Sauing their reaſonable coſtes, as in the ſame ſtatut more fully is cōtained. And moreouer it is ordeined & ſtablished, that ẏ ſaid Marchants, aliens & ſtrangers, ſhal ſel their ſaid marchandiſes ſo brought wīn the ſaid realme, within a quarter of a yere next after their cōming into the ſame. And alſo ẏ the money which ſhalbe deliuered by exchange in England, be imploied vpon ẏ cōmodities of the realme, wīn ẏ ſame realm, vpon paine of forfaiture of ẏ ſame money. And ẏ no Marchant, alien or ſtrāger, ſel no maner of marchandiſe to any other Marchant alien or ſtranger, vpon paine of forf. of the ſame marchandiſe. And alſo it is ordeined & ſtabliſhed, ẏ in euery citie, towne, & port of the ſea in England, where the ſaid marchants, aliens or ſtraungers be, or ſhal be repairing, ſufficiēt hoſtes ſhalbe aſſigned to ẏ ſame Marchants, by ẏ Maior, ſherifes, or bailifes, of the ſaid cities, townes, & ports of the ſea. And ẏ the ſaid Marchants, aliēs & ſtraūgers, ſhall dwel in none other place, but with their ſaid hoſtes ſo to be aſſigned, & ẏ ẏ ſame hoſtes ſo to be aſſigned, ſhal take for their trauail, in ẏ maner as was accuſtomed in olde time. An. 5. H. 4. cap. 9.

Gold. Siluer.

Money

Exchange

Forf.

Forf.

Hoſtes Maior Sherife Bailife

27 ¶ The ſaid ordinaunce of An. 5. H. 4. cap. 9. (before 26.) be vtterly void & annulled for euer. And that the ſame Marchants aliens and ſtraungers, bee at their liberall diſpoſition to ſell their marchandiſes in the maner, as they dyd before the making of the ſaid ordinaunce. Sauing alwayes the fraunchiſes & liberties of the Citie of London. And alſo prouided alwaies, that the ſaid Marchants, aliens and ſtraungers, ſhal not carry, nor do to bee carried out of the Realme, any marchandiſes brought within the Realme by the Marchants alyens and ſtraungers aforeſaid. An. 6. H. 4. ca. 4.

London

28 ¶ Where

28 ¶Whereas at the grēuous cōplaint made by the cōmons it is ſhewed, how that in olde time it was vſed & accuſtomed, ẏ as wel ẏ clothmakers & cloth ſellers, of whatſoeuer place of the realme they were, repairing & hauing recourſe to the citie of London, as other marchants wᵗ diuers marchādizes, as wine, yron, oyle, & ware, & other things pertaining to marchādiſe, exerciſing repairing, & hauing recourſe to ẏ ſaid citie, hath bought & ſold in groſſe, aſwel with aliens as with denizens, of the clothes & other marchandiſes aforeſaid, at their wil & pleaſure, paying in this behalfe only the cuſtōes & other deuoires thereof reaſonably due, & neuer in al the ſaid time were diſturbed, or in any maner let to ſel or buy in groſſe with marchāts aliens, or denizens of ſuch cloths & marchandizes at their wil & pleaſure, but only to retaile, & now of late aſwel ẏ ſame clothmakers, as other ẏ marchants aforeſaid, by ẏ Maior, cherifs, aldermen, drapers & Marchants of London, be daily diſturbed & lett to ſel & buy in the maner aforeſaid, as wel in groſſe as in retail, & grēuouſly & cōtinually conſtrained to ſel their ſaid clothes & marchandiſes only to ẏ marchants & inhabitāts of the ſaid citie, to ẏ ſinguler profit & aduātage of thē of London, & aſwel of the dāmage & loſſe of the lords ſpiritual & temporal, & the cōmons of this realme, as of ẏ ſaid clothmakers & marchants ſo grēued, & an euident enſample, & occaſion to ſuch clothmakers & marchants ſo grēued, to withdraw themſelues from ẏ ſaid city from hēceforth if remedy be not rather prouided in this behalf. It is ordeined & ſtabliſhed, ẏ aſwel the clothmakers & clothſellers, as other marchants, with their ſundry marchandiſes, as of wine, iron, oyle, & ware, & other thyngs pertaining to marchandiſe, ſhalbe frée to ſel in groſſe their clothes, iron, oyle, & ware, & other their marchandiſes, aſwell to all the kings liege people, as to ẏ citizens of London, notwithſtanding any franchiſe or liberty graunted to the contrary. An. 7. H. 4. ca. 9.

Clothiers

London

Clothſellers
Wyne
Iron
Oile
Ware
Groſſe ſale

29 ¶An. 4. H. 5. ca. 5. it is enacted, that the ſtatut of An. 5. H. 4. ca. 7. (before 25.) concerning the treating of Marchant ſtrāgers. And ẏ ſtatut of An. 5. H. 4. ca. 9. (before 26) concerning the hoſtes of marchāt ſtraungers, ſhalbe kept & put in execution.

30 ¶No Marchant alien ſhal conſtraine nor binde any of the kinges liege people, by promiſe, couenant, nor liege, to make hym payment in golde, for any maner of debt, which to him may be due, nor refuſe to receiue paimēt in ſiluer for any maner of ſuch dutty or debt, vpon ẏ pain of double ẏ value of ẏ ſame. And alſo to eſchew ẏ great loſſes which diuers perſōs of this realme of England haue had, & alſo be likely ſo for to haue, for their loanes made of their marchādiſes to marchants aliens, which haue fled wᵗ the ſāe, & daily take ſanctuaries: It is ordeined ẏ no Engliſhmā ſhal ſel wᵗin this realme, nor do to be ſold frō henceforth to any marchant alien, any maner of marchādiſes, but onely for ready payment in hand, or els in marchandiſes for marchandiſes, to be paid & contented in hand, vpon paine of forfaiture of the ſame. An. 8. H. 6. cap. 24.

Siluer

Ready payment

Forf.

31 ¶An. 9. H. 6. cap. 2. it was enacted to endure at ẏ kings wil, ẏ Engliſh merchāts might ſel their cloths to merchant ſtrāgers vpon leding, fro 6. moneths to 6. moneths, notwithſtanding ẏ ſtatut of An. 8. H. 6. c. 24.

Lend vi. Monethes

32 ¶An. 18. H. 6. ca. 4. an act was made to ēdure for vij. yeres, concerning marchāt ſtrāgers to haue hoſtes & ſurueiors, & to ſel their wares within vij. moneths, & to imploy ẏ mony therof vpon Engliſh gods &c. Se Cuſtome An. 20. H. 8. ca. 5. ẏ cuſtomers & other officers ſhal not occupy merchādiſe.

Hoſtes
Surueyors
Money
Customers

33 ¶An. 27. H. 6. ca. 2. an act was made to endure to the nert parliament, againſt bringing of merchādiſes, made or growing in the lands of the duke of Burgoine, except they reforme an ordināce made againſt vttering of Engliſh clothes in his countrey.

34 ¶An. 27. H. 6. ca. 3. an act was made to endure to the nert parliament, for Marchant ſtraungers bringing in of victails, to imploy ẏ money vpon the cōmodities of ẏ realme, & not to cary out any money, gold, or ſiluer, receiued for any ſuch victailes.

Victailes
Money
Gold
Siluer

35 ¶An. 28. H. 6. ca. 1. an act was made to ēdure for vij. yers, againſt bringing in of marchādiſe, made or growing in ẏ Ilands of the duke of Burgoine, except he reforme an ordinaunce made, againſt vtteringe of Engliſh clothes in his countrey.

36 ¶See Extorcion 4. of Impoſitions & tares taken by Officers of Marchants, & of puniſhment for the ſame.

37 ¶An. 4. E. 4. cap. 5. it was enacted, ẏ no merchādiſe made or growing in ẏ duke of Burgoins lands, & in other countries beyond the ſea, there named, ſhould be ſold or brought into England, vpon pain of forfaiture, vntil ẏ Duke of Burgoin ſhould make reformation of an ordinaunce that hee had

Gold

Forf.

made,for banißhing of engliſh cloths out of his coũteris: This act to endure at ẏ kings will: Saving the liberties of the Stilyard. Stilyard

38 ¶An.4.E.4.ca.6.an act was made to endure to the next parliament,cõcerning Cuſtomers & Comptrollers,to take ſuerty of Marchant ſtrãgers,for imploying of the money that they ſhould receyue for theyr marchandiſes,vpon Engliſh cõmodities. Cuſtomers Cõptrollers Suertie Money

39 ¶No Marchant borne ſubiect of our ſaid ſouereigne Lord the king, denyzen nor ſtrãger,nor other perſon,after ẏ feaſt of S. Michael tharchangell next comming, ſhall bring,ſend,nor cõuey,nor do to be brought, ſent,nor cõueied into this Realme of England,& ſeignorie of wales,any of theſe chaffers or wares vnder writtẽ,ẏ is to ſay,any woollen cappes,woollen cloths,laces,corſes, ribands,frenges of ſilke & of threed,laces of threed,ſilke twined,ſilke in any wiſe embroyded,laces of gold,of ſilke or gold,ſadels, ſtirops,or any harnets pertaining to ſadels, ſpurres, bolles for bridels, & lyron gredyrons,any maner of lockes,hammers, pinſors,fire tonges,drippingpans, dyce,tenes balles, points,purſes, gloues, girdels,harneis for girdels of yron,laten, ſtyle,tinne, or of alkemine, any thing wrought of any tawed leather, any tawed furres, baſkins, ſhoes,galoches,or corbes,knines,daggers, woodknines,borkins, ſheres for Taylors, ciſſors,rasers, cheſſemen, playing cardes, combes,pattins,packnedels , and painted ware,forcers,caſkets,ringes of copper, or of laten gylt,chaffingdiſhes, hanging candelſtyckes , chaffingbalies , ſacringbelles, ringes for curtains,ladels,ſcommers,coũterfait balyns,ewers,hatts,brushes,cardes for wool,or any white wyer,or any of thoſe wares or chaffers,to be bitered & ſold with in ẏ ſame realme of England,or in ẏ countrey of Wales,by way of marchandiſe,vpon paine to forfait ẏ ſãe marchandiſes at every time,& as often as they may be found in the hands of any perſon or perſons to be ſolde. The one halfe of ẏ ſame forfaiture to be paid to ẏ vſe of our ſouereigne Lord the king,& the other half to him which wil firſt ſeiſe ẏ ſame for the king: The ſame halfe ſo ſeiſed for our ſouereigne Lord ẏ king, to be deliuered by the ſaid ſeiſor therof to ẏ eſchetor of ẏ countrey or place where the ſãe ſeiſin ſhalbe by indenture betwirt thẽ made, duely to anſwere therof in his accompt. Prouided alwaies, ẏ if any of ẏ ſaid wares or chaffers, made out of this land,be taken vpon the ſea without fraude or colluſion,or cõmeth into this realme of Englãd,or in ẏ countrey of Wales,by way of wreck, that thoſe be in no wiſe takẽ vpõ this ordinance or ſtatut,but ẏ they may be ſolde vpõ this realme of England or wales,this ordinãce or ſtatut notwſtanding. Prouided alſo, ẏ al wares & chaffers, made & wrought in ẏ lãd of Irelande or wales,may be brought & ſold in this Realme of England, as they were wont,before the making of this ſtatut,this ordinãce or ſtatut notwſtanding. Alſo our ſouereigne Lord ẏ king, hath ordeined & eſtabliſhed by thaſſent & authoritie aforeſaid, ẏ the Maſters & wardens for ẏ time being, of euery craft & miſterie, in euery city, borough,towne,& village,wher any ſuch craft or miſtery is vſed or occupied, ſhal haue ſufficient power & authoritie,in euery ſuch citie,towne,borough, & village, where they for ẏ time being , ſhalbe wardens or Maſters of any ſuch craft or miſterie. And the Maior of ſuch citie,borough, towne,or village for ẏ time being,if any Maior be, or ẏ baſtils or baſtile of any ſuch citie,borough, towne,or village,for the time being, if any baſtils or baſtil there be,& no Maior or Serteant,or any other officer to thẽ aſſigned by ẏ ſaid Maior,baſtiles or baſtil,in euery ſuch citie,borough,towne,& village,where any ſuch craft or Miſterye is vſed or occupied, where no ſuch maſters nor wardẽs of any ſuch craft or miſterie be , ẏ the Maſters or wardens of ẏ crafts & miſteries of the city, towne,borough,or village,next adioyning to ẏ ſame. And ẏ Cõſtable of ſuch city, borough,towne,or village,ſhal haue power & authority,to ſearch in their owne craftes & miſteries,& in al other craftes & miſteries, bearing by way of ſale any ſuch chafers,as wel wõin cities,boroughes,townes,& villages of ẏ ſãe realme of Englãd,& of ẏ coũtry of wales,as wõin the liberties & frãchiſes of ẏ ſame cities,boroughs,townes & villages, at all times reaſonable by their diſcretion at faires & markets,ſhops open,& warehouſes,al maner wares,chafers,& marchandiſes,pertainig to euery of their proper crafts & miſteries, which ſhalbe made by any alie artificer man or woman, or any other perſon or perſons wõin the ſãe realme of England or wales,or which at any time ſhalbe occupied by any of ẏ ſaid crafts or miſteries in whoſe hands ſoeuer they may be found. Prouided alſo, ẏ the ſaid maſters, wardẽs, and other named in the ſaid ordynaunce,to be ſearchers , ſhall not enter in any place, exempt

Wares made beyond Sea

Wales

Forſt.

Moore

Wrecke

Ireland

Wardens

Maior

Baillis

Officers

Faires Markets

Serchers

Places priuileged

exempt by priuiledge, franchiſe or cuſtome to make in ỳ ſãe any ſearch as is aforeſaid, but by the ſurueying of ſome officer of euery ſuch place ſo exempt, where any ſuch ſearch ſhal happen to be made. And if the ſaid ſerchors by ỳ ſaid ſearch do find ỳ ſuch chaffers ware, or marchandiſes, or any part therof, be not pure, lawful & able chaffers wares or marchandiſes, & rightfully wrought & made as they ought to be, & ỳ duly proued: ỳ thẽ it ſhalbe lawful to ſuch ſearchors to take & ſeiſe alſuch chaffers, wares & marchãdiſes, which ſhal ſo be foũd not good pure lawful or able: not rightfully wrought, as a thing forfayt.

Ayde

Forf. Moitie

The one halfe of the ſame forf, to be paid to thuſe of our ſaid ſoueraigne Lord ỳ king, & ỳ other halfe therof to ſuch maiſters or wardens, which ſo ſhal make ſearch & finde the ſame. And ỳ this preſent ordinance or ſtatut concerning the ſaid artificers ſtand & be in his force as long as ſhal pleaſe our ſoueraigne Lord the king. Prouided alwaies ỳ this ordinance & act nor none other ordinãce or act, made or to be made in this preſent parliament, ſhal not extend nor in any wiſe be preiudicial or hurtful to Robert Stillington clerke, Deane of the frée chappell of our ſoueraigne lord ỳ king of ſ. Martin ỳ graũd of London, nor to his ſucceſſors of the ſayd chappell hereafter for the time being in any maner, nor to the ſayd Robert, Deane & chapiter of the ſame chapell, as in & for all manner priuiledges, liberties fraunchiſes, rights & cuſtomes, in any maner partaining to them before this parliament. Nor to any perſon or perſõs dwelling or inhabiting, or which ſhal hereafter inhabit & dwel within the ſanctuary & precinct of ỳ ſame chapell, & eſpecially within the lane, cõmonly called S. Martins lane. An. 3. E. 4. cap. 6.

S. Martin

Franchiſes

Sanctuary

Alien Vitailer

40 ¶ Euery merchant alien, & euery vitailer & other ſtrãger not being denizen, which ſhal reſort into any place or port of this realme, or wales after ỳ ſaid feaſt of Eaſter, ſhal duely employ al ỳ mony to be receiued by him within any part of ỳ ſame realme or wales, vpon ỳ marchandiſes or other cõmodities of this realme, or wout any fraud he ſhal put the ſame in due payment to the kings leige people win this realme, ỳ ſame imployment in payment duly to be proued by ỳ marchant alien vitailer or other ſtrãger before his departing out of ỳ ſame port, by writing to ſuch marchant or marchants to whom ỳ ſaid marchaunt alien vitailer or other ſtraunger hath employed or payd his money, by him receiued for his marchandiſes brought into this land, witneſſing ỳ he hath ſo done by ſuch perſones as ſhal ſeeme reaſonable to ỳ cuſtomer or cõptroller of ỳ ſame port, & Maior, bailife, or other chief gouernor of any ſuch citie, borough, or towne, where ſuch Port ſhalbee, vppon payne of forfaiture of al his goods being within thys realme, & to haue one yeres imprizonmẽt. Sauing alwaies to euery ſuch marchaunt vitailer, & ſtraunger, his reaſonable coſts by the ouerſight of ỳ ſaid chiefe gouernor of ỳ Port or place wher ſuch marchant vitailer, or ſtranger ſhal arriue. The ſame forfeiture to be deemed, iudged, executed, & departed in like maner & forme, by like actions, proces, & executiõ, as is limitted of other forfaitures in this act before declared. And becauſe that many forfaitures touching ỳ aforeſaid ſtatuts made before this time hath fallen before the ſayd feaſt of Eaſter, & by likelyhood wil more fal by perſõs doubting to offend & breake ỳ law, which perſons ought by reaſon to be puniſhed in diſcouraginge of other hereafter to offend: It is ordeined by ỳ authority aforeſaid, ỳ ỳ Juſtices of peace ſhal haue power to heare & determine al maner defaults & forfaitures touching euery of the premiſſes had or done before ỳ feaſt of Eaſter next enſuing, to be had & done againſt ỳ forme of any ſtatut before this time therof made. The ſame forf. & euery of them to be iudged, deemed & departed in like manner & forme by like action, proces, & execution, as before is limitted & declared, of & for the ſaid forfaitures before rehearſed in this preſent act & ordinãce. Prouided alwaies, ỳ this act extẽd not to any Embaſſador or other ſtrãger, cõmen or to come into this realme, or to paſſe out of ỳ ſame by ỳ kings licence, as for any mony of gold & ſiluer, plate or veſſel or Jewel, or any ornament of ſiluer or gold concerning his perſon, brought by him into this realme, or to any Embaſſadour of the kings, Herauld, Purſeuant or Meſſenger, which ſhal paſſe out of this realme beyond ỳ ſea by ỳ kings licence, or to any marchaunt goynge ouer the ſea to buy any wine to be brought into this Realme, as for to carry wt him only a little cup called a taſter for wine. Prouided alſo, ỳ this act extend not to any of thinhabitants, denizens or ſtraungers to come or go to & from the towne of Caleys or the marches of the ſame, nor to ỳ dwellers and trauaylers of the ſame, for any money by them or any of them to bee conueied or caried to any place or country out of the

Certifie

Forf. Impriſon

Juſt. of pes Oier & ter.

Judgement

Embaſſadours

Money Plate Jewels

Herauld

Caleys

of ỳ ſaid towñ & marches, other then ỳ mo-
ney of this realme, or mony of other coun-
tries to be caried out of this realme. And to
the intent ỳ due notice may be hereof had to
the kings leige people in this party, letters
Proclamatiõ of proclamation vnder ỳ kings ſeale vppon
this ordinance ſhalbe made to every coũtie
of this realme & other places neceſſarie in
al good haſt. This ordinãce to endure from
the ſaid feaſt of Eaſter, til thend of 7. yeres
thẽ nert following. Prouided alſo ỳ this act
as for the part of any forf. conteyned in the
ſame, which mapperteine to ỳ king, ſhal not
extẽd to geue him any ſuch part of ſuch for-
forfeiture to be had or made wõin the princi-
Wales Cornewall Cheſter palitỳ of Wales, ỳ duchy of Cornewal, nor
the Earledome & counties Palantines of
Cheſter & Flynt, nor any of thẽ. Alſo it is
ordeined by the authority aforeſaid, ỳ the
Prince of wales noble & excellent prince Edw. ỳ kinges firſt
begotten ſonne, prince of Wales, Duke of
Cornewall, & Earle of Cheſter, ſhall haue,
perceiue & enioy, & to his heires princes of
wales, dukes of Cornwal, & Earle of Chel-
ter being ỳ firſt begotten ſõnes of ỳ king of
Forf. England, al & every ſuch part of forfaitures
which ſhalbe made or forf. wõin the ſaid prin
cipality, Duchy, Earledome, counties, pa-
lantines or any parcel of any of thẽ, in as
ample & large forme as the kinge ought or
may haue ſuch part of forfaiture, in any o-
ther place by reaſõ of any other act made in
this parliamẽt: any act made or to be made
in this preſent parliament to ỳ cõtrary not
withſtanding. Prouided alſo ỳ this act for ỳ
deuiſion & partition of any forf. therein con-
tained, ſhall not extend to or for any forfay-
ture to be had or made within ỳ liberties or
Durham franchiſes of Williã Biſhop of Durham.
And it is ordeyned by the ſayd authori-
tie, that William Biſhop of Durham and
his ſucceſſors biſhops of Durham, ſhal haue
al ſuch particions & forfaytures which ſhall
happen within the ſaid liberties & franchi-
ſes, in as ample & large forme as the kinge
ſhoulde or ought to haue in any other place
by force of this act. Prouided alwayes that
this act, nor none other act or ſtatut made
or to be made in this preſent parliamẽt, ſhal
extend to be preiudicial or hurtful to ỳ abbot
Abbot of Weſtm. of the monaſtery of Weſtm. for the time
being, or to the Abbot & conent of the ſame
monaſterie for the time beinge, nor to any
perſon for ỳ time dwelling reſeant or being
within the ſame monaſterie, or within any
place perteininge to ỳ ſame monaſterie, or
within any place wõin ỳ precinct fee or frã-
chiſe of the ſaid abbot or of ỳ ſayd conent, or
to any of the rights, priuileges, liberties, frã
chiſes, immunities or other thing graunted
by the king or by any of his progenitors or
poſſeſſors of the royal eſtate & Crowne of
England, to ỳ abbot & conent of ỳ ſaid mo-
naſterie & their ſucceſſours ioyntlye or ſeue-
rally in any maner heretofore perteining.
Prouided alſo ỳ the abbot of ỳ ſaid monal-
tery & conent of the ſaid monaſterie, & their
ſucceſſors, ſhal haue hold & enioy freely and
effectually, al ỳ ſaid rights, liberties, priuile- Libertes
ges, & fraunchiſes, immunities, and al other
things in forme aforeſaid to thẽ grãted,
by whatſoeuer name or names they be na-
med or called, ioyntly or ſeuerally in any let-
ters or writing therupon made, any act or
ordinãce made or to be, in other maner or
thing to ỳ contrary not wõſtanding. Prouid-
ed alwaies ỳ this act nor nõe other act or-
dinãce or ſtatut made or to be made, in this
parliamẽt, ſhalbe in any wiſe preiudicial or
hurtful to ỳ Deane for ỳ time being of the
kings free chapel of S. Martins le graund in S. Martins
Londõ, nor to ỳ Dean & chapter for ỳ time
being of the ſame chapel, nor to any perſõ or
perſons for the time dwelling reſiant or be-
ing wõin the ſãe chapel, or within any place
or places wõin the precinct fee or franchiſe of
the ſaid Deane, or Deane & chapter. Nor to
any of ỳ ſaid rights, priuileges, liberties, frã
chiſes, immunities, or other thinges by the
king or by any of his progenitors predece-
ſors, or poſſeſſors of ỳ royal eſtate & crowne
of England, to the deane & chapter of ỳ ſaid
chappel & their ſucceſſors iointly or ſeuerally
in any manner graunted or in any man-
ner heretofore perteining. And alſo prouid-
ed that the deane of the ſaid chapel & deane
& chapiter of the ſaid chapel, haue, hold, & en-
ioy, entierly freely & effectually, al ỳ rights,
priuileges, liberties, franchiſes, immunities
& al other things in forme aforeſaid to them
graũted by whatſoeuer name or nams they
be named or called, iointly or ſeuerally in a-
ny letters or writing thereupon made, any
act, ordinãce or ſtatute, made or to be made
in any other maner or thing to the cõtrary
notwithſtanding. An. 17. E. 4. ca. 1.

41 ¶ An. 1. R. 2. ca. 9, an act was made ỳ
marchãts of Italy ſhould ſel their marchã- Italians
diſes wõin 8. moneths & employ the money Money
vpõ Engliſh marchandiſes, & ỳ no marchãt
ſtranger, ſhould boſt or ſojorne wt any ſtrã-
ger of another countrey &c. vpõ a penalty, &

there

there is articles againſt buying of wol and cloth &c. And An.1.R.3.ca.8. is a part of an act againſt ſtraũgers for buying of wolls, but as much of theſe two acts, as concerne thoſe matters be repealed by.1.H.7,ca.10.

Woolles

42 ¶ No merchant ſtraunger, after ỳ feaſt of Eaſter next cõming, ſhal bring into this realme of Englãd to be ſold, any maner girdles, nor no harneis wrought for girdles, points, leather laces, purſes, powches, pins, gloues, knives, hangers, tailors theres, ſyſors, aundirons, cobbards, tonges, fireforks, gredirons, ſtocklockes, keies, henges & garnets, ſpurres, peinted glaſſes, peinted papers peinted forcers, peinted ymages, peynted clothes, beatẽ gold, or beaten ſilver wrought in papers for peintors, ſaddles, ſaddletrees, horſharneys, bottes, bittes, ſtrops, bocles, cheines, laton nailes vpõ yron chaunkes, turners, hanging cãdelſticks, holy water ſtops, chafingdiſhes, bãging lauers, curtein rings, cardes for woll, Roane cardes, claſpes for garmẽts, ſheeres, buckles for ſhoes, brooches belles, hawkes belles, except tinnen & leaden ſpoones, liter of laton & iron, Iron candelſticks, grates, hoznes for lãterns, or any of ỳ ſaid wares made & wrought parteining to the crafts above ſpecified, or any of them vpõ paine to forfeit al ỳ ſaid wares ſo brought into this realme cõtrary to this act, or ỳ value of the ſame, in whoſe hands they or any of thẽ ſhalbe founde. The one halfe of ſuch fines & forfeit to be to the king, & ỳ other halfe to him or thẽ ỳ ſhal ſeiſe or purſue for ỳ ſãe by action of debt, by writ, or bil at ỳ cõmon law, or by bill or plaint after the cuſtome of the city or towne where any ſuch fines forfaitures & penalties ſhal hereafter happẽ to be or fal. And ỳ the defendant in ſuch action be not admitted to wage his law: For ỳ any protection or eſſoine in the kings ſeruice ſhalbe allowed in the ſame for any ſuch defendant. An,1.R.2.ca.12.

Foreine Wares

Forf.

Moitie

43 ¶ Except reſerued only to ỳ king to be at liberty, to haue & enioy al maner ſeiſors, forfaits & penalties in ỳ ſaid acts (s. An.1.R.3.ca.8.9. before 41.) ſpecified. And ỳ it ſhall be lawful to ỳ king to graũt to ỳ ſaid beſeechers, marchãts of Italy, his letters of ſafe conduct & letters patẽts ſurely to be enioyed according to the tenours therof, ỳ aboueſaid act and acts not withſtandinge, in as ample wiſe as though they had neuer bene had nor made, An.1.H.7.cap.10.

Forf.

Safe conduit

44 ¶ The ſaid act made ỳ 17. yere of king Ed. ỳ 4.s.ca.1. before 40. wherin al things compriſed in ỳ ſame touching the prentices (s. in the ſaid act of 17.E.4.ca.1. before 40) & euery proviſion made in the ſame, be good, effectual & to endure for euer. Alſo it is enacted by ỳ ſaid auctority ỳ euery marchãt of Ireland, Jenella, & Garnela, that bringeth any marchandiſe into this realme, ſhal employ ỳ mony receiued for ỳ ſame marchãdiſe (his reaſonable expences deducted) vpon ỳ commodities of this land, or els without fraud put the ſame mony in due payment within this realme. The ſaid employment or payment to be proued as is afore (s. in the ſaid act of 17.E.4.ca.1. before 40.) vpon paine of forf. of the value of the marchaundiſe ſo brought into this lãd. And it is ordeined by the ſaid auctority ỳ euery cuſtomer or cõtroller ſhal take ſufficiẽt ſuerty, for euery of ỳ ſaid merchants, vitailer or other ſtraũger, to employ the value of the ſãe marchandiſe, or to put ỳ ſame mony for ỳ marchandiſes receiued in due payment (his reaſonable expences alway deducted) vpon paine of forf. of the value of the ſame marchandiſes, the one halfe of the ſaid forfaiture to the kinge, the other halfe to the party that wil ſue. This to beginne and take effecte at the feaſt of Chriſtmas next cõming. An.3.H.7.ca.8.

Money

Forf.

Cuſtomes

Forf.

Moitie

45 ¶ Euery Engliſh man being the kings true liege man frõ henceforth haue frẽ paſſage, reſort, courſe, and reccurſe into ỳ ſaid coaſts of Flaũders, Holland, Scland, Brabant, or other places therto nigh adioining, vnder thobeyſãce of ỳ ſaid Archduke, to the martes there hereafter to be holden, wt his or their marchãdiſes, goods & wares, ther to buy & ſel & make their exchãges frely, at his or their pleaſure wout exaction, fine, impoſition, extorcion, or contribution to be had, leuied, taken or perceiued of thẽ, or of any of thẽ to for or by any Engliſh perſon or perſõs, to his or their own vſe, or to the vſe of ỳ ſaid fraternity or felowſhip, or of any other like, except only x. marks ſterling. And ỳ no perſon Engliſh as is afore rehearſed, hereafter, take to his owne vſe, or ỳ vſe of ỳ ſaid fraternity or felowſhip there of, any other engliſh perſõ, of what eſtate, degree or cõdicion ỳ he be of (ſo alway ỳ he be ỳ kings true liege man) any fine, exaction, impoſition or contribution for his libertie or freedome to buy & ſel any goods, wares, or marchaundiſes, in or at any of the ſaid marts more or aboue the ſũme of x. markes ſterling only, vppon paine of forf. to our ſaid ſouereigne lord for euery time ỳ he doth the cõtrary of this act xx.li. & alſo to forfait to ỳ party greued in

Marts

10. Markes

Felowſhip

Fine

Forf.

ned in this behalf x. times ſo much as he cõtrary to this preſent act taketh of him. And ỹ the ſaid parties ſo greeued ſhalhaue in this behalfe an actiõ of debt for ỹ ſaid forf. of x. times, in any of ỹ kings courts within this realme, by writ, bil, plaint, or informatiõ. And ſuch proces to be made in the ſame, as is & ought to be made in or vpon an action of debt, at the cõmon law, & ỹ trial therof to be had in ſuch ſhire Citie, Towne or place where the ſaid action is cõmenced or ſued. And ỹ the defendant in any ſuch action be not admitted to wage his law, nor none eſſoigne or protection be for ſuch defendaunt admitted or allowed in ỹ behalfe. An. 12. H. 7. cap. 6.

Action of debt

Proces

46 ¶ An. 26. H. 8. cap. 10. it is enacted ỹ the king during his life might by proclamation by his letters patents, aſwel repeale ỹ act made An. 23. H. 8. ca. 7. for ỹ bringing in of wines, & al ſtatutes made ſince ỹ beginning of ỹ parliamẽt for ỹ reſtreint of Engliſh marchãdiſes to be caried out of this realme, & for the reſtreint of outward marchãdiſes to be brought into this realme, as alſo reuiue thoſe ſtatuts &c.

Proclamatiõ L. patents

47 ¶ That it ſhal not be lawfull to or for any perſon or perſons whatſoeuer, from & after the firſt day of Septẽber next cõming to lade or put or cauſe to be laden or put, of, or from any wharfe, key, or other place on the land into any ſhip, beſſel, craier, lighter, or bottome, any goods, wares or marchandiſes, whatſoeuer (fiſhe taken by your highnes ſubiects only excepted) to be tranſported into any place of the parties beyond ỹ Sea, or into the realme of Scotland, or to take vp, diſcharge & lay on land, or cauſe or procure to be take vp or diſcharged, out of any lighter, ſhip, craier, beſſel or bottom (being not in a leke or wrack, & layd on lãd) any goods, wares or marchãdiſ. whatſoeuer (fiſh taken by any of your highnes ſubiects, & ſalt only excepted) to bee brought frõ any ỹ parties beyond the ſees, or the realme of Scotlande by way of marchandiſes but onely in ỹ day light, that is to ſay, from the firſt day of March, vntil the laſt of September, betwixt the ſunne riſing & the ſunne letting, & from the laſt of September, vntill the firſt of March, betwene the howers of vii. in the morning, & iiii. at the afternoone, and in, and vpon ſome ſuch open place, key, wharfe, places, keies, or wharfes, as your highnes, your heires or ſucceſſors, ſhal on this ſide ỹ ſayd firſt day of September, therefore aſſigne & appoint by vertue of your highnes cõmiſſion or cõmiſſions, vnto your graces ports of London, Southampton, Briſtowe, Weſtchester, Newcaſtle, & the ſuburbs of ỹ ſame & euery of them, & in ſome open place, key, or wharfe, places, keies, or wharfes, in al other ports, creeks, hauens or roades (Hull, only excepted) where a cuſtomer comptroller & ſearcher of ſuch ports, hauens, creekes, or roades, & euery of thẽ, or the ſeruants of any of them haue by ỹ ſpace of x. yeres laſt paſt bene accuſtomably reſident, or hereafter ſhalbe reſident, vpon paine of forfayture of al ſuch goods, wares or marchandyſes ſo laden or diſcharged, cõtrary to ỹ true meaning of this act, or the value therof. And be it &c. ỹ no perſon or perſons, after the ſaid day ſhal receiue or take into any ſhip, craier or other beſſel, any goods, wares, or marchandiſes (except before excepted) to be trãſported into any place beyond the ſea, or into ỹ realme of Scotlande, by way of marchãdiſe, nor ſhal diſcharge & lay on land out of any ſhip, craier, or other beſſell, any goods, wares, or marchaundiſes (except before excepted) beinge brought from any place beyonde the Sea, or out of the Realme of Scotlande, by way of merchaundiſe in any other place or places, or at any other howers, or times then is before limitted & appointed, vpõ paine ỹ the owner or owners, maiſter or maſters, or other perſon or perſons, which ſhal take charge or guidinge of any ſuch ſhip, craier, or beſſel, or of the merchants goods, during & for ỹ viage, ſhal forfait & loſe for euery ſuch offence a C. li. of lawfull money of Englande. And be it &c. that no maſter ſhipper, or purſer, or other perſon or perſons taking charge of the vyage, or of the Marchants goods, ſhal after ỹ ſaid day, receiue or take any ſhip, craier, or other beſſel any goods, wares or marchãdiſe, (except before excepted) to be caried or trãſported into any of ỹ parties beyond the ſea, or into ỹ realme of Scotland, before he ſhal haue ſignified to the Cuſtomer of the Port, where he ladeth, & other officers there, in ỹ opẽ Cuſtome houſe (if any ſuch be there) or els, wher ỹ ſaid officers their deputies or ſeruants, or any of them be or ſhalbe dwelly reſident, ỹ he intendeth to lade, & to what place he intẽdeth to paſſe, nor ſhal after his or their full lading, depart out of the Port, Creekes or ſtreame where he ſhall ſo lade, before he do in like maner ſignifie vnto the Cuſtomer, & other officer, as is aforeſaid, of his

Lading and vnlading of merchãdiſes

London

Cuſtomer

Forf.

Ship

Scotland

Forf.

Daylight March September

Wharfes keyes

his lading, & what marchantes & other perſons ſhal haue lading vō him or in hys ſhip, craier, veſſel, or bottome. And further, truly do anſwere to ſuch queſtions as ſhalbee miniſtred to him or thē by the cuſtomer or other officers cōcernig ſuch wares or marchandiſes, as he ſhal haue laden beinge examined vpō his or their othe, or other wiſe in ỹ open cuſtome houſe, or otherwiſe as is aforeſaid, vpō paine to forfk. for euery ſuch default not truely aduertiſing nor aūſwering as is aforeſaid, a C.li. And bée it further enacted by the auctho*r*itie aforeſaid, that noe owner, maſter, purſer, or other perſō takig charge of any ſhip, craier, veſſel or bottome, wherein any goods, wares, or marchādiſes, (except before excepted) ſhalbe ladē & brought into ỹ parties beyond ỹ ſea, or the realme of Scotland, ſhal after ỹ ſaid day diſcharge into any lighter or bottome, & lay on lande or procure, cauſe, or willingly ſuffer to be diſcharged into any lighter or bottome, & to be layd on land, out of ſuch ſhip, craier, veſſel or botttome, any goods, wares, or marchādiſe whatſoeuer, before ſuch owner, maſter, or purſer, or other perſon or perſones, takinge charge of the ſhip, craier, bottome, or veſſel, or the marchaunts goods for the vyage, ſhal haue ſignified & declared to the cuſtomer or other officer of ỹ port, hauē, or créeke where he arriueth, ỹ names of euery of the marchāts or laders, & ſhal haue truely aūſwered to ſuch queſtiōs & interogatories, touching or concerning ſuche goodes, wares or marchādiſe, as ſhalbe thē ladē in any ſuch ſhip, veſſel, or bottom, as ſhalbe to hī miniſtred by ſuche cuſtomer or other officer openly in the cuſtome houſe, or in ſuch other places as is aforeſaid, vpon his or their othe, if nede ſo require, vpō paine ỹ euery ſuch maſter, purſer, or other perſō or perſons taking charge of ſuch ſhip, craier, or other veſſel, for the viage, ſhal forfait & loſe for euery ſuch default not truely aduertiſing nor aūſwering as is aforeſaid, an C.li. And be it &c. that frō and after the ſaid day, no perſō denizen ne ſtrāger do take vpō him to enter or do, or cauſe to bée étred into bookes of any cuſtomer or other officer or officers, of any port or hauē, vōin this realm, or his or their deputy or deputies, ſeruant or ſeruāts, any maner goods, wares, or marchandiſes whatſoeuer, comming or brought into your highnes realme, from any ỹ parties beyond the ſea, or from ỹ realme of Scotland, or goinge, or to bée tranſported out of the ſame your highneſſe realme, into any ỹ parties beyond ỹ ſea, or into ỹ realme of Scotlād, in ỹ name or names of any other perſon or perſons thē the very true owner or owners of ỹ ſāe goodes, wares, or marchādiſes, being not ſold, bargained, or contracted, for, to, or with any other perſon or perſons, before ſuch entre, or before the arriuall of ſuch goodes, wares, or marchādiſe in the partes beyond ỹ ſea, vpō paine of forfaiture of ỹ value of the goods ſo entred. And be it &c. that if any wharfinger, crane keeper, ſearcher, lighterman, weigher or other officer pertaining to ỹ ſubſidye, cuſtome, or cuſtome houſe, do at any tyme after the ſaid day, conſent or know any offence or thing to be cōmitted or done cōtrary to ỹ true meaning of this act, or any article therin cōtained, and do not within one moneth next after knowledge thereof had, diſcloſe ỹ ſame to the chiefe cuſtomer or other officer of ỹ port, where, or vōin whoſe office or charge, any ſuch offence ſhalbe cōmitted or done, or elſe to the Lord Treaſorer, Chauncelour, vnder Treaſorer, or one of the Barons of theſcheqner, or thattorney general for ỹ time beng: ſhal for euery ſuch concealement, or not diſcloſing ſuch offence as is aforeſaid. forfk. & loſe C.li. of good and lawful money of England.

And be it &c. that the Cuſtomer of Hull, ſhal haue a ſeruant or deputie cōtinually reſident at the City of Yorke, and euery other cuſtomer, cōptroller & ſearcher of euery port ſhal vſe & after the day aforeſaid, aſſigne and appoint, to & in euery of ỹ places aboue mēcioned, & in all & euery port, créeke, or roade, where the ſeruaunt or any of thē haue bene continually reſident by the ſpace of x. yeres, or hereafter ſhalbe as is aforeſaid, one able & ſufficient deputy or ſeruant at the leaſt, & that aſwel al & euery of ỹ cuſtomers, comptrollers, and ſearchers, as al & euery hys or their deputie or deputies, ſeruant & ſeruāts, ſhal frō time to time, do hys & their diligent attendaunce at ỹ howers, times, & places afore appointed, aſwel in ỹ cuſtome houſe, or elſe where, as it ſhalbe moſt expedient and cōueniēt for ỹ ſpeedy diſpatch of ỹ marchāt & his goods, wares, & marchandiſe, & for the due execution of this act in ſuch things as to him or thē ſhal appertaine vowt cōcealmēt or conſenting to any thing or things, which may be to ỹ hurt or dāmage of your hyghnes, your heirs or ſucceſſours, in the mīſt aūſweringe of your highneſſe due cuſtomes & ſubſidies, vpō paine ỹ euery ſuch cuſtomer, comptroller

Examine Othe

Forfk.

Maſter of ſhyp

Othe

Forfk.

Denizen

Forfk.

Wharfinger Officers of the cuſtome houſe

L. Treaſorer Chauncelor Barons of theſcheqner Attorney

Forfk.

Yorke

Deputie

comptrolier & ſearcher, ſhal forfait & loſe for
Forf. every offence by him or thē cōmitted or dōe
in his or their ſeuerall office or offices, an C.
li. of lawful money of Englād, ẏ moitie of
al which forfaitures ſhalbe to your highnes
Moitie your heires & ſucceſſours, & the other moitie
to him or thē that will ſue for the ſame in a-
ny your highnes courts wherein no eſſoine,
protection, wager of law, or iniunctiō ſhal-
bee admitted & allowed. And where of late
yeres there hath bene much greater quanti-
Sweets wines ty of ſwete wines brought into this realme
then in tymes paſt hath bene accuſtomed,
which bene alſo brought frō the ſame place,
where the wyne commonlye called mal-
neſey, is brought, & is of the ſame nature of
grape. And neuertheleſſe eyther by negly-
gence, ignorance, or corruption of the offy-
cers, there hath not ben ſuch cuſtome & ſub-
ſidie receyued for the ſame, to ẏ vſe of your
highnes, & your progenitours as is due and
ought of very right to be paid for ſuch ſweet
Marrohe wines cōming through the ſtraights, com-
mōly called ẏ ſtraights of Marroke, other-
wiſe malegay, to the great loſſe & hinderāce
of your highnes, and the burden of vs your
louing ſubiects. For thauoidig of al ambi-
guitie and doubtes, & to thintent the officers
may more certainly know what they ought
to receiue for ſuch kinde and nature of mar-
chandiſe: Be it enacted and declared by this
preſent act, and by auctoritie aforeſaide, ẏ
Cuſtome like cuſtome & ſubſidie is of very right to be
paid, and ſhal frō henceforth be paid for ſuch
ſwēte wines as is aforeſayde, as is, & hath
Malneſeys bene accuſtomed to be payd for Malneſeys:
any negligence, none paimēt, blage, or cuſ-
tome, to the cōtrary in any wiſe notwſtan-
ding. Sauing to all & euery lorde Marcher &
L. Marcher Lordes poſſeſſe other perſō or perſōs, whatſoeuer, body po-
litike or corporate, al & euery ſuch right, title
and intereſt, as they or any of thē, haue and
of right ought to haue, in the paimēt or ha-
ning of any fraūchiſe, libertie, cuſtome, and
ſubſidie or any of thē, any thing in this acte
to the contrary notwithſtanding. Prouided
alwaies, & be it &c. that it ſhalbee lawfull to
ſhip, lade, and tranſport into ẏ parts beyōd
Corne the ſea, al maner of corne and graine out of
the coūties of Norffolke and Suffolke and
eyther of them at ſuch places as heretofore
hath ben accuſtomed, and betweene the ho-
wers in this act appoynted, when the ſame
corne and grayne ſhall not exceede the ſeue-
ral prices mentioned in the ſtatute made in
the fift and firt yere of our late ſoueraygne
lord king Ed. the 6. intituled an act agaynſt
regrators, forſtallers, and ingroſſes, the cuſ-
tomes and ſubſidies therfore due, being wel Cuſtome
and truely paied, any thing in this act or a-
ny other act or ſtatut to the cōtrary notwſ-
tanding. Prouided alwaies, that this acte,
nor any thing therein contained, be not pre-
iudicial or hurtfull to the Iſle of Angleſey, ẏ
ſhires of Carnarū & Flit in Northwales.

But that the inhabitants thereof & euerie
of thē, may receyue, lade, & diſcharge acco-
rding to their olde auncient vſe, cuſtomes or
lyberties, graunted to them or anye of their
predeceſſours, by the late kynge of famous
memorie, king Henry the eight, or anye o-
ther his progenitors. So that they and eue-
rie of them pay the cuſtomes and ſubſidyes
that ſhal be due & diſcharge, and lade within
the times and howers, before mencioned,
any thing in this preſent act to the cōtrarie
notwithſtanding. An. 1. El. ca. 12.

48 ¶ It may bee enacted &c. that it ſhall
not be lawfull to or for anie maner perſō or
perſōs whatſoeuer, from and after the firſt
day of May next comminge, to make anye
peltes, that is to ſay, to pull, ſheare, clippe, Pelts
or take away the woll of any Shēepe ſkin
or Lambe ſkinne, or to buy anie ſkin of any
Stagge, Hinde, Buck, Doe, Goat, Fawn, Skinnes
or Ridde, or the peltes or ſkinnes of anye of
them, vnleſſe ſuch perſon or perſons ſo ma-
king any peltes, or buying ſuch ſkinnes as
is aforeſaide, do make or cauſe to bee made
therof, tawed or lawfully tāned leather, or Leather
parchment, or otherwyſe conuert the ſame parchment
into ſeimittes, pannels, or other their owne
neceſſary vſes, vpon pain that euery perſon
ſo making pelts, or buying any of ẏ ſkinnes
or pelts aforeſaid, contrary to the meaning
of this act, ſhall forfait and loſe the value of Forf.
all ſuch peltes, or ſkinnes ſo made & bought
and two ſhyllinges fiue pence for euerye
ſkinne or pelte ſo bought, or pelt ſo made,
as is aforeſayde. And bee it further enac-
ted, that it ſhall not bee lawfull to or for a-
nye perſon or perſonnes whatſoeuer, from
and after the feaſt aforeſayde, to ſhippe or
conney, or cauſe or procure to bee ſhypped
or conueyed, in or to anie ſhyppe, boate, or Shippe
veſſell, in or vppon the ſea, or in or vppon a-
nie hauen, ryuer, creeke or place, wythin
this realme of England and Wales, or ey-
ther of them, anye maner of Shēepe ſkins,
welles, ſhorelinges, morelynges, or the
ſkins of anye Stagge, Hinde, Buck, Doe, Skinnes
Goat, Fawne, or kyd, or ẏ pelts or ſkinnes Woolles
of any

Leather Tranſport

of any of thē or the leather made of them or any of them, to thintent to tranſporte or carry ỹ ſame into any the parties beyonde the ſeas, there to be vttered, bartred or ſold, by way of marchandiſe or other wiſe, vpon

Forf.

paine of forfaiture of al ſuch thinges or peltes, bought laden ſhipped or tranſported, contrary to the true meaning of this act, or ỹ value of them, & alſo ii.s. vi.d. of lawful mony of England, for euery fel ſhorelinge, morling, pelt or ſkinne aforeſaid, bought, laden,

Moitie

ſhipped, or tranſported, contrary to the true meaning of this preſent act, the moity of al which forfaitures ſhal be to our ſoueraigne Lady the Quenes maieſty, her heires and ſucceſſors, & the other moitie to him or thē that wil ſue for ỹ ſame, by action, bil, plaint, information, or other wiſe, in any of the Q. Maieſties courtes: In which action no eſſoigne, protection or iniūction ſhalbe admitted or allowed. Prouided alway ỹ it ſhall & may be lawful to the marchants of the ſtaple, the marchauntes of Newcaſtle vpon Tine, Hartipole, & Barwike, their ſeruāts factours, & attornies & euery of them to carie and tranſport al ſuch lawfull wares as heretofore they haue bene accuſtomed and lawfully might, any thinge in this act to the contrary notwithſtandinge. Anno. 5. El. cap. 2.

Staple Newcaſtle Hartipoole Berwike

Statut

49 ¶ Be it declared & enacted &c. ỹ the ſaid firſt braūch of the ſaid ſtatut (s. 5. El. ca. 2. for the makinge of peltes) beinge not againſt the ſaid entercourſe, ſhal from hēceforth be put in due execution. And &c. Be it &c. that ſo much of the ſaid ſtatut as concerneth the tranſportinge of tawed leather, to be made of ſhēpeſkings & lamſkins, ſhal from henceforth as touching only the trāſporting of ſuch tawed leather, be repealed & voyde: any thinge in the ſaid ſtatute to the contrary notwithſtandinge. Anno. 8. Eliz. capitulo 14.

Tawed leathes

Repealed

¶ Meſne.

Diſtreine

When chiefe lords diſtraine in their fee for Cuſtomes & ſeruices to them due, and there is a meane which ought to acquite ỹ tenant, ſithence it lyeth not in the mouth of the tenant, after ỹ he hath replenied the diſtreſſe, to deny ỹ demaund of the chiefe Lord which auoweth in the kings court, that the diſtreſſe is lawfully taken vppon his tenāt, which is vppon the meane, and many haue bene ſore greeued by ſuch diſtreſſes, in ſo much as the meane (not withſtanding that he hath ſufficiēt, wherby he may be diſtrained) doth make long delaies, before he wil come into the court to aunſwere for his tenant, vnto the writ of meane, & moſt harde of al when the meane had nothing. In caſe alſo when the tenant was ready to doo hys ſeruices and Cuſtomes vnto his Lord, and the chief Lord would refuſe to take ſuch ſeruice and cuſtomes by the handes of any other then of his next tenaunt, and ſo ſuch tenants, in demeane loſt ſome whiles the profitts of their lands for a time, and ſome whiles for their whole tyme, and hitherto no remedy hath bene prouided in this caſe: A remedy is prouided and ordained in this forme, that ſo ſone as ỹ tenant in demeane (hauing a meane betwene him & the chiefe lord) is diſtrained, incontinent the tenaunt ſhal purchaſe his writ of meane. And if the meane hauing land in the ſame county, abſent him ſelfe vntill the great diſtres bee awarded, the plaintife ſhal haue ſuch day giuen him in his writ of great Diſtres, afore the comming wherof ij. Counties may bee holden, & the ſherife ſhalbe commaunded to diſtraine the Meane by the great diſtreſſe, like as it is contened in the writ. And neuertheles the ſherife in two ſul cōūties ſhal cauſe to be proclaimed ſolempnely, that the Meane do come at a day contayned in the writ, for to aunſwere his tenant, at which day if he come, the plee ſhall paſſe betwene them after the common vſage. And if he do not come, then he ſhall leeſe the ſeruices of his tenaunt, and from thenceforth, the tenaunt ſhal not aunſwere him in any thing, but the ſame Meane beeinge excluded, he ſhall aunſwere vnto the chief Lord for ſuch ſeruices and cuſtomes as the meane vſed to do before that tyme. Neither ſhall the chiefe Lorde haue power to diſtraine, ſo long as the aforeſaid tenaunt do offer him the ſeruices and cuſtomes due. And if the chiefe Lorde exacte more then the meane ought to do, ỹ tenāt in ſuch caſe ſhal haue againſt him al ſuch exceptions as the meane ſhould, & if the meane haue nothing within the kings dominion, ỹ tenāt ſhal neuertheles purchaſe his writ of Meſne, to ỹ ſherife of the ſame ſhire, wherin he is diſtrained, & if the Sheerif returne, that he hath nothing where by he may be ſummoned, then ſhall the tenant ſue his writ of Attachment, and if the Sherif returne, that he hath nothing to be

Tenant

Counties Shirife Diſtreine

Proclamation

Chiefe Lord

to be attached by: he ſhall nevertheleſſe ſue his writ of great diſtres, & proclamatiõ ſhal bee made in fourme aboueſayd. And if the meane haue no land in the ſhire, where the diſtres is take, but hath land in ſome other ſhire, the a writ original ſhal iſſue to ſõmon the meane, vnto the ſherife of ỳ ſame ſhire (where the diſtreſſe is taken) and when it is retourned by ỳ ſherife, ỳ he hath nothing in his ſhire, a writ iudicial ſhal iſſue to ſommon the meane, vnto the ſherife of ỳ ſame ſhire, in which it ſhalbe teſtyfied ỳ he hath land, & ſuit ſhalbee made in the ſame ſhire, vntil they haue paſſed vnto the great diſtres, & proclamation as aboue is ſayd, where the meane hath land in the ſame ſhire in which the diſtreſſe is taken. And nevertheleſſe ſuit ſhalbe made in ỳ ſame ſhire, where he hath nothing, as aboue is ſaid of ỳ meane, ỳ hath nothing, vntil the proces come to ỳ great diſtreſſe & proclamation, & ſo after proclamation made in both counties, the meane ſhall be forjudged of his fee & ſeruice. And where it happeneth many times, ỳ ỳ tenãt in demeane is in feoffed to hold by leſſe ſeruices, then the meane ought to do vnto the chiefe Lord, when after ſuch proclamation the tenant hath attourned to the chiefe Lord, & the meane beinge excluded, the tenaunt muſt of neceſſitie aunſwere to the chiefe lord, for al ſuch ſeruices & cuſtomes, as the meane was wont to do to him. And after ỳ the meane is come into the court, & hath cõfeſſed, that he ought to acquite his tenaunt, or be compelled by iudgement to acquite, if after ſuch confeſſion or iudgement it is complained, ỳ the meſne doth not acquite his tenant, the ſhal iſſue a writ iudicial, that ỳ ſherife ſhall diſtraine the meane to acquite the tenant, & to be at a certaine day before the Iuſticers, for to ſhewe why he hath not acquited him before, & when they haue proceded vnto ỳ great diſtreſſe the plaintife ſhalbee heard. And if the plaintife can proue, that he hath not acquited him, he ſhal yeld damages, and by a ward of the court, the tenaunt ſhal goe quite from the meane, & ſhal attourne vnto the chiefe Lorde. And if he come not at the firſt diſtres, a writ ſhal go forth to diſtraine him againe, & proclamation ſhalbe made, & as ſone as it is returned, they ſhal proceede in iudgement as before is ſaid. And it is to be vnderſtanden, that by this ſtatut tenãts are not excluded, but they ſhall haue a warranttie of the meanes & their heires, if they be impleaded as they haue had before, nor alſo the tenaunts, but that they may ſue againſt their meanes, as they vſed heretofore, if they ſee that their proceſſe may bee more auailable by the olde Cuſtome, then by this eſtatute. And it is to weete, that by this eſtatut, no remedy is prouided to any meanes, but only in caſe where there is but one only meane betweene the Lorde that diſtraineth, and the tenaunt, and but in ſuch caſe where the meane is of ful age, and but in ſuch caſe where the tenant may attourne vnto the chiefe lord without preiudice of an other thẽ of his meane, which is ſpoken for weomen, holding in dower, and tenauntes by the curteſy or otherwiſe for terme of life or in fee taile, vnto whom for certaine cauſes, remedy is not yet prouided, but (God willing) there ſhalbe at an other time. W. 2. cap. 9. An. 13. E. 1.

Forjudge

Diſtraine

Judgement

Ful age

¶ Monaſteries, Abbeis, Priories, Colledges, Free chappelles, Hoſpitalls, Chauntries, and their Abbots, Priors, and Gouernours, & the landes, poſſeſſions, and goodes of the premiſſes, and Religious perſons.

Wronges Extorcions

I F any wrongs or extorcions be done to abbots, or other Prelates of the church, & they haue lued their right for ſuch extorcions, & be preuented with death before iudgement be geuen therein, their ſucceſſors ſhal haue actions to demaund the goods of their church, out of the handes of ſuch treſpaſſers. Moreouer the ſucceſſors ſhal haue like action for ſuch things as were lately wrongfully taken by ſuch violence from their houſe & church, before ỳ death of their predeceſſors, though it ſo be, ỳ the ſaid predeceſſors did not purſue their right during their liues. And if any intrude into the landes or tenements of ſuch religious perſons in time of vacation, of which lãdes their predeceſſors died ſeiſed, as in the right of their church, the ſucceſſors ſhal haue a writ to recouer their ſeiſin, and damages ſhalbe awarded them, as in aſſiſe of Nouel diſſeiſin is wont to be. Marlb. ca. 28. An. 52. H. 3.

Succeſſors

Landes

Intrude

Vacation

Predeceſſors

1 ¶ Where by an act of parliament, made the 31. yere of king H. 8. for & concerning the enablement of profeſſed & religious perſons, to purchaſe to them & to their heires in fee ſimple, fee taile, for terme of life, for yeres, or at will, manors, lands &c. & other hereditaments, and things whatſoeuer &c. Since which time there hath bene certaine ambiguities & doubts growen & riſen, & are like

like to growe, whether ỳ sayd religious plõs might or should as heires, be enheritable to their aũcesters, of al & euery things descended vnto thẽ after their departing out of religiõ, yea or no: Be it therfore ordeined &c. ỳ all & euery of ỳ sãe late religious & professed person & persons, shall & may by auctoritie of this act, be enabled to al intẽts, cõstructions & purposes, at al time & times hereafter to be takẽ, deemed, & iudged, as heire or heirs & inheritable to al & euery their aũcester or aũcesters, & to haue, challenge, or enioy, retеine, & take, al manors, lãds, tenementes & hereditamẽts, & euery other thing & things, to thẽ or any of thẽ fallen, come, growen, or discẽded frõ any their aũcestors, by any maner of wates, since the time of their seuerall deraignmẽts, or departig out of their religion, in as ample & large maner, forme & cõdition, as they had neuer bene professed nor ẽtred in to religiõ, ỳ sãe professiõ or religiõ, or any law, custõe, or vse vsed in this realm, to ỳ cõtrary notwithstanding. Prouided &c. that none of ỳ said religious persõs shall or may by vertue of this act, at any time hereafter, be takẽ, deemed, or iudged for heire or heires or inheritable to any persõ or persõs, to anie cõstructiõ or intẽt in ỳ law, by reasõ of any former right, title, interest, matter or cause had, made, done, discended or growen to any respect, or purpose before their saide seuerall deraignments or departing out of their religiõ, any thing before in this act, or in ỳ said former act, cõteined to ỳ contrary hereof in any wise notwithstãding. An. 5. E. 6. ca. 13.

Religious

Heire

Purchase

Heire

2 ¶ The king willeth & cõmaundeth, ỳ the peace of holy church & of the land be wel kept & maintained in al points. And ỳ commõ right be done to all, as wel powre as rich, without respect of persons. And because the Abbots, & ỳ religious of the lande haue bene ouercharged & sore grieued by the resort of great mẽ & others, so ỳ their goods haue not ben sufficient for them selues, whereby they haue ben greatly hindered & impouerished, ỳ they cãnot maintaine themselues, nor such charitie, as they haue ben accustomed to do: It is prouided, that none shall come to eate or lodge in any house of religiõ of any other foũdation then of his own, at ỳ costs of the house, vnlesse he be required by ỳ gouernour of ỳ house before his cõming thither. And ỳ none of his own costs, shall entre & come to lie there against ỳ will of thẽ ỳ be of ỳ house. And by this statute ỳ king entendeth not, that ỳ grace of hospilitie should be withdrawen frõ such as nede, nor ỳ the foũdours of such monasteries should ouercharge, or greeue thẽ by their often cõming. It is prouided also, that none high nor low, by colour of kinred, affinity, or alliãce, or by any other occasion, shal course in any parke, nor fish in any pond, nor come to eat, or to lodge in ỳ house or manor of a Prelate, or any other religyous person, against the wil of the lord or his baillife, neither at the cost of the lorde, nor at his owne. And if he come in, or enter wt the good will, or against the wil of the lord or his baillife he shal cause no doore, locke, nor windowe, nor nothing ỳ is shut, to be opened or broke by him self nor any other, nor no maner of victail nor other thig shal take by colour of buying nor other wise. And that nõe shall thresh corne, nor take corne, nor anye maner of victail nor other goods, of prelate, mã of religiõ, or any other clerk, or lay persõ, by colour of buying nor other wise, against the wil & licence of him, to whom the thing belongeth, or of the keper, be it within market towne or without. And that none shall take horses, oxen, ploughs, cartes, ships, nor barges, to make cariage without the assent of him to whom such things belong. And if he do it by the assent of the party, then incõtinent he shal pay according to the couenãt made betweene them. And they that offend against these acts, and thereof be attainted, shalbe cõmitted to ỳ kings prison, and after shal make fine, & be punished according to ỳ quantitie and maner of the trespas: and after as the king in his court shall thinke conuenient. And it is to be knowẽ, ỳ if they, to whõ such trespas was done, will sue for dãmages, they shalbe therto receiued, & shall be awarded & restored to ỳ double. And they ỳ haue dõe ỳ trespas, shalbe likewise punished in ỳ maner aboue said. And if none will sue, the king shal haue ỳ suit, as for a thing committed agaynst his cõmaũdemẽt, & against his peace. And ỳ king shal make inquiry frõ yere to yere, what persõs do such trespasses, after as he shal think necessary & cõuenient. And they ỳ be indicted by such inquests, shal be attached & cõstrained by ỳ great distres, to come at a certain day containing ỳ space of a moneth, in the kings court, or where it shal please the king. And if they come not at ỳ day, they shalbe distrained againe of new by ỳ same distresse, for to come at an other day, cõtaining the space of vi. wekes at the least, and if they come not then, they shalbe iudged as attainted, & shal yelde double damages (at ỳ kings suit) to such as haue take hurt,

Lodge

Hunting Fishing

Purueyor

Impriſon

2. damages

Enquirie

Indict Enquests

Distraine

2. damages

hurt or damage, & shal make a grevous fine after the maner of the trespas. And ẏ kyng forbiddeth & cõmaundeth, that none from hencefoꝛth do hurt, damage, or greuaunce to any religious mã or person of the church or any other, because they haue denied meat or lodging vnto them, or because that anie complaineth in the kings court, that he hath ben greeued in any of the thyngs aboue mẽcioned. And if any do, & therof bee attainted, he shal incurre ẏ pain aforesaid. And it is further prouided, ẏ the points aforesaid shal as wel bind our Counsailors, Justicers of forests, and other our Justicers, as any other persons, & ẏ the foresaid points be maintained, obserued & kept. Likewise ẏ kig forbiddeth vpõ grevous forfaitures, ẏ no Prelat, Abbot, mã of religiõ, or bailif or any of thẽ, or of other, receyue any mã contrary to the forme aforesaid. And ẏ none shall sẽd to the house or manor of a mã of religiõ, or of any other persõ, his mẽ, horse, or dogs to soiorn, nor none shal thẽ receiue, & he that doth (seeing the king hath cõmaunded the cõtrarie) shalbe grevously punished. Yet it is further prouided, that sheriffes from hencefoꝛth shal not lodge võ any person, with any mo then vi. or vii. horses. And ẏ they shall not greeue religious men nor other by often cõming or lodging, neither at their houses, nor their manors. W. I. ca. I. An. I3. E. I.

Attaint.

Sheriffes Lodge

3 ¶It is desired that our soueraigne lord the king, & the great mẽ of ẏ realme do not charge religious houses & spirituall persons for corrodies, pencions, or soiorning in religious houses & other places of the church, or with taking vp horse & cartes, wherby such houses are impouerished, & Gods seruice diminished, & by reaso of such charges, priests, & other ministers of the church deputed vnto diuine seruice are oftentimes cõpelled to depart from the places aboueaid. The aunswere. The kyngs pleasure is that vpon the contẽts in their petition fro hencefoꝛth they shall not be vnduely charged. And if ẏ contrary be dõe by great mẽ or other, they shal haue remedy after the forme of the statutes made in the time of kinge Edward, father to the king ẏ now is. And like remedy shal be done for corrodies & pensions exacted by cõpulsion, wherof mẽcion is made in ẏ said statut. Articuli cleri. ca. I I. An. 9. E. 2.

Corodies Purueyors

Pencions

4 ¶An. 35. E. I. a stat was made intituled stat De asportat. religiosorũ edit. Ann. 35. E. I. apud Carlielen. In which is enacted ẏ no paiment or tare should be paid or sent by any religious house to any superiour out of England, nor that any religious should goe out to a visitation, nor ẏ any religious out of England should set any tare or paine vpõ any religious house in Englãd, vpõ forfaiture of all that they may forfait, sauinge to religious aliens their visitatiõs in Englãd &c. And in that act is matter cõcerning the seales of Abbots of Cisterciences and Pyrenonstratences.

Tare

Visitation.

Foyt.

Seales

5 ¶Whereas Archbishops, Bishops, Abbots, Priors, Abbesses & prioresses, haue ben before this time sore greued by ẏ kings desires & his progenitors, which hath desired thẽ by great threats, for their clerks & other seruants, for great pencions, prebẽds, churches, & corodies, so that they might nothing gene or do to such as had done them seruice, nor to their friendes, to their great charge & dãmage: The king graunteth ẏ frõ hencefoꝛth he wil no more such things desire, but where he ought. An. I. E. 3. stat. 2. ca. I0.

Corodies

6 ¶The statute late made & affirmed at Carlile (that is to say, An. 35. E. I. before 4. that religious persons should make no cariage beyond ẏ sea, shalbe maintained, kept, & obserued in al points. An. 4. E. 3. ca. 6.

Cariage

7 ¶The stat made at Carlile in ẏ time of ẏ sãe kig (ẏ is to say. An. 35. E. I. before 4 wherein is contained ẏ religious men shall make no cariage out of the Realme, shalbe holden, kept, and maintained in all points. An. 5. E. 3. ca. 3.

Cariage

8 ¶An. 4. H. 5. ca. vlt. it is enacted, that the king shal haue the possessiõs of Priors, aliens, if they be no conuentuels.

9 ¶His maiestie shall haue and enioye to him and to his heires for euer, al and singuler such monasteries, priories, and other religious houses of monkes, canons, and nunnes, of what kinds or diuersities of habites, rules, or order soeuer they be called or named, which haue not in lands, tenemẽts, rents, tithes, portions, and other hereditamentes, aboue the cleare yearelye value of two hundred pound. And in like maner shal haue and enioy all the site and circuites, of euery such religious houses, and all and singuler the maners, granges, meses, lãds, tenements, rents, reuersions, seruices, tithes, pencions, churches, chappelles, aduowsons, patronages, annuities, rightes, conditions, and other hereditamentes, appertayninge or belongynge to euerie suche monasterie, priorie or religious house, not hauing as is aforesaide, aboue the saide cleare yearelye

Lands

200. li.

vaine

value of CC.li. in as large & ample maner, as the abbots, priors, abbesses, & other gouernours of such monasteries, priories, & other religious houses nowe haue or ought to haue the same, in the right of their houses. And that also his highnesse shal haue to him & to his heires all & singuler such monasteries, abbeys, & priories, which at any time within one yeere next before ỹ making of this act hath bene giuen & graunted to his maiestie by any abbot, prior, abbesse, or prioresse, vnder their couent seale, or that otherwise hath bene suppressed or dissolued, and all and singuler the manors, landes, tenements, rentes, reuersions, tythes, pencions, porcions, churches, chappels, aduowsons, patronages, rightes, entries, conditions, and all other interest and hereditamentes to the same Monasteries, Abbeys, and Priories, or to any of them appertaining or belonging. To haue and to holde all and singuler the premisses, with all their rightes, profites, iurisdictions and commodities vnto the kinges maiestie and his heires and assignes for euer, to doe and vse therewith his and their owne willes to the pleasure of almighty God, and to the honour and profite of this realme.

Giuen

Couent seale suppressed

And bee it &c. that all and euery person and persons and bodies politique, which nowe haue or hereafter shall haue any letters patentes of the kinges highnesse of any of the sites, circuits, manors, landes, tenements, reuersions, seruices, tythes, pencions, porcions, churches, chappels, aduowsons, patronages, tithes, entries, conditions, interest, or other hereditamentes, which appertayned to any Monasteries, Abbeys, or Priories heretofore giuen or graunted to the kinges highnesse, or otherwise suppressed or dissolued, or which appertayneth to any of the Monasteries, Abbeyes, Priories, or other religious houses that shall be suppressed or dissolued by the auctheritie of this Acte, shall haue and enioy the sayde sites, circuites, manours, landes, tenements, rents, reuersions, seruices, tithes, pencions, porcions, churches, chappels, aduowsons, patronages, tythes, entries, conditions, interest, and all other hereditamentes, contayned and expressed in their letters patentes nowe being thereof made and to bee contayned and specified in any letters patentes, hereafter to bee made, according to the tenour, purport, & effect of any such letters patentes. And shall also haue all such actions, suites, entrees and remedies, to all intentes and purposes, for any thing or thinges contayned in euery such letters patentes nowe made, or to be contayned in such letters hereafter to bee made, in like maner, fourme and condition as the Abbots, Priors, abbesses, prioresses, or other chiefe gouernours of any religious houses, which had the same, might or ought to haue had if they had not bene suppressed or dissolued. Sauing to euery person and persons, and bodies politique, their heires and successours, (other then the Abbots, Priours, Abbesses, Prioresses, or other chiefe gouernours of the sayde religious houses especified in this act, and the couents of the same and their successours, and such as pretende to bee founders, patrons or donours, of such religious houses, or of any landes, tenementes, or hereditamentes, belonging to the same and their heires & successours) all such right, title, interest, possessions, leases for yeeres, rentes, seruices, annuities, commodities, fees, liberties and liuings, pencions, porcions, corodies, stipendes, priories, and all other profites, as they or any of them hath, ought or might haue had in, or to any of the sayde Monasteries, Abbeys, Priories, or other religious houses, or in, or to any mannours, landes, tenementes, rentes, reuersions, tythes, pencions, porcions, or other hereditaments appertayning or belonging, or that appertayned to any of the sayd Monasteries, Priories, or other religious houses, as if the same Monasteries, Priories, and other religious houses, had not bene suppressed by this Act, but had continued in their essentiall bodies and states that they nowe bee or were in.

Bodies politike

8. patents

Prouided alwayes and be it enacted, that forasmuch as diuers of the chiefe gouernours of such religious houses &c. haue lately fraudulently, & craftely made feoffements, estates, giftes, graunts and leases, vnder their couent seales, or suffered recoueries of their manours, landes, tenements, and hereditaments, in fee simple, fee tayle, for terme of life or liues, or for yeres, or charged the same with rents or corodies, to the great decay and diminution of the houses, that all such craft & fraudulent Recoueries, feoffementes, estates, gifts, grauntes, and leases, & euery of them made by any of the said chiefe gouernours of such religious houses vnder their couent seales, within one yeere next before the making of this act, shall be vterly voyde and of none effect.

Collusion
Feoffements
Giftes
Leases
Rentes
Corodies
One yere
Voyde

Prouided alwayes, that such person and persons as haue leases for terme of life or yeeres, whereupon is reserued the olde rentes and fermes accustomed, and such as haue any offices, fees or corodies, that hath bene accustomed or vsed in such religious houses, and haue bought any liuery or liuing in any such houses, shal haue and enioy their sayd leases, offices, fees, corodies, liberties, liueries, and liuings, as if this Acte had neuer bene made.

Leases
Offices
Fees
Corodies

And it is &c. that the kings highnesse shal haue and enioy to his owne proper vse, all such ornaments, Iewels, goods, cattels, and debtes, which appertayned or belonged to any of the chiefe gouernors of the sayde monasteries or religious houses in the right of their sayde monasteries, or houses at the first daye of Marche, in the yeere of our Lord God M.D.xxxv. or any time sithen, whereseoeuer, or to whose possession soeuer they shall come or bee found, except onely such beastes, grayne, and woods, and such other like cattel and reuenues as they haue sold before the said first day of March, or sithen, for the necessary or reasonable expences or charges of any of ỳ said monasteries or houses &c. And be it &c. that the kings highnesse shal haue and enioy according to this act, the actuall and reall possession of all and singuler such Monasteries, Priories, and other religious houses, as shall appeare by the sayde certificate remayning in the kings Eschequer, not to haue in landes, tenementes, rentes, tythes, porcions, and other hereditaments, aboue the said clere yeerely value of two hundred poundes: So that his highnes may lawfully giue, graunt and dispose them, or any of them at his will and pleasure to the honour of God, and the wealth of this realme, without further inquisitions or offices to bee had or found for the same.

Ornaments
Iewels
Goods
Cattels
Debts
Certificat
200.li.
Possession

Prouided alwayes that this Acte or any thing therein conteyned, shall not extend nor be preiudicial to any abbots, or priors of any Monasteries or Priories, beyng certified into ỳ kings Eschequer to haue in possessions and profites spirituall and temporall aboue the sayde cleere yeerely value of two hundred pounde, for or concerning such Celles of religious houses, appertayning or belonging to their monasteries or priories, in which Celles the priours or other chiefe gouernours therof be vnder the obedience of the Abbots or priours, to whome such celles belong, as the Monkes or chanons of the couent of their monasteries or priories, and can not sue nor bee sued by the lawes of this realme, or by their owne proper names, for the possession or other thinges appertayning to such Celles, whereof they bee priors and gouernours, but must sue and be sued in and by the names of the abbots or priours, to whome they be nowe obedienceers, & to whom such celles belong. And also be priors or gouernours, datife or remoueable from time to time, and accomptes of the profites of such Celles at the onely pleasure and will of the abbots and priors to whome such celles belong, but that euery such Celle shall be, and remaine vndissolued in the same estate, qualitie & condition, as if this Act had neuer bene made, any thing in this Act to the contrary hereof notwithstanding.

Celles
Profites

Sauing alwayes and reseruing vnto euery person or persons, being founders, patrons, or donours of any Abbeys, Priories, or other religious houses that shall bee suppressed by this Act, their heires,

Cattell
Possession
Founders
Patrons

and

Right

and succeſſours, all ſuch right, title, intereſt, poſſeſſion, rentes, annuities, fees, offices, leases, commons, and all other profites whatſoeuer they bee, which any of them haue or ſhould haue had without fraud or couen by any maner of meanes, otherwiſe then by reaſon or occaſion of the diſſolution of the ſayde Abbeys, prioris, or other religious houſes, into or vpon any of the ſayd Abbeys, priories, or other religious houſes, whereof they bee founders, patrons, or donours, or into or vpon any landes, tenements, or other hereditaments, appertayning or belonging to the ſame in like maner, fourme and condition as other perſons and bodies politike be ſaued by this Acte, as is afore rehearſed, and as if the ſayd Abbeys, priories, or other religious houſes had not bene ſuppreſſed and diſſolued by this act, but had continued ſtill in their eſſentiall bodies and eſtates as they be nowe, any thing in this Acte to the contrary hereof notwithſtanding.

☞ And further be it &c. that al and ſinguler perſons & bodies politike and corporate, to whome the kinges maieſtie, his heires or ſucceſſours hereafter ſhal giue, graunt, let, or demiſe any ſite or precinct, with the houſes thereupon builded, together with the demeanes of any monaſteries, priories, of other religious houſes, that ſhalbe diſſolued or giue to the kings highneſſe by this Act, his heires, ſucceſſours or aſſignes, of euery ſuch perſon, body politike, and corporate, ſhalbe bounden by auctoritie of the act vnder the penalties hereafter to keepe or cauſe to bee kept an honeſt continuall houſe & houſeholde in the ſame ſite or precinct, and to occupie yerely as much of the demeanes in plowing & tylling of huſbandrie, that is to ſay, as much of the ſayd demeanes, which hath bene commonly vſed to bee kept in tillage by the gouernors, abbots or priours of the ſame houſes, monaſteries, priories, or by their fermer or fermers, occupying the ſame within the time of xx. yeeres next before this Acte. And if any perſon or perſons, bodies politike or corporate, that ſhall be bounden by this act, do not keepe an honeſt houſeholde of huſbandry and tillage, in maner and fourme as is afore ſayde, that then he or they ſo offending, ſhall forfayte to the kinges highneſſe for euery moneth offending vi. li. xiii. s. iiii. d. to be recouered to his vſe in any of his courtes of recorde. And ouer that it is &c. that all Iuſtices of peace in euery ſhire, where any ſuch offence ſhalbe committed & done, contrary to the true meaning & intent of this preſent act, ſhall in euery quarter and generall ſeſſions within the limit of their commiſſion, enquire of the premiſſes, and ſhal haue full power and auctoritie to heare and determine the ſame, and to taxe and aſſeſſe no leſſe fine for euery of the ſaid offences, then is afore limited for the ſame offence, & eſtretes thereof to be made and certified into the kings eſchequer, according & at ſuch time and fourme, as other eſtretes of fines, iſſues & amerciamentes bene made by the ſame Iuſtices. An. 27. H. 8. in an act by it ſelfe not printed. See Huſbandrie 7.

Demeanes

Houſhold

Huſbandry

Tillage

Foyl.

Iuſt. of p.

Generall ſeſſions

Enquire Oier & ter.

Eſtrets

Eſchequer

And in this Act be certeine articles, that the abbots & priors &c. of thoſe houſes & their ſucceſſors, be diſcharged of their firſt fruites. And that ỹ king wil prouide penſions for them, & that ỹ conuents ſhal haue capacities, or be put into great houſes. And that the Biſhops and other chargeable for the collection of the tenthes of ſpirituralties ſhal be diſcharged of collection of the tenthes for the houſes.

First fruites

And that the king ſhall paye all the true debts of theſe houſes, & that the king may declare by letters patents which of their houſes ſhall continue &c. And other matters be in this act, which I leaue out, becauſe the time of this is paſt, or els they concerne certaine particular perſons.

Pay debts

L. patents

10 Upon all & ſinguler letters patents to be made vnder the great ſeale of England of any manors, lands, tenemẽts & hereditaments, belonging or appertayning to any of the ſaid houſes cõpiſed in the ſaid act (S. An. 27. H. 8. before 9.) and committed to the ſuruey of the ſaid court (S. of Augmentations,) to any perſon or perſons, or body politike for any eſtate of

L. patents

Suruey Court of augmẽtatiõ

inheritance, there shall be alwayes reserued to the kings highnesse, his heires and successours, a tenure by knightes seruice In Capite, and a yerely rent of the tenth part of the yeerely value of the landes to be cõpiled in euery such letters patents, according to such rate, as the same manours, landes, and tenements giuen, shal be expressed to be of yeerely value in the same letters patents, any thing or clause conteyned in warrant to the contrary thereof notwithstãding. And that the said rent so reserued vpon any such estate, shal be contented and payed to the officers of the sayd court of the kings vse, according as other reuenues there shall be payed. And that none auerment shall be made or admitted by or for the king, or any other person, that the same manors, landes, and tenementes be of more yerely value, then in the same letters patentes shalbe declared. An. 27. H. 8. cap. 27.

Knightes seruice
Rent
Rent
Auerment

II. Where diuers and sundry abbots, priors, abbesses, prioresses, and other ecclesiasticall gouernours & gouernesses of diuers monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious & ecclesiasticall houses & places, within this our soueraigne lord the kings realme of Englãd and Wales, of their owne free & voluntary mindes, good willes, & assents, without constraynt, coaction or compulsion of any maner of person or persons sithen the iiii. day of Februarye, the xxvii. yere of the reigne of our nowe most dread soueraigne Lord, by the due order & course of the common lawes of this realme of England, and by their sufficient writings of recorde vnder their couent and common seales haue seuerally giuen, graunted, & by the same their writings seuerally confirmed all their sayde monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places, and all their sites, circuites, and precinctes of the same, and al & singuler their manors, lordships, granges, meases, landes, tenements, medowes, pastures, rentes, reuersions, seruices, woods, tythes, pencions, portions, churches, chappels, auowsons, patronages, annuities, rightes, entries, conditions, commons, leetes, courtes, liberties, priuiledges & fraunchises appertayning, or in any wise belonging to any such monasterie, abbathie, priorie, nunry, colledge, hospitall, house of friers, and other religious and ecclesiasticall houses and places, or to any of them, by whatsoeuer name or corporation, they or any of them were then named or called, and of what order, habit, religion, or other kinde of qualitie soeuer they or any of them the were reputed, knowen or taken. To haue & to holde all the sayd monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses & places, sites, circuites, precincts, manours, landes, tenements, medowes, pastures, rentes, reuersions, seruices, and all other the premisses to our sayd soueraigne Lorde, his heires & successours for euer, & the same their said monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious & ecclesiasticall houses & places, sites, circuits, precincts, manors, lordships, granges, meases, lãds, tenements, medowes, pastures, rents, reuersions, seruices, & other the premisses voluntarily as is aforesaid, haue renounced, left and forsaken, and euery of them hath renounced, left and forsaken.

Giuen
Graunted

Be it therefore &c. that the king our soueraigne lord shall haue, holde, possesse & enioy to him, his heires & successours for euer, all & singuler such late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses & places, of what kindes, natures, qualities, or diuersities of habits, rules, professions, or orders, they or any of them were named, knowen or called, which sith the said iiii. daye of Februarie the xxvii. yeere of the raygne of our sayd soueraigne lord, haue bene dissolued, suppressed, renounced, relinquished, forfayted, giuen vp, or by any other meane come to his highnesse, & by the same auctoritie, and in like maner shal haue, holde, possesse, and enioy all the sites,

Dissolued
Suppressed

sites, circuites, precincts, manours, lordships, granges, meases, lands, tenemẽts, medowes, pastures, rentes, reuersions, seruices, woods, tythes, pencions, porcions, personages appropriat, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities, rightes, interests, cõditions, cõmons, leetes, courts, liberties, priuiledges, fraunchises, and other whatsoeuer hereditamentes, which appertayned or belonged to the sayd monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious or ecclesiasticall houses & places, or to any of them, in as large & ample maner and forme, as the late Abbots, priours, abbesses, prioresses, and other ecclesiasticall gouernours and gouernesses of such late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of fryers, and other religious and ecclesiasticall houses and places, had, helde or occupied, or of right ought to haue had, holden, or occupyed in the right of their said late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of fryers, and other religious or ecclesiasticall houses or places, at the time of the sayde dissolution, suppression, renouncing, relinquishing, forfayting, giuing vp, or by any other maner of meane cõming of the same to the kings highnes sithen the iiii. day of Februarie aboue specified. And it is &c. that not onely all the sayde late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places, sites, circuites, precincts, manours, lordships, granges, meases, lands, tenements, medowes, pastures, rentes, reuersions, seruices, & all other the premisses, forthwith immediately and presently: but also all other monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & all other religious & ecclesiasticall houses and places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfaited, giuẽ vp, or by any other meanes come vnto the kinges highnes, & also all the sites, circuites, precinctes, manours, lordships, granges, meases, landes, tenements, medowes, pastures, rentes, reuersions, seruices, woods, tythes, pencions, porcions, personages appropriat, vicarages, churches, chappels, aduowsons, nominatiõs, patronages, annuities, rights, interests, entries, conditions, commons, leetes, courts, liberties, priuiledges, franchises & other hereditaments whatsoeuer they be, belonging or appertaining to the same, or to any of them: whensoeuer & as soone as they shalbe so dissolued, suppressed, renounced, relinquished, forfaited, giuen vp, or by any other meane come vnto the kings highnes, shalbe vested, deemed, and iudged by auctoritie of this present parliament in ỹ very actual & real season & possessiõ of ỹ king our soueraigne lord his heires and successours for euer, in the state and condition as they nowe be, & as though all the sayd late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other religious & ecclesiastical houses & places, so dissolued, suppressed, renounced, relinquished, forfeyted, giuen vp, or come to the kings highnes, as is aforesaid, as also ỹ said monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious & ecclesiasticall houses & places, which hereafter shal happen to be dissolued, suppressed, renounced, relinquished, forfaited, giuen vp, or come vnto the kings highnes, sites, circuites, precincts, manours, lordships, granges, lands, tenements, & other the premisses whatsoeuer they be, & euery of them, were in this present act, specially & particularly rehearsed, named & expressed by expresse words, names, titles, & faculties, and in their natures, kindes, & qualities. And be it &c. that all the sayde late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other religious and ecclesiasticall houses & places, which bene dissolued, suppressed, renounced, relinquished, giuẽ vp, or come to the kings highnes by any maner of meanes as is aforesayd, and all the manours, lordships, granges, landes, tenementes, and other the premisses (except such thereof as be

Possession

Attainder Treason

commen to the kings hands by attainder or attainders of treason.) And all the said monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers and other religious and ecclesiasticall houses and places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come vnto the kings highnesse, and al the manors, lordships, granges, landes, tenements, medowes, pastures, rentes, reuersions, seruices, woods, tythes, porcions, pencions, parsonages appropriate, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities, rightes, interests, entries, conditions, cōmons, leetes, courtes, liberties, priuiledges, franchises, and other hereditaments whatsoeuer they bee, belonging to the same, or to any of them (except such thereof which shal happen to come to ỹ kings highnesse by attainder or attaynders of treason) shall be in the order, suruey, and gouernance of our sayd soueraigne Lord the kinges court of Augmentations of the reuenues of his crowne, and of the chaunceller, officers and ministers of the same. And all the fermes, issues, reuenues and profites, comming & growing of the premisses, & of euery part thereof (except before excepted) shall be ordered, taken and receyued to the kings vse by the sayd chauncellour, ministers and officers of the same court, in such and like maner & fourme as the monasteries, priories, sites, circuits, manors, granges, meases, landes, tenements, rentes, reuersions, seruices, tythes, pencions, porcions, aduowsons, patronages, rightes, entries, conditions, and other hereditaments, late appertayning or belonging vnto the monasteries, abbathies, priories, or other religious houses, late by auctoritie of parliament suppressed, bene ordered, surueyed, and gouerned. Sauing to all and euery person or persons, and bodies politike and their heires & successours, & the heires & successours of all & euery of them, other then the said late abbots, priors, abbesses, prioresses, and other ecclesiastical gouernours and gouernesses of the sayde late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places and their successours, and the successours of euery of them, and such as pretende to be founders, patrones, or donours of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other ecclesiasticall houses and places, or of any manours, mesuages, landes, tenements, or other hereditaments belonging to the same, or to any of them, their heires and successours, and the heires & successours of euery such founder, patron or donour, and the nowe abbots, priors, abbesses, prioresses, and other ecclesiasticall gouernours and gouernesses of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses & places, which hereafter shall happen to bee dissolued, suppressed, renounced, relinquished, forfaited, giuen vp, or come to the kings highnesse, & such as pretend to be founders, patrons, or donours of such monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, & other ecclesiastical houses and places, of any manours, mesuages, lands, tenements, or other hereditaments to the same belonging, or to any of them, their heires & successours, and the heires and successours of euery of them, all such ryght, title, clayme, interest, possession, rentes, charges, annuities, leases, fermes, offices, fees, liueries, and liuings, porcions, pencions, corodies, commons, synodes, priories, and other profites, which they or any of them, haue, clayme, ought, may, or might haue had, in or to the premisses, or to any part or parcell thereof, in such like maner, fourme, and condition to all intentes, respectes, constructions, and purposes, as if this Acte had neuer bene had ne made, rentes seruices, rentes secke, and all other seruices & suites onely except. Prouided alwayes & be it &c. that if any late abbot, prior, abbesse, prioresse, or other ecclesiasticall gouernour or gouernesse abouesayde within one peere next before the dissolution, suppression,

Leetes Courtes

Augmentation

Chauncelor

Bodies politike

Founders Patrons

Rights

Rents Seruices

One peere

suppression, renouncing, relinquishing, forfeyting, giuing vp, or comming to the kings highnes of his late monastery, abbathie, priory, nunry, colledge, hospitall, house of fryers, or other religious or ecclesiastical house or place, hath made any leasse or graunt, vnder his counte or common seale, or other wise, for terme of life, or for terme of the yeres of spes, circuite and precinct of his sayde late monastery, abbatiie, priory, nunry, colledge, hospitall, house of friers, or other religious or ecclesiastical house or place, or of any part thereof, or of any manours, messuages, graunges, lands, tenements, parsonages appropriate, tythes, pencions, porcions, or other hereditamentes, which belonged or appertayned to his sayde late monastery, abbathie, priory, nunry, colledge, hospitall, house of fryers, or other religious or ecclesiasticall house or place, which manours, messuages, granges, landes, tenements, parsonages appropriate, tythes, pencions, porcions, or other hereditamentes, were not before the same leasse commonly vsed to be set nor let to ferme, but kept and reserued in the manurance, tillage, or occupation of the sayde gouernour or gouernesse for the maintenance of hospitalitie and good house keeping, or within one yeere as is aboue sayd, hath made any leasse or graunt for terme of life, or for terme of yeres, of any manors, messuages, landes, tenements, medowes, pastures, woods, parsonages appropriat, tythes, pencions, porcions, Churches, chappels, or other hereditaments, whatsoeuer they bee, whereof, or in the which any estate or interest for terme of life, yere or yeres, at the time of making of any such graunt or leasse, that had his being or continuance, and then was not determined, finished, or expired. Or within the time of one yeere, as is aboue sayde, hath made any leasse or graunt for terme of life, or for terme of yeeres, of any manours, messuages, landes, tenements, medowes, pastures, woods, parsonages appropriate, tythes, pencions, porcions, churches, chappels, or other hereditamentes, whatsoeuer they bee, vpon the

Leasse Graunt

One yere leasse

which leases and graunts, the vsual and olde rentes and fermes accustomed to be Olde rentes
yeelden and reserued by the space of xx. yeres next before the first day of this present parliament, is and be not thereupon reserued and holden. Or if any such gouernour or gouernesse, hath made any bargayne or sale of his woods within one Woodsale
yeere, as is afore limitted, which woods be yet growing and standing: that then all and euery such leasse, graunte, bargaynes and sale of wood or woods, shalbe vtterly voyde and of none effect. And it Voyde
is &c. that all feoffements, fines and reco- Feoffements
ueries had, made, knowledged, or suffered Fines
by any gouernor or gouernesse, without Recouries
the kinges licence vnder his great seale, within one yeere next before the dissolution, renouncing, relinquishing, forfayting, giuing vp, or comming to the kings highnes of his sayd monastery, abbathie, priorie, nunry, colledge, hospitall, house of friers, or other religious or ecclesiastical house or place of any manors, meales, lands, tenements or other hereditaments, whatsoeuer they be, which the sayde late Abbot, Prior, abbesse, prioresse, and other ecclesiasticall gouernours or gouernesse, or any of them, or any of their predecessors had or held of the gift, graunt or confirmation of our said soueraigne Lord, or of any of his highnesse progenitors, or of ỹ which monasteries, abbathies, priories, nunries, colledges, hospitals, houses of fryers, or other religious & ecclesiasticall houses or places, our said soueraigne lord was founder or patron, or which manors, meales, landes, tenements, or other hereditamentes were of the auncient or olde foundation or possession of the sayde late monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers, or other religious or ecclesiastical houses or places, shalbe vtterly voyde and of none Voyde
effect. And it is &c. that if any Abbot, priour, abbesse, prioresse, or other ecclesiasticall gouernour or gouernesse of any monasterie, abbathie, priorie, nunrie, colledge, hospitall, house of fryers, or other religious or ecclesiasticall house or place, which hereafter shall happen to be

dissolued, suppressed, renounced, relinquished, forfayted, giuen vp or come to the kings highnesse within one yere next before the first daye of this present parliament haue made, or hereafter doe make any lease or graunt, vnder his comen or common seale, or otherwise for terme of yeres or life or liues of the syte, circuite & precinct of his sayd monasterie, abbathie, priory, nunry, colledge, hospitall, house of friers, or other religious or ecclesiasticall house or place or of any part thereof, or of any manors, messuages, lands, tenements, personages, appropriate tythes, pencions, porcions or other hereditamēts belonging or appertayning to his sayde monasterie, abbathy, priorie, nunry, colledge, hospitall, house of friers, or other religious or ecclesiasticall house or place, which manours, meases, granges, lands, tenemēts, personages, appropriat tithes, pencions, porcions, or other hereditamēts, whatsoeuer they be, were not before the same lease commonly vsed to bee set nor let to ferme, but kept and reserued in the manurance, tillage, or occupation of the sayde gouernour or gouernesse for the maintenance of hospitalitie and good house keeping, or nowe be in the manurāce, tillage or occupation of the sayd gouernour or gouernesse, for ỳ maintenance of hospitalitie & good house keeping, or within one yeere next before the first day of this present parliament, hath made, or hereafter shal make any lease or grant for terme of life, or for terme of yeres, of any manours, meases, landes, tenements, medowes, pastures, woods, personages appropriat, tithes, pencions, porcions, churches, chappels, or other hereditamentes, whatsoeuer they be, whereof, and in the which any estate or interest for terme of life, yere or yeres, at the time of making of any such graunt or lease then had his being or continuance, or hereafter shall haue his being or continuance, and then was not determined, finished, or expired, or that the time of any such lease to bee made, shall not be determined, finished or expired. Or within one yeere next before the first daye of this present parliament hath made, or hereafter shall make any lease or graunt for terme of life, or for terme of yeres, of any manours, messuages, landes, tenementes, medowes, pastures, woods, personages appropriate, tythes, pencions, porcions, Churches, Chappels, or other hereditaments, whatsoeuer they be, vpon the which leases and graunts, the vsuall and olde rentes, and fermes accustomed to be yeelden and reserued by the space of xx. yeeres next before the sayd first day of this present parliament, is or be not, or hereafter shal not be therupon reserued and yeelden. Or if any such gouernour or gouernesse of any such monasterie, abbathie, priorie, nunry, Colledge, hospitall, house of friers, or other religious or ecclesiasticall house or place, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfayted, giuen vp, or come to the kings highnesse, within one yere next before the first daye of this present Parliament, hath made or hereafter shall make any bargaine or sale of his woods, which woods be yet growing and standing, that then all and euery such lease, graunt, bargaine and sale of wood or woods, shal be vtterly voyde and of none effect. And it is &c. that all feoffements, fines & recoueries had, made, knowledged or suffered within one yeere next before the first day of this present parliament, or hereafter to be had, made, knowledged or suffered by any gouernour or gouernesse of any monastery, abbathie, priory, nunry, colledge, hospitall, house of friers, or other religious or ecclesiastical house or place which hereafter shal happen to be dissolued, suppressed, renounced, relinquished, forfaited, giuē vp, or come to the kings highnesse, without the kinges lycence vnder his great seale, of any manours, meases, landes, tenementes or other hereditamentes, whatsoeuer they bee, which the sayde abbots, priors, abbasses, prioresses, and other ecclesiasticall gouernours or gouernesses, which hereafter shal happen to be dissolued, suppressed, relinquished, forfayted, giuen vp, or come vnto the kinges highnesse, as is aforesayde, or any

Lease Graunt

One yere

Lease

One yere

Lease Graunt

Olde rentes

One yere

Woodsales

Voyde

Feoffements

Fines

Recoueries

One yere

K. licence

any of them, or any of their predecessours had or helde, or haue and holde of the gift, graunt or confirmation of our sayd soueraygne lorde, or of any of his highnesse progenitours, or of the which monasteries, abbaties, priories, nunries, Colledges, Hospitalles, houses of Fryers, or other religious or ecclesiasticall houses or places, our sayd soueraigne lord is holder or patrone, or which Manours, Meales, landes, tenementes, or other hereditaments, were or be of the auncient or olde foundation or possession of the sayde monasteries, abbaties, Priories, Nunries, Colledges, hospitals, houses of friers, or other religious or ecclesiastical houses or places, shalbe vterly void & of nõe effect.

Foundor Patron

Old foundation

Void

Prouided alway, &c. that if any Abbot, Priour, abbesse or prioresse, or other gouernour or gouernesse abouesayde, within one yeere next before the first day of this present Parliament, or if any late Abbot, priour, abbesse, prioresse or other late gouernour or gouernesse abouesaid, within one yere next before any such dissolution, suppression, renouncing, relinquishing, forfayting, giuing vp, or comming to the kings highnes of the premisses or of any parcel therof, as is aforesaid, haue made any demise, leasle, or graũt to any person or persons for termes of yeres, of any manours, meales, landes, tenements, personages appropriat, tithes, pencions, porcions, or other hereditaments aforesayd, which person or persons at the time of the sayd demise, leasle, or graunt had, and held the same to ferme for terme of yeres then not expired: that then the sayd person or persons to whom any such demise, leasle, or graũt hath bene so made, shall haue and hold the same for terme of xxi. yeres onely from the time of the making of the sayd demise, leasle, or graunt, if so many yeres be by the same demysle, leasle, or graunt specified, limited and expressed, or else for so many yeres as in such demise, leasle, or graunt bene expressed, so that the olde rent be thereupon reserued, and so that the same leasle or leases exceede not xxi. yeeres. This act or any thing therein contayned to the contrary notwithstanding.

One pere

Dissolution

Leasle Graunt

xxi. Yeres

Old rent

Prouided also, &c. that if any Abbot, priour, abbesse, prioresse, or other late gouernor or gouernesse within one yere next before any such dissolucõ, suppressiõ, renouncing, relinquishing, forfaiting, giuing vp or comming vnto the kings highnes of the premisses, or of any parcell therof, as is aforesaid, haue made any demise, leasle, or graunt to any person or persons for terme of life or liues of any manours, meases, lands, tenements, personages appropriate, tithes, pencions, porcions, or other hereditamentes aforesayde, which person or persons, or any of them at the time of the sayd demise, leasle or graunt had and held the same for terme of life or liues, or for terme of yeres then not expired that then the sayd person or persons, to whom any such leasle or graunt hath bene so made, shal haue and hold the same for terme of their life or liues, so that the old rent be thereupon reserued. This act or any other thing therein contained to the contrary there of notwithstanding.

One pere

Leasle Graunt

Lines

Old rent

Prouided also, &c. that all and singuler leases and graũtes, made by copie to any person or persons of any of the sayde messuages, lands, tenements, personages appropriat, tithes, pencions, porcions, or other hereditamentes, aforesayde, for terme of life or liues which by the Custome of the countrie hath bene vsed to be demised, letten or graunted by copy of court roll, shalbe good and effectuall in the lawe, so that the olde rent be reserued by and vpon euery such lease and leases, this act or any thing therein contained to the cõtrary in any wise notwithstanding.

Leases Graunts Copyhold

Custome

Old rent

Prouided alwaies, &c. that all leases heretofore made of any the premisses by authoritie of our soueraygne Lorde the kings court of augmentations, of the reuenues of his crowne, and all such leases, feoffements and woodsales made by the sayd gouernours and gouernesse, or any of them, vnder their couent, seales, or vnder their couent or common seale of any of them, within one yere next before the dissolution, suppression, renouncing, relinquishing, forfaiting, giuing vp, or comming

Leases

Augmentation

Woodsales.

ming to the kings highnes, of the sayde monasteries, abbathies, priories, nunries, colledges, hospitals, houses of friers or other religious or ecclesiastical houses or places, which said leases, graunts, feoffements and woodsales have bene examined, enrolled, decreed or affirmed in our said soueraigne lorde the kinges court of augmentations, and the decree of ꝑ same put in writing, sealed with the seale of the said court of augmentations, shalbe good & effectual according to the same decree, any clause or act heretofore in this present act, to the contrary notwithstanding.

Examined Enrolled Decreed

Prouided alway &c. that if any person or persons haue iustly & truely without fraud or couine, payed or giuen any summe or summes of money to any the sayd late gouernours or gouernelles for the bargaines and sales of any woods, being & growing in, or vpon any manours, lands, tenements or hereditamẽts which appertained or belonged to the sayde late monasteries, abathies, priories, nunries, Colledges, Hospitals, houses of friers or other Religious or ecclesiasticall places, or vnto any of them, which bargaine and sale by auctority of this act is made void and of none effect, and by meane thereof, the kings highnes may haue and take the commodity and profit of such woodes so bargained and solde: that then the chauncellour and other officers of our saide soueraigne lorde the kinges court of augmentations, or three of them, whereof the chauncellour for the time being shalbe one of our said soueraigne lord the kings Treasure, remaining in the treasury of the same court, shall satisfie and recompence euery such person and persons, such summe of money, or other recompence as the same Chauncellour and officers, or three of them, whereof the sayde Chauncellour shalbe one, shall thinke meete and conuenient. And if any other person or persons shall happen to take profit and commoditie, by reason of auoiding of such wood sales by authoritie of this act, that then euery person or persons which may or shal take any such profit, shalbe ordered for satisfaction to bee made to the parties that shal happen to be greeued by this act, by the said Chauncellor & other the officers of the same court.

Bona fide

Chauncelor

Recompence

Prouided also, &c. that al and euery person and persons, their heires & assignes, which sith the sayd xiii. day of February, by licence, pardon, confirmation, releale, assent or consent of our sayd soueraigne lord the king, vnder his great seale heretofore giuen, had or made, or hereafter to be had or made, haue obtained or purchased by indenture, fine, feoffement, recouery or otherwise of the sayde late abbots, priors, abbelles, prioreſſes, or other gouernours or gouernelles of any such monasteries, abbathies, priories, nunries, Colledges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, any monasteries, priories, colledges, hospitals, manours, lands, tenemẽts, medowes, pastures, woods, churches, chappels, parsonages, tithes, pencions, portiõs, or other hereditamẽts, shall haue and enioy the same according to such writings & assurances as bene therof before ꝑ day of this present parliament, or hereafter shalbe had or made, saiuing to al & euery person and persons, & bodies politike, their heires & successors, & to the heires and successors of euery of them, other then the sayd late abbots, abbelles, priours, prioreſſes, and other gouernors and gouernelles and their successours, and the successours of euery of them, and such as pretend to be founders, patrons, or donours of the sayde monasteries, abbathies, priories, nunries, colledges, hospitals and other religious or ecclesiasticall houses or places, or of any of them, or of any manours, messuages, lands, tenements, or other hereditaments late belonging to the same, or to any of them, and their heires, successours, and the heires and successors of euery founder, patrone or donour, all such right, title, interest, possession, rents, annuities, commodities, offices, fees, liueries and liuings, portions, pencions, corodies, synodes, proxies, and other profits, which they or any of them haue, ought, or mought haue had, in or to any ꝑ said monasteries, abbathies, priories,

Licence

Purchase

Bodies politike

Founders Patrons

Heires

Right

pryories, colledges, hospitals, manours, lands, tenements, rents, seruices, reuersions, tythes, pencions, porcions, or other hereditaments at any time before any such purchase, indentures, fines, feoffements, recoueries or other lawful meane betweene any such parties, had or made as is aboue said: this act or any thing therin contained to the contrary notwithstanding. And where our sayde soueraygne Lorde, sith the iiii. day of Februarie, the sayd xxvii. yere of the raygne of our sayd soueraigne Lord hath obtayned and purchased as wel by exchaunges, as by gifts, bargaines, fines, feoffements, recoueries, deedes enrolled, and otherwise, of diuers and sundry persons, many sundry and diuers honours, castels, mannours, lands, tenements, medowes, pastures, woods, rents, reuersions, seruices, and other hereditaments, and hath not onely payed diuers and sundry great summes of money for the same, but also hath giuen and graunted for the same vnto diuers and sundry persons, diuers and sundry manours, landes, tenements, and hereditaments, and other recompenses in and for full satisfaction of al such Honours, Castels, manours, lands, tenements, rents, reuersions, seruices, and other his hereditaments, by his highnesse obtained, or had as is aboue sayd. Be it therefore enacted by the authoritie aboue sayde, that our sayd soueraygne lord the king, his heires and successours, shall haue, hold, possesse, and enioy all such honours, Castels, manours, lands, tenements, and other hereditaments, as his highnesse sith the sayde iiii. day of February, the xxvii. yere aboue said, hath obtained and had by way of exchaunge, bargayne, purchase, or other whatsoeuer meane or meanes, according to the true meaning and intent of his highnesse bargaine, exchaunge or purchase, misrecitall, misnaming, or nonrecitall or not naming of the sayd honours, castels, manours, lands, tenements, and other hereditaments, comprised or mencioned in the bargaines or writings made betweene the kinges highnesse and any other partie or parties, or of the townes or Counties, where the sayde honours, Castels, manours, lands, tenements, and hereditaments, lye and bene, or any other matter or cause whatsoeuer it bee in any wyse notwithstanding.

King

Misrecitall
Misnaming
Nonrecitall

Sauing to all and euery person and persons, and to their heires, bodies polytike and corporat, and to their successors, and to euery of them, other then such person and persons, and their heires, and their wiues, and the wiues of euery of them, bodies polytike and corporate, and their successours, and euery of them, of whom the kings highnesse hath obtained by exchange, gift, bargayne, fine, feoffement, recouerie, deede enrolled, or otherwise, any such honours, Castels, mannours, lands, tenements, and other hereditaments, as is afore sayd, all such right, title, vse, interest, possession, rents, charges, annuities, commodities, fees, and other profits (rentes, seruices, and rentes seckes onely except) which they or any of them haue, might, or ought to haue had, in or to the premisses so obtained and had, or in or to any parcell thereof, if this act had neuer bene had nor made: this present act or any thing therein contained to the contrary notwithstanding. And where it hath pleased the kings highnesse of his most aboundant grace and goodnesse, as wel vpon diuers and sundry considerations, his maiestie specially mouing, as also otherwise to haue bargained, sold, changed, or giuen and graunted by his graces seuerall letters patents, indentures, or other writings as wel vnder his highnesse Duchy of Lancaster, and the seale of the office of thaugmentations of his crowne, vnto diuers and sundry of his louing and obedient subiects, diuers and sundry honours, castels, manours, monasteries, abbathies, pryories, lands, tenements, rents, reuersions, seruices, parsonages appropriated, aduowsons, liberties, tithes, oblations, porcions, pencions, franchises, priuiledges, liberties, and other hereditaments, commodities & profits, in fee simple, fee taile, for terme of life, or for terme of yeres. For auoyding of which said letters patents, & of the contents of the same,

Bodies politike

Letters patents

Lancaster

Fee simple

diuers

diuers sundry and many ambiguities, Doubts doubts and questions might hereafter arise, be moued and stirred, aswell for misrecitall or non recitall, as for diuers other Misrecital Nonrecitall matters, things or causes to be alledged, obiected or inuented against the sayd letters patents, as also for lacke of finding offices or inquisitions, whereby the title Offices Inquisitions of his highnes therein ought to haue bene found, before the making of the same letters patents, or for misrecitall or non recitall of leases, aswell of record as not of Leases record, or for lacke of the certeintie of the values, or by reason of misnaming of the Value Misnaming honours, castels, manors, monasteries, abbathies, priories, lands, tenements, and other hereditaments, compised and mencioned within the same letters patents, or of the Townes and counties where the same honours, castels, manours, monasteries, abbathies, priories, landes, tenements, rents, and other hereditaments, lien and bene, as for diuers and sundry other suggestions & surmises, which hereafter might happen to be moued, surmised and procured against the same letters patents, albeit the words in effect contained in the said letters patẽts be according to the true intẽt and meaning of his most roial maiestie: Be it therefore enacted by the authoritie of this present parliament, that aswell all and euery the sayd letters L. patents patẽts, indentures or other writings, and Indentures euery of them vnder the seale or Seales aboue saied, or any of them made or graunted by the kings highnes sithen the sayde iiii. day of February, the sayd xxviii. yere of his most noble raigne, as al and singuler other his graces letters patentes, indentures or other writinges to bee had, made or graunted to any person or per- 3. Peres sons within iii. yeres next after the making of this present act of any honours, castels, manours, monasteries, abbathies, priories, nũries, colledges, hospitals, houses of friers or of other religious or ecclesiasticall houses or places, sites, circuits, precincts, lands, tenements, personages, tithes, pẽcions, porcions, aduousons, nominations and all other hereditaments & possessions of what kind, nature or quantitie soeuer they bee, or by whatsoeuer name or names they or any of them be named, knowen or reputed, shall stand & be good, effectual and auaylable in the lawe of this realme, to all respects, purposes, cõstructions and intents, against his maiestie, his heires and successours, without any other licence, dispẽsation or tollerãce of the kinges highnes, his heires or successours, or of any other person or persons whatsoeuer they be, for any thing or things contayned or hereafter to be contained in any such letters patents, indentures or other writings: any cause, consideration or thing materiall to the contrary in any wise notwithstanding. Sauing to all & singular persons, bodies, politike and corporat, their heires and successors, and the heires and successours, of euery of them, other then his highnes, his heires and successours, and the said gouernours and gouernesses & their successours, donours, fowlders and patrons afore named, and their heires and successours, and al other persons clayming in their rightes or to their vse, or in the right to chuse of any of them all such right, title, claime, inte- Right rest, possession, reuersion, remaynder, offices, annuities, rent, charges & cõmons, which they or any of them haue, ought or mought haue had, in, or to any of the sayd honours, Castels, mannours, monasteries, abbathies, priories, lands, tenements and other hereditamẽts in the said letters patents made, or hereafter to bee made, compised at any time before the making of the sayd or such letters patentes: this act or any thing therein contained to the contrary notwithstanding. And where diuers and sundry Abbots, Priours, Abbesses, prioresses and other ecclesiasticall gouernours and gouernesses of the sayd late monasteries, abbathies, priories, nunries, colledges, Hospitals, houses of friers, and other religious and ecclesiastical houses and places, haue had, possessed and enioyed diuers and sundry persona- Personages appropriat ges appropriated, tythes, pencions, and porcions, and also were acquited and discharged of and for the payment or payments of tythes, to be paid out or for their Tythes said

sayde monasteries, abbathies, priories, nunries, colledges, hospitals, houses of Friers, and other religious and ecclesiasticall houses and places, manours, measuages, lands, tenements and hereditaments. Be it therefore enacted by the authoritie aboue sayd, that as well the king our soueraigne Lord, his heires and successours, as all and euery such person and persons, their heires and assignes, which haue, or hereafter shall haue any Monasteries, abbathies, priories, nunries, colledges, hospitals, houses of Friers, or other ecclesiasticall houses or places, sites, circuites, precincts of the same, or of any of them, or any manors, messuages, personages appropriat, tithes, pencions, porcions, or hereditaments whatsoeuer they be which belonged or appertayned, or which now belong or appertaine vnto the sayd monasteries, abbathies, priories, nunries, colledges, hospitals, houses of Friers, or other religious and ecclesiasticall houses or places, or vnto any of them, shal haue, holde, retayne, keepe and enioy aswell the sayde personages appropriat, tythes, pencions and porcions, as the said monasteries, abathies, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places, sites, circuites, precincts, mannours, meases, lands, tenements and other hereditaments, whatsoeuer they be and euery of them, according to their estates and titles, discharged and acquited of paiment of tythes as freely, and in as large and ample maner, as the said late abbots, priours, abbesses, prioresses and other ecclesiastical gouernours and gouernesses, or any of them had, held, occupied, possessed, vsed, retained or enioyed the same, or any parcell thereof at the dayes of their dissolution, suppression, renouncing, relinquishing, forfayting, giuing vp, or cõming to the kings highnes of such monasteries, Abbathies, Priories, Nunries, Colledges, Hospitals, houses of fryers, and other religious or ecclesiasticall houses or places, or at the day of the dissolution, suppression, renoncing, relinquishing, giuing vp, or comming to ỹ kings highnesse of any of them: this act or any thing therein contained to the cõtrary notwithstanding. Sauing to the kings highnes, his heires and successours, all and all maner of rents, seruices, and other duetie whatsoeuer they be, as if this act had neuer bene had nor made. And be it ꝛc, that such of ỹ said late monasteries, abbathies, priories, nunries, Colledges, Hospitals, houses of Friers, or other religious and ecclesiasticall houses and places, and all churches and chappels, with em or any of them belonging, which before the dissolution, suppression, renouncing, relinquishing, forfaiting, giuing vp, or comming into ỹ kings hands, were exempted from the visitation or visitations, and all other iurisdiction of the ordinary or ordinaries within whose Dioces they were situat or set, shall from henceforth be within the iurisdiction and visitation of the Ordinaries, within whose diocesse they or any of them be situate and set, or within the iurisdiction and visitation of such person as by the kings highnesse shalbe limitted or appointed: this act or any other exemption, liberty or iurisdictiõ to the contrary notwithstãding. And where before this time it hath pleased the kings maiestie at the contemplation and humble petition of ỹ right noble, Thomas Duke of Norff. to giue his roial assent and licence by his graces word, without any maner of letters patents, or other writing to purchase and receiue to him and to his heires for euer, of William Flatbery, late abbot of the monastery of Sipton in the countie of Suff. and Couent of the same late monastery now being dissolued, al the same monasteries together, with all and singuler manors, lordships, lands, tenements, woods, waters, commons, courts, leets, aduousons, patronages, personages, Vicarages, chauntries, freechappels, tithes, porcions of tithes, pencions, annuities, rents, suits, seruices, reuersions, remainders, and all other things which were the hereditaments, or the possessions of the sayde late monasterie wheresoeuer they lay or were within the realme of England. And in likewise our said soueraigne

Tithes

Rents Seruices

Visitations

Ordinaries

Duke of Norf.

Lord

Licence

Lorde gaue like licence by his graces
woord, vnto the right honorable George
L. Cobham Lord Cobham, to purchase and receyue
to his heires for euer, of the late master
and brethren of the Colledge or chauntry
of Cobham, in the countie of Kent, nowe
being vtterly dissolued, the site of the same
colledge or chauntry, and al and singuler
their hereditaments & possessions, aswell
temporall as ecclesiasticall, wheresoeuer
they lay, or were within the realme of
England. Be it therefore enacted by the
authority of this present parliament, that
the act aboue writen, or any thing therein
contained, shall not in any wise be preiu-
diciall or hurtfull to the sayde Duke and
Lord Cobham, or to either of them, or to
the heires or assignes of either of them,
but that the same Duke and Lorde Cob-
ham, and either of them sunderly, and the
heirs and assignes of either of them, shal
and may haue, hold, receiue, and enioye
the premisses by them sunderly purcha-
sed or receiued, according to the purports
and effects of such euidences, writings,
and conueiances as they or any of them
sunderly haue caused to be deuised and
made to them, or to their vses for the same.
Sauing alwayes and reseruing to all
and singuler persons and bodies politike,
and to their heires and successours, other
then the said late Abbot and Conent, and
their successours, and the said late master
and brethren, and their sucessours, and the
founders of the same monasterie, or the
sayd Colledge or chauntry, and the heires
of either of them, and all donours, graun-
tors, or augmenters of them, or of either
of them, and the heires and assignes of ei-
ther of them, all such rightes, titles, pos-
sions, rents, seruices, fees, annuities, co-
rodies, liueries, leases, and al other
their such interests, profits and commo-
dities, as they or any of them had, should
or ought to haue, of, to, or in any of the
premisses sunderly purchased or recey-
ued by the sayde Duke or Lorde Cob-
ham, if this present act had neuer beene
had ne made: Any thing in this same act
to the contrary, being in any wise not-
withstanding. An. 31. H. 8. ca. 13.

Rights
Rents
Seruices

13 An. 37. H. 8. ca. 4. an act was
made that all colledges, Chauntries, free
chappels &c. shalbe in the kings disposi-
tion during his life, in which act be di-
uers articles concerning those chaun-
tries &c. but king Henry during his life,
did not much by force of that act, there-
fore I do not put that act here.

Colledges
Chauntries
Free chappels

13 All maner of colledges, free chap-
pels and Chauntries, hauing being or in
esse, within fiue yeres next before the first
day of this present parliament, which
were not in actuall and reall possessions
of the said late king, nor in the actual and
reall possession of the king our Soue-
raigne Lord that now is, nor expected in
the said former act in fourme aboue sayd
(S. 37. H. 8. c. 4. before. 12.) other then
such as by the kings commissions in forme
hereafter mencioned shalbe altered, trans-
posed or changed, and all manours,
lands, tenements, rents, tithes, pencions,
portions and other hereditaments, and
things aboue mencioned, belonging to
them, or any of them: and also all manors,
lands, tenements, rents, and other here-
ditaments, and things aboue mencioned
by any maner of assurance, conueiance,
will, deuise or otherwise, had, made, suffe-
red, knowledged or declared, giuen, assi-
gned, limited, or appointed to the finding
of any Priest to haue continuance for e-
uer, and wherwith, or whereby any priest
was sustayned, maintained or found,
within fiue yeres next before the first day
of this present parliament, which were
not in the actuall and reall possession of
the sayd late king, nor in the actuall and
reall possession of our Soueraigne Lord
the king that now is: and also all annuall
rents, profits, and emoluments at any
time within fiue yeres next before the be-
ginning of this present Parliament em-
ployed, payd or bestowed, toward, or for
the maintenance, suppostation, or fyn-
ding of any stipendarie Priest, inden-
ted by any act or writing to haue conti-
nuance for euer, shall by the authoritie
of this present Parliament immediatly
after the feast of Easter next comming be
adiudged and deemed, and also be in the

Alters

Will

Priest

Rents
Profits.

very

very actuall and reall possession and seyson of the king our soueraigne Lord and his heires and successours for euer, with out any office or other inquisition thereof to be had or found, and in as large and ample maner and fourme, as the Priests, wardens, masters, ministers, gouernours, rulers, or other incumbents of them, or any of them, at any time within fiue yeres next before the beginning of this present parliament, had, occupied, or enioyed, or nowe hath, occupieth, or enioyeth the same, and as though all and singuler the sayd Colledges, freechappels, Chauntries, stipends, salaries of priests, and the sayde mannours, lands, tenements, hereditaments and other the premisses whatsoeuer they be, and euery of them, were in this present act specially, particularly and certainly rehearsed, named and expressed by expresse words, names, surnames, corporations, titles, and faculties, and in their natures, kinds and qualities.

And ouer that be it &c. that where any manours, lands, tenements, tithes, pencions, porcions, rents, profits or other hereditamẽts by any maner of assurance, conueiance, will, deuise, or otherwise at any time heretofore had, made, suffred, knowledged or declared, were giuen, alligned or appointed, to or for the maintenance, sustentation, or finding of one priest, or of diuers Priestes, for terme of certayne yeres yet continuing, and that any priest hath bene mainteined, sustained or found with the same, or with the reuenues or profits thereof within fiue yeres last past, that the king from the sayde feast of Easter next comming, shall haue and enioy in euery behalfe, for and during all such time to come, euery such and like things, tenements, hereditaments, profits and emoluments, as the priest or priests ought or should haue had, for or toward his or their maintenance, sustenance or finding, and for no longer or further time, nor for any other profit, aduauntage or commoditie thereof to be taken.

Prouided alwaies &c. that when and as soone as the time alligned for the maintenance, sustentation or finding of the priest or priests, shalbe expired and runne, that then it shalbe lawful to euery person or persons, to whō any mannours, lands, tenements, tythes, porcions, pencions, rents and other hereditaments, or any of them should haue belonged or appertayned, if the said former act and this act had neuer bene had or made to enter into, take, perceiue, haue and enioy the same without any manner of liuery, ouster le maine, pencion or other sūpt to be made to the king, in like manner, forme and condition, to all intents, constructions and purposes, as though the sayde former act and this act had neuer bene had or made, and as though the king had neuer had any seyson or possession thereof. Any thing in this act to the contrary in any wise notwithstanding. And be it &c. that the king our soueraigne Lord, his heires and successours, from the said feast of Easter next comming, shall haue, hold, perceiue and enioy for euer, all lands, tenements, rents, or other hereditaments, which by any maner of assurance, conueiance, willes, will, deuise, or otherwise at any time heretofore had, made, suffered, knowledged or declared, were giuen, assigned, or appointed to go or be employed wholy to the finding or maintenance of any anniuersarie, or obyte, or other like thing, intent or purpose, or of any light or lampe in any Churche or Chappell to haue continuance for euer, which hath bene kept or mainteined within fiue yeres next before the sayd first day of this present Parliament. And also that where but part of the issues or reuenues of any manors, lands, tenements, rents, or other hereditaments, hath by any of the waies or meanes abouesayde bene giuen, assigned, or appointed, to be bestowed or employed to the finding or maintenance of any anniuersarie, or obyte, or other like thing, intent, or purpose, or of any light or lampe in any Church or Chappel, and to haue continuance for euer, that then our soueraigne Lord the king shall from the sayde feast of Easter next comming, for euer haue, perceyue and enioy euery such

R. possession
Office Inquisition
5. Yeres
Liuerie Ouster le maine Pencion
Lands
Priest
Expiration
Anniuersaries Obyte Lampe Light
5. Yeres
King

such summes of money, that in any one yere within fiue yeres next before the first day of this present parliament hath bene expended and bestowed about the fynding or maynteynance of any such anniuersary, or obite, or other like thing, intent or purpose, of any light, or lampe to him, his heires, and successours for euer, as a rent charge to be payde yerely at the feasts of saint Michael the Archangell, and the Annuciation of our Lady Saint Marie the Uirgin, by euen porcions, in the kinges court of the Augmentations and reuenues of his Crowne, or in any other court or courtes, as the King hereafter shall appoynt.

Rent charge

And that it shalbe lawfull to our sayd Soueraygne Lorde the king, his heires and successours for non payment of any such summe or summes of money, to distraine in the sayd manors, lands, and tenements, of the issues, and reuenues, whereof the sayd anniuersarie or obite, or other like thing, or any such light or lāpe was found, sustained or maintained. And that for lacke of sufficient distresse, in or upon any of the premisses whereof any of the sayd yerely rents, or summes of money shal be payed by the space of one moneth, next after that any of the sayd rents should be paied, and be not payed, within the said moneth, that then it shalbe lawful, to and for our Soueraigne Lord the king, his heires and successors, by vertue of this present act to enter into, and to haue and possesse as much of the lands, tenements, and hereditaments, whereof the sayd rent or rents should be leuied or payd, as the said rent or rents, that should be leuied or paid out of the same, doth or shall amount, or come to in yerely value, and the same lands, tenements and hereditaments, to hold and keepe, and to haue to our said soueraigne Lord the king, his heires and assignes for euer, or for such estate as our Soueraygne Lord the king, his heires or successours, had, or ought to haue had, of, or in the sayd rent or rents. And it is also &c. that our Soueraigne Lord the king, shall from the sayd feast of Easter next comming, haue, perceiue, and enioy all and singuler such summes of money, profites, commodities and emoluments, which by vertue of any manner of assurance, conueiance, compositiō, will deuise or otherwise heretofore haue bene giuen, assigned, limited, or appointed to haue continuance for euer, which in any one yere within fiue yeres next before the beginning of this present parliament haue bene paid, bestowed, or employed, by any manner of corporations, guyldes, fraternities, companies, or felowships of misteries or crafts, or any of them, being in England, Wales, and other the kings dominions, or by the masters and wardens, gouernours, or other officers or ministers, or by the master warden, gouernor, or other officer or ministers of them or any of them, toward or about the finding, maintenance, or sustentation of any yiest or yiests of any anniuersarie or obite, lampe, light or lights, or other like thing as is aforesayd, to our said soueraigne Lord the king, his heires and successours for euer to be payd yerely, as a rent charge at the feast of S. Michael the Archangell, and the Annunciation of our Lady, by euen porcions, in the kings court of augmentations, and reuenues of his Crowne, or in any other court, or courts, as the king hereafter shal appoint. And that it shalbe lawful to our sayd soueraigne lord the king, his heires and successours for non payment of any such summes or summe of money, profit, commoditie or emolument, or for non payment of any of them, to distraine in al the mannours, lands and tenements of euery such crafts, corporations, guildes, fraternities, companies, or felowships of misteries or crafts, or any of them, by whom, or by the masters, wardens, gouernors, or other officers or ministers, or master warden, gouernour or minister, of the which any such summes or summe of money, profit, commoditie, or emolument, haue or hath bene paid, bestowed, or employed. And that all and euery of the sayd summes of money, profites, commodities, and emoluments, shall from the feast of Easter next comming, without

Profites

5. Peres

Corporations
Guildes
Fraternities
Companies
Crafts
Wales
Wardens

Yiest
Anniuersarie
Obyte
Lampe
Light

Rent charge

Non paiment

Distraine

any

Inquisition Office

any maner of inquisition, or office to bee had or found, be iudged & deemed to be in the actuall and reall possession of our said soueraigne lord the king, in like maner & forme, to all intentes, constructions and purposes, as if the same had bene particularly & specially mentioned in this present act. And furthermore be it &c. that the king our soueraigne lord, shall from the sayde feast of Easter next comming, haue and enioy to him, his heires and successours for euer, all fraternities, brotherheads, and guildes, being within this realme of England, and Wales, and other the kings dominions, and al the manours, landes, tenements, and other hereditamentes, belonging to them, or to any of them, other then such corporations, guildes, fraternities, companies, and fellowships of mysteries or craftes, and the manours, landes, tenements, & other hereditaments, pertayning to the sayd corporations, guildes, fraternities, companies, and fellowships of misteries or crafts aboue mentioned, & shal by vertue of this act, be iudged and deemed in actuall and reall possession of our sayd Soueraygne lord the king, his heires and successours, from the said feast of Easter next cõming for euer, without inquisitions or office thereof to be had or found. And also be it &c. that our sayde soueraigne Lord the king, his heires & successours, at his and their wil and pleasure may direct his and their commissions and commission vnder the great Seale of England, to such persons, as it shall please him. And that the same cõmissioners, or two of them at the least, shall haue full power & aucthoritie by vertue of this act, and of the sayd commission, as well to survey all and singuler lay corporations, guildes, fraternities, companies, & fellowships of misteries or craftes incorporate, and euery of them, as all other the sayde fraternities, brotherheds & guildes, within the limits of their cõmission to them directed. And all the euidences, compositions, bookes, & accompts of other writings of euery of them, to the intent thereby to know what money and other things was payd or bestowed to the finding or maintenance of any priest or priestes anniuersary, or obit, or other like thing, light or lampe by thē, or any of them, as also to enquire, search, and trye by all such wayes and meanes as to them shalbe thought meete & conuenient, what manors, landes, tenemēts, rents, and other hereditamentes, profites, commodities, emoluments, and other things be giuen, limited, and appoynted to our sayd soueraigne lord the king by this act within the limits of their commission.

Fraternities
Brotherheads
Guildes
Wales
Landes

King

Commission

Commissioners

Survey

Euidences
Accompts

Priestes

Enquire

And also that the same commissioners, or two of them at the least, by vertue of this act, and of the commission to them directed, shal haue full power & aucthoritie to assigne, & shall appoynt in euery such place where guilde, fraternitie, the priest or incumbent of any chauntrie in elle, the first day of this present parliament by the foundation, ordinaunce, the first institution thereof should or ought to haue kept a grammer schoole, or a preacher, and so hath done sithen the feast of S. Michael the archangel last past, lands, tenements, and other hereditamentes, of euery such chaitry, guilde, & fraternitie, to remayne & continue in succession to a schoolemaster or preacher for euer, for, & toward the keeping of a grammer schoole or preaching, and for such godly intentes & purposes, & in such maner and forme, as the same commissioners, or ii. of them at the least, shall assigne or appoint. And also to make & ordeyne a vicar to haue perpetuitie for euer, in euery parish church þ first day of this present parliamēt, being a colledge, freechappell, or chauntry, or appropriate, annexed, or united to any colledge, freechappell, or chauntry, that shall come to the kings hands by vertue of this act, & to endowe euery such vicar sufficiently, hauing respect to his cure & charge, the same endowmēt to be to euery such vicar, & to his successours for euer, without any other licēce or graūt of the king, þ bishop, or other officers of the diocesse. And also þ said cõmissioners, or ii. of thē at þ least, shall haue aucthoritie by force of this act, to assigne in euery great towne or parish where they shall thinke necessary to haue

Commissioners

Grammer schoole
Preacher

Schoolemaster

Vicar

Endow

Ministration of Sacraments

mo priests then one, for the ministring of the sacraments within the same towne or parish, landes and tenements belonging to any chauntrie, chappell, or stipendarie priest, being within the same towne or parish, the first day of this present parliament, to be to such person or persons as the sayd commissioners or two of them at the least shall assigne or appoynt to continue in succession for euer, for, & towards the sufficient finding and maintenance of one or mo priests within the same towne or parish, as by the sayd Commissioners or two of them shall be thought necessary or conuenient. And aswell to make ordinances and rules, concerning the seruice, vses and demeanour of euery such priest and schoolemaster, as is aforesayde, to be appoynted, as also by what name or names he and they shall from henceforth bee named and called. And also that the said commissioners, or two of them at the least, shall haue full power and aucthoritie by vertue of this act, and of the sayde commission to them directed, to assigne as well to euery Deane, Master, Warden, Provost, and other incumbent, and minister of any of the sayd colledges, free chappels, or chauntries, being within the limittes of their commission, which hereafter shalbe dissolued or determined by vertue of this act, and to euery stipendarie priest and other priest, whose Salarie the King shall be intituled vnto by this Act, as to euery fellowe and poore person hauing yeerely reliefe out of any of the sayde Colledges, freechappelles, or Chauntries, being within the limittes of their commission, such seuerall yerely annuities, pencions, or other recompences, during their seuerall liues, as to the same commissioners, or two of them shal be thought meete and conuenient. And ouer that the sayd commissioners, or two of them at the least, shall haue full power and aucthoritie by vertue of this act, and of the commission to them directed to enquire and trie by such wayes and meanes as they shall thinke meete and conuenient, what money, profite, and benefite any poore person or persons by vertue of any conueyance, assuraunce, composition, will, deuise, or otherwise heretofore had or made, intended, or meant to haue continuaunce for euer, had or enioyed within fiue yeeres next before the beginning of this present parliament, out of any colledge, freechappell, or chauntrie, & other the premisses, giuen, limitted, or appoynted to the king by this act, being within the limittes of their commission. And thereupon to make assignements and orders in such maner and fourme, as all and singuler such said money, profite, and commoditie shall be payed to poore people for euer, according to such said assurance, composition, will, deuise, or other thing had or made for the same, & to assigne and appoynt landes, tenementes, or other hereditaments, parcel of the premisses, for the mayntenance and continuance of the same for euer, and also to appoynt to fraternites, brotherheads, and guildes, landes, tenements, and hereditaments, parcell of the premisses, to Wardens, and for the mayntenance of piers, iutties, walles, bankes, against the rages of the sea, hauens, and creekes. And that all and singuler annuities, pencions, and other recompences, shall be halfe yeerely payed to the persons, to whome the same ought to be payde by the kings receiuer for the time being, of his lands, commonly called the suppressed lands, or other his reuenues, lying in the Countie or citie, where such colledge, freechappel or chaintrie, or other the premisses giuen, limitted or appoynted to the king by this act, the first day of this present parliament, were or remayned without any fee or reward therefore to be payd. The first payment to begin at the feast of S. Michael the archangell next comming. And that euery such receiuour, vpon his accompt shal haue full & due allowance of all such annuities, pencions, and other recompences by him payed, by vertue of any such assignement to be made by the sayd commissioners, or two of them at the least. And it is &c. that the sayd commissioners & euery of them, that shall take vpon him the execution of any of the said cōmissions, shalbe

Rules

Commissioners

Deane Warden Provost

Stipendarie Priest Salarie Poore person

Annuities Pencions

Enquire

v. peres

Colledge Free chappell Chauntrie

Fraternities Brotherheads Guildes

Sea banks Hauens Creekes

R. receyuer

Accompt Allowance

Bound

shalbe bounde as he will answere before God to execute the commission to him & other directed, beneficially towardes the deanes, maisters, wardens, prouostes, and other incumbents and ministers afore-sayd, and towardes the poore people concerning the sayd assignementes, and also toward the maintenance of piers, butties, walles or banks, against the rages of the sea, hauens, and creekes. And that all manner of assignementes and ordinances to be made by the sayde Commissioners, or two of them at the least, and certified vnder their seales, or the seales of two of them at the least, into the kings court of the Augmentations and reuenues of his crowne, or to any other court or courtes, by the kings maiestie to be made or assigned, shall by vertue of this act, and of the sayd commissioners, bene good and effectuall in the lawe to all intents, constructions and purposes, as though the same had bene assigned & ordeined by auctho-ritie of this present parliament by expresse and apt wordes, termes and sentences.

Deanes Wardens Prouosts Poore people

Sea bankes Hauens Creekes Ordinances

Prouided also, that such annuities, pen-cions, and other recompences, that the sayd commissioners, or any of them, shall assigne or appoynt to bee payed yerely to any such Deane, maister, warden, gouer-nour, or other incumbent, fellowe, or mi-nister, shal not extend to any more cleere yerely value then such Deane, maister, warden, prouost, gouernour, or other in-cumbent, felow, or minister, or his prede-cessor lawfully had or enioyed in money, meate, drinke, liuery, or allowance of the same yerely, within fiue yeres next before the beginning of this present parliament.

Annuities Pencions

Allowance 5. yeres

Prouided also, that if any of the sayde maisters, wardens, prouosts, gouernours, or other incumbents, felowe or minister, shal at any time hereafter during his life, be promoted by the king to any benefice, or other spirituall promotion, being of a better cleere yerely value then his said an-nuitie or pencion, or other recompence shall be of, that then the annuitie, pencion, or recompence that any such deane, maister, warden, gouernour, prouost, or other incumbent, fellowe, minister, that so shalbe promoted shal haue, shal imme-diately after such promotion had, cease, and vtterly determine. And be it &c. that the sayde commissioners, or two of them at the least, to whom any commission by vertue or meane of this act, shalbe direc-ted and deliuered, shall be bounden vpon the forfaiture, euery of them of a hun-dreth pounde, to make certificate vnder their seales, or the seales of two of them at the least, into the sayd court of thaug-mentations and reuenues of the kinges crowne, or into any other court as is afore-sayd, within one yeere next after the commission to them directed, of all man-nours, landes, tenementes, rents, tithes, porcions, pencions, hereditamentes, and recompences, by the same Commissio-ners, or two of them assigned or appoyn-ted to any of the vses, intentes, or pur-poses aboue mentioned. And also be it &c. that our soueraigne Lord the king, shall haue and enioy all such goods, cattels, iewels, plate, ornaments, & other moue-ables, as were, or be the common goods of euery such colledge, chaunterie, freechap-pels, or stipendarie priest, belonging or annexed to ỳ furniture or seruice of their seuerall foundations, or abused to any of the sayd corporations in the abuses afore-said, ỳ propertie whereof was not altered nor changed before the viii. day of Decem-ber, in the yeere of our Lord God M.D. xlvii. And it is &c. that all such debtes & summes of money, as ought, or shoulde without fraude or couin hereafter be paid of the money or goods of any of the sayde colledges, due or payable by reason of a-ny contract, specialtie, or promise had or made before ỳ same eight day, shal truely & fully be payd by ỳ treasoyer of ỳ kings court of the augmentations & reuenues of his crowne, or by the treasoyer or receiu-er of any other court to which any of the premisses shalbe appointed of the kinges treasure, being in his or their hands, with as conuenient speed as ỳ same may be payd.

Determine Commissio-ners

Bound Forf. Certificat

Goods Catels Iewels Plate

Debts

Treasoyer

Prouided alwayes, that this act or a-ny article, clause or matter conteyned in the same, shall not in any wise extend to any colledge, hostel, or hall, being within

Oxford Cambridge

ether of the Uniuersities of Oxford and Cambridge, nor to any chauntrie founded in any of the colledges, hostels, or halles, being in the same vniuersities, nor to the free chappell of Saint George the martir, situate in the castel of Windsore, nor to the colledge, called S. Mary colledge of Winchester besides Winchester of the foundatiõ of Bishop Wickam, nor to the colledge of Eaton, nor to the parish Church, commonly called the chappel, in the sea in Newton, within ẏ Isle of Elie, in the Countie of Cambridge, nor to any manors, landes, tenementes, or hereditaments, to them or to any of them pertayning or belonging, nor to any chappell made or ordeined for the ease of ẏ people, dwelling distant from the parish church, or such like chappell, whereunto no more lands or tenements then the churchyard, or a litle house or close doeth belong or appertaine, nor to any cathedrall church or colledge, where a Bishops sea is, within this Realme of England, or in Wales, nor to the manors, landes, tenementes, or other hereditamẽts, of any of them, other then to such chauntries, obites, lightes, & lampes, or any of them, as at any time within fiue yeeres, next before the beginning of this present parliament, haue bin had, vsed or maintained within the sayde cathedrall churches, or within any of thẽ, or ẏ illues, reuenues, or profites of any of the said cathedral churches, to which chalitries, obits, lightes & lampes, it is enacted by the auctoritie aforesayde, that this act shal extend. And it is &c. ẏ our soueraigne lord the king, at any time during his life, (which God long preserue) may at his will and pleasure, alter and chaunge the name or names of all & singuler chauntries, & the foundations of ẏ same, being in any of the Colledges, hostels or halles of any the sayde vniuersities, according as to his godly wisedome shalbe thought meete and conuenient. Sauing to al and euery person or persons, bodies politike and corporate, their heires & successours, and the heires and successours of euery of them, other then the masters, wardens, ministers, gouernours, rulers, priestes, incumbents, felowes, and brethren of the sayd colledges, chauntries, freechappels, and other the premisses, giuen, limited, or appoynted to the king by this act, and the successours of them, and other then such as be or pretend to be foundours, patrons, or donours of the premisses, or any of them, or of any part or parcell thereof, and the heires, successours & assignes of euery or any of them, and other then such as bee or were feoffees, recouerees, confees, grauntees, or deuisees, or of any the premisses, to or for any of the vses, purposes, or intents aboue mencioned, or to the vse of any of the said colledges, freechappels, chauntries, or other the premisses, giuen, limitted, or appoynted by this act to the king, or to the intent to employ the rentes, or profits thereof to the vse of masters, rulers, incumbents, or ministers of them, or any of them, and other then such person and persons, and bodies politike and corporate, their heires, successours & assignes, as clayme or pretend to haue estate, right, title, interest, vse, possession or condition, of, in or to the premisses, or any part or parcell thereof, by reason of any feoffement, fine, bargayne and sale, or by any other wayes, meanes or conueyance to them made, of any estate of inheritãce, without the sayd late kinges licences, assent, consent, or agreement, and without the licence, assent or agreement of the kings maiestie that now is, by any of the said deanes, masters, wardens, ministers, gouernours, rulers, priestes, or incumbents, or by the founders, donours, or patrons of them, or of any of them, all such right, title, clayme, possession, interest, rentes, annuities, cõmodities, commons, offices, fees, leases, liueries, liuings, pencions, debts, duties, & other profits, which they or any of them lawfully haue, or of right ought to haue, or might haue had, in, of, or to any of the premisses, or in, of, or to any part or parcell thereof in such like maner, fourme and condition, to all intents, respects, constructions & purposes, as if this act had neuer bin had nor made, & as though the sayd chauntries, colleges, & other the said promotions had still

continued

Windsore

Winchester

Eaton

Isle of Ely

Chappels of ease

Cathedrall church Bishops sea

b. peers

Alter names

Colledges Chauntries Free chappels

Founders Patrons

Feoffees Recouerers

Rentes

Right

Feoffement Sale

Licence

continued & remaynyd in their ful being, and sauing to all and euery patron, donour, foundour or gouernour of any such colledge, chauntrie, freechappell, stipendary priestes, and other the premisses giuen, limitted or appointed to the king by this act, and the donour, feoffer, & giuer of the aforesayd landes, tenements, or hereditamentes, to them, or any of them, or to any vses or purposes before mencioned, all such rentes, seruices, rents secke, rentes charge, fees, annuities, profites, & offices, and also leases for terme of life, liues and yeres, whereupon the accustomed rent or more, is reserued, as they, or any of them, lawfully had, perceiued, and enioyed in, out, or of any the sayd promotions, or out of any of the sayd landes, tenements, or hereditamēts, before the first day of this present parliament. And ouer that it is &c. that all & euery person and persons being in life, which haue, or hath, for any summe of money to him or them payed, bargained, or solde, any manours, landes, tenements, or other hereditamēts aforesayd, whereunto the king our soueraigne lord is entituled by vertue of this act, shal repay to such person as so bought any of the sayde manours, landes, tenementes, or other hereditaments, or to his executours or assignes, vpon a request thereof made, or within three moneths then next ensuing the same request, asmuch money as he or they receyued for the sale of any thing so by him or them solde. And for non payment thereof, such person & persons as purchased or bought the sayd landes, tenements, and other the premisses, or any parcell thereof, & their executours and administratours shall be enhabled by the auctoritie of this present parliament, to sue and maintaine an action of debt at the common lawes of this realme against such person or persons as so bargayned or solde to him or them, or to their testatour any of the premisses belonging to any colledge, chauntrie, freechappell, or other promotion spirituall, in which action of debt, none essoyne, protection, or wager of lawe shal be admitted or allowed.

Patron Foundor

Rents Leases

Old rent

Sold landes

Repay

3 moneths

Executors Administrators

And be it &c. that all and euery of the said chauntries, colledges, and freechappels, and other the premisses, giuen, limitted, or appoynted to the king by this act, and all the mansion houses, manours, landes, tenements, possessions, & hereditaments, and other the premisses, whatsoeuer they be, giuen, limitted, and appoynted to the king by this Act, and euery part and parcell of them, which by auctoritie and vertue of this act, been vested, adiudged, and deemed, or shalbe in the kings maiesties possession and handes, or which the king shall be entituled vnto by vertue of this act, shall be in the order, suruey, and gouernance of our soueraygne Lord the kings court of the Augmentations & reuenues of the Crowne, or in such other court, as the king at any time hereafter shal assigne, name, or appoynt, and so shal and may bee graunted, letten, and set to the ferme by the Chauncellour, officers and ministers of the same court, or of any other court so to bee appoynted in such maner and fourme as other mannours, landes, tenements, appointed to the same court of Augmentations and reuenues of his graces crowne, or other court to be appointed, bene to be graunted or letten: And that all the termes, issues, reuenues, and profites comming & growing of the same premisses, and of euery part thereof shall be taken and receyued to the kinges vse, by the officers and ministers of the same court or courtes, in such maner and forme as is vsed and had of other manors, landes and tenementes, and of the issues, reuenues, and profites of the same committed to the order, rule, surney & gouernance of the sayd court of the augmentations & reuenues of the kings crowne, or any other court so to be appoynted, any act, statute, ordinãce, custome or vse heretofore had, made or vsed to the contrary notwithstanding. And it is &c. that if any of the sayd masters, wardens, ministers, rulers, gouernours, priests, incumbents, or owners of any such Colledge, Chauntrie, free chappel, or of any the premisses, giuen, limitted or appoynted to the king by this Act, or of any of them sithence

Augmentation

Profites

the xxiii. day of Nouember, in the xxxvii. yeere of the raigne of the sayde late king haue made any lease vnder his or their common seale, or otherwise for terme of yeres, life or liues of the sayd colledges, chauntries, freechappels, or of other the same premisses, or of any manors, lands, tenements, possessions, or hereditaments whatsoeuer they be, to them or to any of them vnited or annexed, belonging or appertayning, vpon the which leases, the vsual and olde rents & fermes accustomed to be yelden & reserued, or more by the space of xx. yeres next before the said xxiii. day of Nouember not reserued and yelden, shalbe vterly voyde & of none effect, and that all other leases & grauntes heretofore made of any the premisses, giuen, limitted, or appoynted to the king by this act, shalbe as good, auaileable, and effectuall in the lawe, to all intents, constructions, and purposes, as if this act had neuer bene had or made, any thing in this acte, or any other act heretofore had or made to the contrary thereof in any wise notwithstanding.

Lease

Olde rentes

20. yeres

Voyde

Prouided alwayes & be it &c. that this said act or any thing therein conteyned, shall not extend to any manors, lands, tenements, possessions, or hereditamentes, which the said maisters, wardēs, ministers, chauntrie priestes, incumbents, or other the sayd gouernours, officers, ministers, or rulers of the premisses, or of any of thē, hath, or is, or hereafter shall haue or bee possessed or seised in fee simple, fee taile, general or special, for terme of life, terme of yeres, or otherwise to his or their owne proper vses by inheritance or purchase, & not being at any time vnited or annexed, to his or their sayde colledges, freechappels, chauntries, or other the premisses giuen, limitted, or appoynted to the king by this act, nor shal extend to any manors, lands, tenements, possessions, rentes, annuities, & yerely pencion or pencions, or to any yerely summe or summes of money, being not vnited, or parcel of any the said colledges, and other the premisses aforesayd, or of any of them heretofore giuen or graunted by the sayd late king, or giuen or graunted, or hereafter to be giuen or granted by the king our soueraigne lord, to any of the sayd Deanes, maisters, wardēs, ministers, chauntrie priestes, incumbentes, gouernours, or rulers of the premisses, or of any of them, for terme of life onely, vnder his great seale of England, vnder the seale of the court of the augmentations & reuenues of the kings crowne, or any other of the kings seales, of any of his courts, any thing contayned in this Acte to the contrary in any wise notwithstanding.

Deanes Wardens

K. seales

Prouided alway &c. that aswel all and euery patron, donour, founder, & giuer of any of the sayd promotions, or premisses, or giuer, donour or feoffer, of any their lands, tenements, possessions, or other hereditaments, as all & euery person & persons, bodies politike & corporate, which before the making of this acte lawfully without fraude or couin, had or enioyed any maner of rent, or other yerely profits to be taken, perceiued or had of any chalitries, colledges, free chappels, or other the premisses giuen, limited or appointed to the king by this act, or out of any manors, lands, tenementes, or other possessions of them, or any of them, shal haue and enioy the same in like maner & forme as they shoulde & ought to haue done, if the said colledges, chauntries, freechappels, & other the premisses, giuen, limitted, or appointed to the king by this act, had still remayned and continued in esse, and full being, any thing in this act mencioned to the contrary in any wise notwithstāding.

Founder Patron

Prouided also &c. that if any such gouernour, ruler, warden, master, incumbent, minister, or other, hauing any of the sayd spiritual promotions or incumbēts, haue or shal cōpound for the first fruites of any such spirituall promotions, according to the lawes & statutes of this realme, & the dayes of paiment of any part thereof, not expired before the first day of this parliament, that all summes of money so to be due & payable sithence the said first day of this parliament, shal cease & be not paide, asked or demaunded, any bonde, recognisance, suertie, or other thing had or made

First fruites

to

to the contrary notwithstanding.

Rentes Seruices Profits

Prouided alwayes, & be it &c. ẏ al such rents, seruices, issues, profites, and other summes of money payable out of, or for any of the premisses, or any of them in the

Eschequer

kings court of his eschequer, shall continue, & be continually and yerely leuyed, charged, or payed in the same Court, in such maner and forme as heretofore hath bene vsed, any law, custome, vnitie of possession in the kinges highnesse, or other thing to the contrary notwithstanding, & as though the sayd promotions, manors, lands, tenements, & other ẏ premisses had not come to the kings hãds & possession.

Lpatents

And be it &c, that all & euery letters patentes made by the sayd late king Henry the eight, or by the kings maiestie ẏ now is, or hereafter to be made by his highnes to any person or persons, or to any Archbishop Bishop

Archbishop Bishop

or Bishop, of any of the sayd colledges, chauntries, freechappels, or other the premisses, or any part or parcel of thẽ, or of any landes, tenementes or hereditaments, belõging or appertaining, or that did belong or appertaine to them or to any of them, And all fines, gifts, graunts,

Fines Giftes Fellements

feoffements, recoueries, & all other assurances & cõueiances thereof had or made by the assent, consent or licence vnder the great seale of England, of the sayde late king Henry the eight, or of the kings maiestie that nowe is, to any person or persons, bodies politike or corporate by any

Chauntrie Priest

chauntrie priest, master, wardẽ, minister, ruler, gouernor, or other hauing any of ẏ sayd promotions of any of the sayde colledges, chauntries, freechappels, or other the premisses, or of any of them, or of any part, or parcell, or member of the same, shal stand and be in their forces & effects, & shalbe good and effectuall in the lawe, for such estates, & interests, giuen, graunted, limitted, or appoynted in any of the giftes, graunts, assurances, or conueiances therof had or made, according to their purportes, forme, and matter, and according to the true intent & meaning of the same assurances, and shalbe by aucthority of this act, good, perfect, and auayleable, aswell against the king, his heires and successours, as against the sayd chauntrie priestes, wardens, masters, rulers, gouernours, and other hauing any of the sayde promotions, and their successours, & the successors of euery of thẽ, as also against the foundours, donours, and patrones of the same, and the ordinarie of them, and euery of them, and the heires and successours of euery of them: any law, statute, ordinance, or other thing to the contrary thereof notwithstanding. And where diuers and sundry Bishops, Deanes, Archdeacons, Treasourers, Prebendaries, chauntrie priestes, masters, prouostes, rulers, gouernours of any deanries, archedeanries, treasorershippes, prebends, free chappels, chauntries or colledges within this Realme of England, and other the kings maiesties dominions, or any of the patrones, foundours, donours of any of the Bishoprickes, Treasourershippes, Deanries, chauntries, freechappels, or other the sayde spirituall promotions, of their voluntary willes or mindes, for diuers good and reasonable causes & considerations by deede or deedes enrolled, or by other writinges or conueyances heretofore giuen & graunted to the late king of famous memory Henry the eyght, late king of England, and to his heires, or to our soueraigne Lord the king that nowe is, & to his heires, diuers of their Deanries, Archdeanries, Treasourershippes, prebendes, chappels, chauntries, and colledges, or any other ecclesiasticall or spirituall promotions last before remembred, and all or some part of the manors, landes, tenementes, tythes, pencions, annuities, rentes, reuersions, and other reuenues, hereditamentes, possessions, emolumentes, and profites to the same Bishoprickes, Deanries, Archdeacõries, Treasourorships, Prebendes, chappels, chauntries, colledges, and other like promotions, benefices, offices & dignities, or to any of them belonging, appertayning, vnited & annexed, or which the sayd Bishops, Deanes, Archdeacons, treasorers, chauntrie priests, masters, prouosts, rulers, gouernours, & other ecclesiastical or spirituall officers or ministers of any

Bishops Deanes Archdeacõs

Patrons Founders

Deanries Archdeanries

of the ſayd patrons, owners or founders, or any of them had or enioyed in the right or by reaſon of any of the ſame promotions, offices or dignities. Be it &c. that all and euery giftes and grauntes heretofore made to the ſayde late king, and to his heires, or to our ſouereigne Lord the king that nowe is, and to his heires by any Archbiſhop, Biſhop, Deane, Archdeacon, Treaſourer, Prebendarie, maſter, prouoſt, gouernour, or other the ſaid eccleſiaſticall or ſpirituall perſon or perſons, or by any patrons, donours, or foſidours of any of the ſayd Deanries, chaſtries, or other of the ſayd ſpirituall or eccleſiaſticall promotions, or of all, or any of the manors, landes, tenements, tithes, rentes, reuerſions, pencions, porcions, annuities, or other hereditamentes, reuenues, emoluments, profites, or commodities, to any of the ſayde benefices, offices, prebendes, promotions, or dignities, belonging, appertaining, united, or anexed, or which any of the ſame Archebiſhoppes, Biſhoppes, Deanes, Archdeacons, treaſourers, maſters, prouoſtes, prebendaries, rulers, gouernours, officers, or miniſters, patrons, foundours, or donours, had or enioyed, or haue or enioye, or ought to haue or enioye in the right, or by reaſon or meanes of any of the ſame promotions, offices, or dignities, ſhall be good and effectuall in the lawe, to all intentes and purpoſes: Sauing to al and euery perſon and perſons, and bodies politike and corporate, their heires, ſucceſſours, and aſſignes, and the heires, ſucceſſours and aſſignes of euery of them (other then the Archbiſhops, Biſhops, Deanes, Archdeacons, treaſorers, prebendaries, rulers, gouernours, wardens, prouoſtes, giuers and grauntours, of any of the premiſſes, and their heires, ſucceſſours and aſſignes, and other then ſuch eccleſiaſticall or ſpirituall perſons, bodies politike or corporate as are or pretend to be founders, donours, patrons, or ordinaries of ẏ premiſſes, or any of them, ſuch rightes, titles, intereſtes, claymes, entries, rentes, reuerſions, remainders, fees, offices, annuities, lands, tenements, hereditamentes, profites, commodities, and emoluments, as they or any of them haue, or ſhould, or ought to haue had, of, in or to the premiſſes next aboue mencioned, or any part thereof) as if this act had neuer bene had or made, any thing in this acte to the contrary in any wiſe notwithſtanding.

Gyftes Grauntes

Rights

Prouided alwayes, that this act or any thing therein contayned, ſhall not in any wiſe extende to make good or effectuall, any gift, graunt, bargaine, ſale, or alienacion made by any parſon or vicar, of their parſonages, vicarages, or of any part or parcell thereof, or of any thing to them or any of them belonging or appertayning. Prouided alſo, that this act, or any thing therein contayned, ſhall not in any wiſe extende to hinder or preiudice George Broke knight, lord Cobham, his heires or aſſignes, for or concerning the late colledge of Cobham in ẏ Countie of Kent, or the manors, lands, tenements & poſſeſſions therof, any thing aboue mencioned to ẏ cõtrary in any wiſe notwithſtãding.

Make good Gift Graunt

Vicar

L. Cobham

Colledge of Cobham

Prouided alſo, that this preſent act or any thing therein contayned, ſhall not in any wiſe extend or be preiudicial or hurtful to the generall corporacion of any city, borough, or towne within this realme, or any other the kinges dominions, ne ſhall extend to any the lands or hereditaments of them, or any of them: Any thing herein contayned to the contrary in any wiſe notwithſtanding.

Corporation of Cities Boroughs

Prouided alſo &c. that all ſuch of the ſayd colledges, free chappels, chauntries, and other the premiſſes, being appoynted and giuen to the kinges highneſſe, by the auctoritie of this Acte, as be within the Duchy of Lãcaſter, & al manors, landes, tenements, hereditaments, pertaining or belonging to the ſame colledges, free chappels, and chauntries, ſhall after the ſaid feaſt of Eaſter next cõming, be within the ſuruey & order of the court of the Duchy of Lancaſter, in ſuch maner and forme, as other the premiſſes bee aſſigned or appointed by auctoritie of this act, to be in the ſuruey and order of the court of the Augmentations and reuenues of the kings

Lancaſter

kings crowne, or other court by the king to be aſſigned, and that all commiſſions that hereafter ſhalbe awarded by vertue and force of this act concerning ſuch colledges, freechappels, chauntries, and other the premiſſes, as be within the ſayde Duchy of Lancaſter, ſhalbe awarded vnder the great ſeale of England, and ſhalbe certified into the ſame court of the Duchy of Lancaſter, any thing aboueſayde to the contrary in any wiſe notwithſtanding. Commiſſions

Prouided alwaies &c. that this act, ne any thing therein contained, ſhall not extend to the colledge or chaunterie of Attilborough in the Countie of Norfolke, which the ſayd late king Henry the eight gaue to Robert late Earle of Suſſex, and to his heires, but that Henry now Earle of Suſſex, ſonne and heire to the ſaid late Earle, his heires and aſſignes ſhall and may by the authoritie of this act, haue and enioy the ſayd Colledge and Chauntrie, and all mannours, lands, tenements, aduowſons, tithes, pencions, porcions, and other hereditaments therunto belonging or appertaining, any thing in this act to the contrary in any wiſe notwithſtanding. Attilborough Earle of Suſſex

Prouided alwaies &c. that the kings maieſtie at any time when it ſhall ſeeme to him good, may giue authoritie to certaine his graces commiſſioners, to alter the nature and condition of all maner of obites, as well within the vniuerſities of Oxford and Cambridge, as in any other place within this his graces realme of England and Wales, being not ſuppreſſed, ne adnihilat by vertue of this preſent act, and the ſame obites ſo altered, to diſpoſe to a better vſe, as to the releife of ſome poore men beeing ſtudents, or otherwiſe. Commiſſioners Alter obits Oxford Cambridge

Prouided alſo &c. that it ſhall not be lawfull to any perſon or perſons, bodies politike or corporat, by reaſon of any remainder, vſe, or condition, to enter into, claime, or chalenge any lands, tenements, or hereditaments, for the non doing, not naming, or non finding of any ſuch prieſt or prieſts, or poore folkes, as is aforeſaid, obite, anniuerſarie, light, or lampe, from henceforth to be founded or done, any thing therein contained to the contrary in any wiſe notwithſtanding. Chalenge Not finding of prieſt Obite Anniuerſary Lampe

Prouided alwaies, that this act, nor any thing therein concayned, ſhall in any wiſe extend to any lands, tenements, poſſeſſions or hereditaments whatſoeuer, that any maiſter, Deane, Prebendary, Warden, or Chaunterie, or any ſtipendary prieſt of any Colledge, Chauntrie, Prebend, fraternitie, guilde, or any other Corporations, haue or held, of any perſon or perſons, by copy of Court rolle, or at will, according to the cuſtome of any mannour or mannours: nor giue or graunt any Copy holde lands to the Kings highnes. Deane Prebendary Warden Fraternity Guild Corporation Copyhold

And alſo prouided, that the kings highneſſe, his heires and ſucceſſors ſhal not in any wiſe haue, holde, enioy, or take by vertue of this act, or any article therein obtained, any manner of copihold lands, tenements, poſſeſſions, or hereditaments whatſoeuer they be, but that all and euery the ſayd perſons and incumbents, ſhal haue, hold, and enioy the ſame, during their liues towards their pencion and perely liuing, paying their rents, and doing their cuſtomes and ſeruices thereof due and accuſtomed, any thing in this act to the contrary notwithſtanding, Copyhold lands Rents Seruices

Prouided alwaies, that this act ſhal not extend to any lands, tenements, or hereditaments aſſigned, appointed or intended for the finding or maintenance of any chauntrey prieſt, or any ſtipendary prieſt, which by any former right, and good title, without fraude or couin, were lawfully recouered from the poſſeſſion of any ſuch Chauntrie prieſt or ſtipendary prieſt, before the firſt day of October, the ſayd xxxvii. yeere of the raigne of the ſaid late king Henry the eight, which lands, tenements and hereditaments, were not charged, nor chargeable to the paiment of the perpetuall tenth, any thing in this act to the contrary hereof notwithſtanding. Chauntrie Prieſt

Prouided alwayes and be it &c. that al and ſinguler graunts, licences, confirmations and letters patents, which our late Graunts Licences & Patents

late Soueraigne Lorde king Henry the eight, or our Soueraigne Lord the king that nowe is, haue made vnder the great Seale of England to any person or persons, bodies, politike or corporat, of any Colledge, Chappel, or Chauntrie nowe being in esse, or standing, or nowe not being in esse, or not standing, or of any Lordships, Mannours, Lands, Tenements, and hereditaments, annexed, vnited, belonging or appertaining to any Colledge, Chappell, or Chauntry, nowe being in esse, or standing, or nowe not being in esse, or not standing, or of any other thing or things mencioned or expressed in this act, and all and euery matter and things mencioned, expressed, or contained in any such graunt, licence, confirmation, or letters patents, shall from henceforth be denied, taken, expounded and adiudged good and effectuall in the law, according to the words, sentences, meanings, intents, fourme and effects of the same graunts, licences, confirmations, and letters patents, to all intents, constructions and purposes, as if this act and the sayd act made in ꝑ seuen and thirtie yere of the sayde late king Henry the eight, (S.c.4. before.12.) had neuer bene had ne made. And that this act or the sayd act made in the sayde seuen and thirtie yere of the raigne of our sayd late Soueraigne lord king Henry the eight (S.c.4. before.12.) or any clause, article, sentence or other thing therein contayned, shal not extend to any Colledge, chappels, Chauntries, or other thing or things mencioned in this act nowe being in esse, or not standing, or to any mannours, lands, tenements, Possession, Reuenues, or Hereditaments, annexed, vnited, belonging or appertaining to any Colledge, Chappel, Chauntrie, or other thing mencioned in this act nowe being in esse, or standing, or now not being in esse, or not standing, or to any other thing or things mencioned or expressed in this act, which any person or persons, bodies politike or corporat haue had, or obtained by the assent, licence, confirmation, grant, or letters patents, of the said late king, or of the kings maiestie that nowe is, nor shall extend to any mannours, lands, tenements, reuenues, possessions, hereditaments, or other thing or things mencioned, expressed, or contayned in any such licence, confirmation, grant, or letters patents, but that euery such person and persons, bodies politike and corporat, their heires, successors, and assignes, and the heires, successors, and assignes of euery of them, shall haue, hold, and enioy all and euery the same colledges, chappels, chauntries, mannours, lands, tenements, reuenues, possessions, and other hereditaments, and all and euery other thing and things whatsoeuer, so by them had or obtained, by assent, licence, confirmation, graunt, or letters patents of the sayd late king, or of the kings maiestie that now is, according to the words, sentences, fourme, effect, meaning, and intent of the same licences, confirmations, graunts, and letters patents, this act, or the said act made in the sayde seuen and thirtie yere of the raigne of the sayd late king Henry the eight, or any clause, article, sentence, matter, or thing mencioned, expressed or contayned in any of the same acts, to the contrary thereof notwithstanding. An. 1, E.6.ca.14.

Colledges Chappels Chauntries

Licence Graunt Lpatents

¶Money.

AGainst the perils & damages, which are of late come, and which hereafter may come of the mony of England: It is thus ordayned, that it be cried and defended on the kings behalfe through ꝑ whole Realme, in all the marchant townes, that no man vpon greeuous forfeiture, bee so hardy to dispend, receiue, nor send money of other coyne, then of the coyne of the king of England, Ireland, & Scotland. Also that it be defended of the kings behalfe, that none bring money into this countrey, but only for his expences, neither that he be so hardy to arriue in England, if the force of tempest doe not enforce him, by good witnesse, but at Douer, or at Sādwich, at London, & Saint Botolfe, & at Southampton, & to other common

Other coyne

Bring

Arriue

Douer

common Ports. And when he shall come to any of these places, he shall well and lawfully shewe his money to him, that shalbe assigned by the king, without any concealement, vpon paine of forfeiture of his body, and that which he hath, and that from thence he cary not, nor eloigne the same by him selfe nor by other, vntill that his money be viewed and examined by him whom the king shall assigne. And further, that it be cryed and defended on the kings behalfe vppon paine of forfaiture of his body, and that which he hath, that no man be so hardy to send money betweene clothes in fardels, or in bales, or in any other maner, whereof suspicion may be of any concealment, And if there be any such found, he which found the same, shall haue foure pence of the pound, and the rest to be to the king, And also that it be cried and commaunded on the kings behalfe, that if any find money coyned of any other coyne, then of the coyne of the kyng of England, Ireland, and Scotlande, or rounded money, that hee breake the same, and that none be so hardy to againe saye the same, vpon payne of greuouse forfaiture, and he which findeth the same false, shall breake the same, the broken money shall be giuen to him who oweth it, and the false money shalbe perced without restoring it, and the body of him in whose hands the false or clipped money appeareth to bee found, be taken and holden vntill such time as he can find suertie, if he be a suspicious man. And becauſe that many of the poore and rich people can not knowe the light and clipped money, now it is ordayned, that hereafter he which ought to receiue or pay money, shall receiue and pay the same by waight of fiue shillings of euen waight by the Tumberell, deliuered by the warden of the Eschaunge, marked with the kings marke, as the measures are, and it shalbe lawfull to any man to perse the money which shall not weigh the Tumbrell, and the money of other coyne, then of the coyne of the Kyng of England, Ireland and Scotland, the waight shalbee aswell deliuered and marked by the Warden of the Eschange as the Tumbrell, The viewer and the warden of the money which shal come from beyond the sea, when he shall haue any, he shall haue regard vnto the age thereof, and shall waigh the same, and if he find of the newe money, that the pound waieth not xx.s. by the number of foure pence, then he shal haue regard by the Tumbrell, where the default shalbe, and if he see money which is much vsed, if in the whole pound of xx.s. it wants but sixe pence, then it shalbee deliuered to him who brought the same, without gaine saying, And if it want more, it shalbe done of them, as of the rest. And let the Warden aforesayde take good heede that he take no gift nor allowance, to make any maner of sport, nor make any extortion, nor giue any maner of delay, as he will saue him selfe and his goodes. The statute of great money.

2 ¶ Edward, by the grace of God King of England, Lord of Ireland, and Duke of Aquitaine, to the Shyrife of Lyncolne greeting, becauſe that strange Marchants, and also some Marchants Denizens of our Realme, from day to day, bring into the same our realme from the parties beyond the Sea, our money clypped, and other money of diuers coynes, counterfaited and mingled with our money, trafficquing and buying with the same money to the great losse of vs, and all our people, and also to the subuersion of all our money, we hereupon willing to prouide a remedie, vnlesse peraduenture by longer sufferance a greater daunger might ensue, commaund you, that in your full Countie, and in all your cities and marchaunt Townes of the same Countie, you cause straitly to bee forbidden, and openly proclaymed, that no strange marchant, nor any other from henceforth, bring into the Realme any such money of ours rounded, or any other counterfaited of strange coynes, or else vse the same in buying or trafficquing, and if they doe, at the first time, wherein they shalbe taken therewith, they shall lose such rounded money, or any other counterfait,

Shewe
Forf.
Forf.
In clothes
Other Coyne
Breake
Impriſon
Light
Eschaunge
Perce
Weight
Weight Tumbrell
Marchants
Shorne
Proclaims
Bring Shorne

counterfait. And if they shall bee againe found in the like offence, they shall lose such money, and other goods found with them. And if the third time they commit the like offence, and be taken therewith, their bodies, and also all their goods and cattels shalbe forfaited vnto vs, but others which shall not be marchants, and shall haue such rounded money, or other counterfait money, shall presently perce the same, and send it to our Eschange, to bee new coyned vnder our coyne, Or otherwise in whose hands such money shall be found, shalbe vnto vs wholy forfaited. And if you doe not fully execute this our commaundement, we will greeuously amerce you and yours. T. M. of marchia our Treasorer, the 21. day of June, in the twentie yere of our raigne. The statute of smale money.

Forf.

Imprison

Shorne Counterfait Perce Eschange

Forf.

3 ¶ In the second volume of the olde statutes is a title intituled, Articuli de moneta, vnder which be seuen articles concerning false money.

Falle

4 ¶ No religious man, nor other shall cary any sterling out of the Realme of England, nor siluer in plate, nor in vessell of golde nor of siluer, vpon payne of forfaiture of the money, or vessell that hee shal so cary without our especial licence. An. 9. E. 3. cap. 1.

Cary ouer Gold

Forf.

5 ¶ That no false money nor counterfait sterling be brought into our realme, nor else where within our power, vpon paine of forfaiture of such money.

Falle

Prouided alwaies, that all maner people, of what realme or dominion they bee of, may safely bring to the exchanges, and to no place else, bullion, siluer in plate, vessell of siluer, and all maner money of siluer, of what value so euer it be, so that it be no false money and sterling, counterfait, and there they shal receiue good and conuenient exchaunge. An. 9. E. 3. cap. 2.

Erchange Bullion Plate

6 ¶ No sterling halfpeny nor farthing be molten, for to make vessel or any other thing by goldsmiths nor other, vpon forfaiture of the money so molten, & that the goldsmith or other which hath so molten such money, shal be committed to prison, there to remaine till he hath yelden vnto vs the one halfe of that that he hath so molten, notwithstanding any charter or fraunchise graunted or vsed to the contrarie. Anno. 9. Edwardi. 3. cap. 3.

Melt

Forf.

Imprison

7 ¶ All maner of blacke money, which haue bene commonly currant of late in our Realme and obeisaunce, be vtterly excluded, so that none such shalbe currant after a moneth next after the crie thereof made, vpon payne of forfapture of the same money. An. 9. E. 3. cap. 4.

Blacke

Forf.

8 ¶ Euery man that will sue for vs against those that commit any fraude against this ordinance, shalbe thereto receiued. And he to haue the fowerth peny of that that shalbe so atchieued at his suit to our profit. Anno. 9. E. 3. capit. 5.

9 ¶ Maires and bailifes in euery port, where marchants and ships be, shall take an othe of the marchants and masters of the Ships going and comming againe, that they shall doe no fraud against this prouision in any poynt. An. 9. Edwar. 3. capitulo. 6.

Othe

10 ¶ Good and straite warde be made in all places vpon the sea costes in hauēs, and else where any arriuale is, by good men and lawfull thereto swoine, that in our name they shal make diligent search, that no man of what estate or condition he be, shal cary out of the Realme sterling money, siluer or plate, nor in vessel of gold nor siluer, without our licence, nor shall not bring into our sayd realme and power, any false money and counterfait sterling, as afore is sayd, vpon the the paynes and forfaitures afore sayde. And that the money, plate, or vessell so forfayt, be deliuered at the exchaunges by indenture, whereof the one part shall remaine with the searchours, and be deliuered at the eschequer, and thereby the Warden of the exchange shalbe charged of that that hee hath receiued. An. 9. Edwardi. 3. cap. 9.

Serche

Plate Gold Siluer

Forf.

Indenture

11 ¶ The serchours shall haue of our gift the fowerth peny for their labour, of as much as they shall find so forfait. And if any such searchours make any release, or do dispend with any, and there of be attainted, they shall forfait all their goodes. Anno. 9. E. 3. ca. 10.

Serchours

Releale

Forf.

12 ¶ The

Hostelers ath Serch Serchers

12 ¶ The hostilers in euery port where any passage is, shalbe swoyne, to serche their gestes in the same maner, as the serchers do, and they to haue the fowerth peny of that they shal find so forfait to vs, as the serchours should haue. And it is our intent and meaning, that the said serchers shall haue power to search the hosteries, and to instruct them selfe of the hostelers actes. And in case such hostilers be found defective in any article aforesayde, they shalbe punished, and that they shall runne in the said forfaitures. An. 9. E. 3. cap. 11.

Forf.

13 ¶ No man be compelled to take the newe money of gold and siluer, which our Soueraigne Lorde the king hath ordayned, to goe in payment at a certayne price, within the summe of twentie shillings. And also that money of gold and siluer be made in the Citie of Yorke, and else where the king will it ordayne, in the maner as it is made in the Tower of London. Anno. 18. E. 3. cap. 6.

New copne

Yorke

14 ¶ The money of gold and Siluer which nowe remaineth, shall not be empaired in waight nor in allay, but as soone as a good way may be found, that the same be put in auncient estat as in the sterling. An. 25. E. 3. cap. 13.

Empaire.

15 ¶ The Moniours and other Wardens and ministers of the money shall receiue plate of gold & siluer by the weight, and in the same maner shall deliuer the money when it shalbe made by weight, and not by number without any tarying. Anno. 25. E. 3. cap. 20.

Wardens

Plate

Weight

26 ¶ That none cary out of ỳ Realme gold nor Siluer in plate, nor in money, sauing the Vitailers of fish, that fish the Herring and other fish, and they that bring fish within the Realme in small vessell, which are not medlers with other marchandises, and that according to the arbitrement of the Chauncelor. Anno. 38. E. 3. cap. 2.

Transport Plate Vitailers Fishers

Chauncelor

17 ¶ It is accorded that the Scottish grote shalbe currant for the value of iii. d. And of lesse money according to ỳ quantitie, and if percase the scottish money be empaired, the money so empaired, shalbe set at a lesse price after the quantitie of the empayring. Anno. 47. E. 3. cap. 2.

Scottish grote.

18 ¶ The king defendeth to all maner of people, marchants, clerkes and other, as well strangers as Denizens, of what estate or condition they be, vpon payne of as much as they may forfait, that none of them vpon the sayd payne priuily nor apertly send nor bring, nay doe to be sent or brought out of the sayd Realme any gold or siluer in money, bullyon, plate, or vessell, nor by eschanges to be made, nor in other maner, but the wages of Caleis and of other the kings fortresses beyond the Sea, and especially excepted the prelates, lords, and other of the same realme, to whom sometime it behoueth necessarily to make paiments beyond the sea, that of the same paymēts only they may make eschanges in England by good and sufficient marchāts for to pay beyond the sea, and first speciall leaue and licence had of the king, as well for the eschangeours, as for the person which ought to make the payments, contayning expressely the summe which shalbe so eschanged. And it is assented, that the marchants that so shall make eschanges, shalbe diligently examined and swoyne in their proper persons, as often as they shall haue the sayde licence, that they shall not send beyond the sea any maner of gold nor siluer vnder the colour of the same eschange. And if after Proclamation of this ordinance, any person be from henceforth duely attaynted, that he hath done to be sent or caried beyond the Sea, any gold or siluer against this defence and ordinance, hee shall forfayte to the king the same summe so caried or sent. Anno. 5. R. 2. cap. 2.

Transport Gold Siluer Bullion Plate

Licence

Marchants

Oth

Transport

Forf.

19 ¶ That the grote of the money of Scotland runne in ỳ valour only of ii. d. English. And ỳ halfe grote of Scotland of i. d. English. And the i. d. of Scotland of an ob. English. And the ob. of Scotland of a quā. English. and if the money of Scotland be impaired, that the valour thereof bee abridged after the rate, and that commissions bee made through the Realme to enquire of them that haue brought or sent the money of England into Scotland, to make bullion or mo-

Scottish copns

Cōmissions Enquirie.

ney

ney of Scotland, in preiudice and dammage of the king and his Realme, An. 14.R.2.cap.12.

20 ¶ The said ordinance (S. of Anno. 9.E.3.ca.3. before, 6) shalbe firmely holden and kept. And moreouer it is ordayned and assented, that no grote nor halfe grote shalbe molten by no man to make vessell or other thing thereof, vpon the same payne. And that no gold nor siluer of Scotland, nor of other lands beyond the Sea, shall runne in no maner of payment within the realme of England, but shalbe brought to this bullion, there to be molten in the coyne of England, vpon paine of forfaiture of the same, and of imprisonment, fyne, and raunsome of him which doeth contrary. And that no man shall bring nor sende any English money into Scotland, for to change the same in money, or for Scottish money, vpon the paine next aforesayde. An.17. R.2.cap.1.

Melting forbidden

Forreine coynes

Forf. Imprision

Transport

21 ¶ If from henceforth any searcheour of the king may find gold or siluer in coyne, or in masse in the keeping of any that is passing or vpon his passage in any Shyppe or vessell, for to go out of any Port, hauen, or Creeke of the Realme, without the kings speciall licence, That gold or siluer shal be forfayt to the King, sauing his reasonable expences, which he shalbe bound to confesse and discouer incontinently, after that he, that to do, bee warned and charged by the same searchour, or else all the sayd money so concelled, shalbe forfait to the king. Prouided alwaies, that the Marchants strangers, that do sell their marchandise within the realme of England, and the one halfe of the money of England receiue for the same marchandises, doe employ vpon other marchandises of the realme, may freely cary out fro the same, the other halfe of the sayde mony by the kings licence, according to the statute thereof made. An.2.H.4.cap.5.

Searchour

Shippe

Gold & siluer

Forf.

Marchant stranger

Cary out

Licence

22 ¶ All the money of gold and siluer of the coyne of Flaunders, and of al other lands and countreis beyond the sea, and also of the land of Scotland, shalbe voyded out of the Realme of England, or put to coyne to the bullion within the same realme, betwixt this and ỳ feast of Chyldmas next ensuing, vpon paine of forfaiture of the same. And that all the marchants and other at Caleis, which doe receiue any such gold or siluer of the coyne of Flaunders, or of other lands and countreis beyond the Sea, or of the land of Scotland, shal put the same to bullion at Caleis, without bringing it in coine within the realme of England, and if the marchants, or any other from henceforth bring any such money within the realme of England, they shall forfait the same money to the king. And moreouer it is accorded, that a good and cõueniet search be made as well at Caleis as on this side the Sea in euery port and other places, vppon the bringing of the money aforesayd. Anno.2.H.4.capit.6.

Flaunders coyne

Forf.

Marchants

Calice

Forf.

Search

23 ¶ That the third part of all the money of siluer, which shalbe brought to the bullion, shalbe made in halfepence and farthings, and that of this third part, the one halfe be made in halfepence, and the other halfe in farthings, and the same to do and perfourme by the coyner, sworne in speciall. And that no Goldsmith nor other person whatsouer he be, doe to bee molten any such halfepence or farthings, vpon paine to paie to the king, the quatreble of that ỳ so shall be molten, against the fourme of this statute. Anno.4.H.4. cap.20.

3. Part

Bullion

Halfepence

Farthings

Goldsmith

Melting forbidden

24 ¶ Anno.4.H.4.cap.16. an Act was made to endure to the next Parliament, that money, golde, or siluer, caried ouer should be forfait.

Transport

Forf.

25 ¶ The sayde Gallyhalfepence shall neuer be currant in payment, nor in other maner within the Realme of England, vpon paine of forfaiture thereof. And moreouer, that the gallihalfepence, in whose hands soeuer they be founde, within the said realme, shall forfait to our soueraigne lord ỳ king after the two monethes next ensuing the proclamation of this statute. And also the same our soueraigne lord the king, wil ỳ al the statutes and ordinances made before this time by him

Gallyhalfpence

Forf.

Statutes

him and his noble progenitours not repealed, as well of money of Scotland, as of the money of other Realmes and parts beyond the sea, be holden and kept, and put in due execution. Anno. 11. H.4. cap. 5.

26 Anno 13. H.4. cap. 6. It is enacted, that this last statute of An. 11. H.4. cap. 5. shalbe kept and put in execution.

Gallihalfes pence Scottish money

27 ¶ Gallyhalfepence, and the money called Sulkine and Dotkine, and al maner of Scottish money of Siluer shalbe put out, and not to bee currant hereafter, for any payment in the Realme of England. Joyned to the same, that proclamation be made through all the counties of England, within the franchises and without, and els where, that all that haue gallyhalfpence, sulkins, or dotkins, shall bring them to the kings eschanges, betwixt this and the feast of Easter next ensuing, there to be broken, and that that is found good siluer, there to be striken and coyned in English halfepence. And all they which after the sayd feast of Easter, do make, coyne, buy, or bring into the Realme of England, any Gallyhalfepence, Sulkins, or Dockins, to sell them, or put them in payment in the same Realme, and thereof be attainted, they shalbe iudged as Felons of our soueraigne Lord the king, and shall forfait all their lands and tenements, goods and cattels. And that the lords of whom such lands and tenements be holden, shal haue and enioy the forfaitures, as in other cases of Felony. And if any of the kings liege people or other person, put Gallyhalfepence, Sulkins, or Dockins in paiment, or them receiue in paiment within the realme of England, and thereof bee duely attainted, they shall forfait at euery time that they make such paymens or receipt an C. shillings, whereof our soueraigne lorde the king shall haue the one halfe, and he that will sue for the king, thereof to attaint them, shall haue the other halfe, and that aswell the Iustices of peace, within all the counties of England, as Maiors and bailifes within Cities and boroughs, and Stewards of of Lords in their views of Frankpledge, shall haue power to enquire by good enquestes to be taken before them, of all the matters aforesaid. And that the sayd Maiors and baylifes, after the saide enquests before them taken, shall send the same inquisitions before the Iustices of peace of the counties, in which the said Cities and boroughs be. And that the sayd Iustices of peace of the counties, haue power, aswell of the said inquisitions so taken before such Maiors and Bailiffes, and sent before the sayd Iustices, (as afore is said) as vpon other iniquisions before the same Iustices of peace in their Sessions to be taken, touching the said matters, to make proces, and to awarde the Capias and Exigent, and to heare and determine all the matters according to their discretion, as in other cases of Felonies and trespasses hath bene vsed before this time. An. 3. H. 5. stat. 1.

Enquestes

Iustic. of p.

Proces

28 ¶ That such clipping, washing, and fyling, shalbe iudged for Treason, and they that so doe clippe, wash, and file the money of the land, shalbe iudged Traytors to the king, and to the realme, and shall incurre the paine of Treason. An. 3. H. 5. cap. 6. This statute is repealed by 1. Mar. Sessi. 1. Treason. 20. But the same offences be made Treason againe by 5. Eliz. cap. 11. which See in Treason. 26.

Clipping Washing Fyling Treason.

Repealed

29 ¶ Whereas counterfeiting, clipping, washing, and other falsitie of money of this lande is much more vsed, then it was wont to be, because the punishmẽt of the same (being Treason,) perteineth onely to the Iustices of the kings bench, or to especiall Commissioners thereunto assigned. Therefore be it &c. That the kings Iustices, assigned to take assises in all the Countyes of England, shall haue power by the kings Commissions, to heare and determine in their sessions, aswell of the counterfayting, and of the bringing of such false money into the Realme, as of clipping, washing, and euerie other falsitie of the sayde money. And that the Iustices of peace through the Realme, shall haue power by the kings commissions,

☞

Iust. of all.

Oier & ter. Counterfeiting

Clipping Washing

Iust. of p.

commissions, to enquire of all such matters, and thereupon to make proces by Capias onely against those, which before them shalbe therof indicted. An. 3. H. 5. cap. 7. Proces

30 ¶ An. 9. H. 5. cap. 6. an act was made to endure at the kings pleasure that a Mint should be at Calois. Mint

31 ¶ From Christmas even next coming, none of the Kings lyege people shall receiue any money of English gold in paiment, but by the kings weight thereupon ordeyned. And for asmuch, as a great part of the gold nowe currant in payment, is not of rightfull weight, nor of good allay, the same shalbe sent to the coyne, to the intent that it shalbe newly coyned of iust weight and of good allay. And because that shalbe to the great losse and costs of the kings subiects, vnles it please him to relieue them in this case: Our Soueraigne Lorde the king of his speciall grace, hath remised and pardoned to all his liege people, which betwixt this and the sayd feast of Christmas, shall do to be coyned of newe at the kings coynage within the Tower of London, their money of gold, that is not of iust weight nor of good allay, that is to say, all that to him perteineth for this newe coynage of such gold as afore: Sauing alwaies to the Master of the Mint, and to other officers of the same, that which to them reasonably pertayneth. Anno 9. H. 5. capitulo 11. Weight. Allay. Pardon.

32 ¶ All the statutes and ordinances, which haue bene made in the time of the kings noble progenitor, touching the good and lawfull gouernance of his money of gold and siluer not repealed, bee well and firmely kept and holden in all points. An. 9. H. 5. stat. 2. cap. 1. Statutes.

33 ¶ The king in asmuch as he conueniently may, shall doe to be ordeined his eschaunges of the money of golde and siluer in the citie of London, and elswhere in the realme, for the ease of his people, which shalbe holden in open places in high streates. And that all they that wil come to the Tower of London, there to haue money of new coyned, they shall haue money coined, and thereof shalbe deliuered within eight dayes, according to the very valour of that they shall bring thither, paying the seignourage and cunage of gold after the rate of v. s. for the pound of the Tower. And for the seignourage and cunage of siluer xv. d. for the pound and no more. And that they that will not go to the Tower to doe the same, but will be thereof deliuered at the eschanges, shall pay for the eschange after the rate of a penny for the noble, and for the halfe noble an halfepeny, and for the fowerth part of the noble a farthing, with the seignourage and coinage, as before is said. Anno 9. H. 5. stat. 2. cap. 2. Eschanges London. Tower of London. v.s. Cunage. Eschange.

34 ¶ Item, that the Maisters and workers of the money, and also the straungers in all places where money shalbe coyned, made, or chaunged, shalbe holden to deliuer and pay all that that ought to pertaine to them, for such eschange of good and lawfull money of England, by and of iust weight, or by the the number, of the election of him which shall receiue the same without any delay or difficultie. And if percase it happen, that any notable default in the weight of the money, or in the allay be found (which God defend) vpon the deliuerie or paiment to be made at the said Tower, or at the eschanges aforesayd, that then it shalbe well and lawfull to euery person, that shall finde such default, to refuse that that is defective, before that he depart the place where he the same shall receiue. And that the Maister or the changers be holden to deliuer to him sufficient money for the same without delay, & to melt that that shalbe found defective. Anno 9. H. 5. stat. 2. cap. 3. Mint maisters. Weight. Fault. Refuse. Melt again.

35 ¶ Item, that they which shalbe wardens and surueiors, and ministers of the eschanges out of the Tower, shall be holden and bounden to bring al the gold and siluer that they shall receiue by way of eschange, or shall buy by colour of their office, to the Tower of London, there to be molten and made in money, in augmentation and encrease of the money, for the profit of the Realme and ease of the people, without being sold, alienes, or put to Wardens. Gold & siluer. Tower of London.

any

any other ble. Anno 9. H. 5. ſtat. 2. cap. 4.

Mynt Calice

36 ¶ Item that the Kings Mynt be roqned and made at Caleis, in the maner as it hath bene made and gouerned at the Tower of London, Anno 9. H. 5. ſtat. 2. cap. 5.

37 ¶ Item that all the money of golde and of ſiluer, that ſhall be made at the Tower of London and at Caleis, or els where within the realme of England by aucthoritie royall, ſhall be made of as good allay and good weight, as it is nowe made at the Tower. Anno 9. H. 5. ſtat. 2. cap. 6.

Allay Weight

38 ¶ The Lords of the kings counſell for the time being, may aſſigne by aucthoritie of the ſayd Parliament, Maſters and workemen to make money of golde and ſiluer, to hold the eſchanges of money, as wel in the citie of Yorke, as in the towne of Buſtowe, and alſo in as many places as to the ſayd Lords ſhal ſeeme neceſſary, after their good aduice and diſcretion, any ſtatute, or ordinance made to the contrary notwithſtanding. Anno 1. H. 6. cap. 1.

Counſell Coyners Yorke Buſtowe

39 ¶ The ſame ſtatute (S. 9. H. 5. ſtat. 2. cap. 5. before 28.) bee holden and kept, and put in due execution. And moreouer it is ordayned and ſtabliſhed, that no golde nor ſiluer ſhall be carryed out of the realme, contrary to the ſayd ſtatute, vnleſſe it be for payment of warres, and the kings ſouldiors beyonde the Sea, vpon payne of forfaiture of the valour of the ſumme of money ſo caryed out of the Realme, to bee leuyed of him that the ſame ſhall bring, carry, or ſende out of the ſame Realme. And that he that the ſame eſpieth, & thereof giueth knowledge to the counſell, or to the Treaſourer of England, ſhall haue the iiii. part of the forfaiture ſo due to the king, Except the raunſomes for fines of Engliſh priſoners, taken and to be taken beyonde the ſea, and the money that the ſouldiours ſhall carry with them for their reaſonable coſtes, and alſo for horſes, oxen, ſheepe, and other thinges bought in Scotland, to bee brought and carryed to the parties adioyning, ſo that the money to bee ſent for the fines of the ſayd priſoners, or to be carryed by the ſayde ſouldiors to the parties beyond the ſea, be not made without the kings ſpeciall licence. And because it is ſuppoſed, that the money of golde of the realme is carryed out of the ſame by marchants aliens: It is ordeined and ſtabliſhed, that the marchantes aliens, ſhall finde ſuertie in the Chauncerie, euery company for them of their company, that none of them ſhal carry out of the realme no golde nor ſiluer againſt the fourme of the ſayde ſtatute, vpon payne of forfaiture of the ſame golde or ſiluer, or the valour of the ſame. And if any of them doe the contrary, and that duely proued, and he ſo doing be gone ouer the ſea, then the pledges of his cõpany ſhal pay to ỳ king the ſayde forfaiture, whereof he that the ſame hath eſpied, & thereof giuen notice to the Treaſorer, or to the kings counſel, ſhall haue the fourth part, as aboue ſayd. An. 2. H. 6. cap. 6.

Licence Marchants aliens Suertie Chauncery Golde Siluer Forf. Suerties 4. Part

40 ¶ That proclamation bee made through all the counties of Englande, within fraunchiſes and without, and within cities, townes, boroughs, and els where, that all the money called blanks, ſhall be wholly voyded out of the realme before the feaſt of Saint John Baptiſt next comming. And moreouer, that no man after the ſayde feaſt, pay or receyue for payment in any maner within the ſaid realme, the ſaid money called blanks vpon the ſame payne contayned and ordeyned by a Statute made the third yere of king Henry, father to our ſayd ſoueraygne Lorde the king (which is before 27.) againſt al that pay or receiue for payment the money called Gallihalfepence, Suſkins, & Dotkins within the realme. An. 2. H. 6. cap. 9.

Proclamation Blankes

41 ¶ That the Maſter of the Mynt ſhall keepe his allay in the making of white money, according to the fourme of his Indenture. And that the ſame maſter receyue of euery perſon, that ſhall bring any ſiluer to the Mynt, the ſame money at the true valour as it is worth, according to the ſame allay, vpon payne to paye to the partie his double dammages.

Golde Siluer Caſt vpoyted Warres Souldiers Forf. 4. Part Raunſoms Horſes Oxen Sheepe Mynt maſter Allay ii. damages

And also to the intent that his ordinance may the better and more iustly bee obserued: It is ordained, that the kings assayer, which is a person indifferent betwixt the master of the mint and the marchant, and also the Comptroller of the mynt shalbe present, when any bullion of siluer is brought to the mint, to the intent that the sayde assaier may rightefull set the valour of the same, according to the law, in case of variance betwixt the Master and the marchaunt, and the Comptroller to controll aswell siluer, which is brought to the sayde mint, as brought out of the same, euery two dayes faithfully and indifferently to doe their deuoir, without taking any reward other then the fee, which they shall take of the king, vpon the payne to yeelde double damages, as afore is sayde. And that the assayer and comptroller be credible, substantiall, and expert men, hauing perfect knowledge in the misterie of Goldsmithes and of the mint. And also that neither the master of the mint, nor the chaungeour for the time being, sell nor doe to bee solde, nor alien to none other vse but to the coyne, no maner of golde nor of siluer wrought or vnwrought, coyned or not coyned, or bullion which is brought to the mint, or to the eschange, but applie the same onely to the money, according to the fourme of the sayd indenture, vpon the payne conteyned in the same Indenture. And that the same master of the mint cause to bee striken fro time to time halfe nobles, farthings of golde, grotes, halfe grotes, pence, halfepence, and farthings, for the ease of the people, according to the tenor of the indenture made betwixt the king & him, vpon the paine cõteined in the same, so that the common people may haue recourse to the eschaunge for small golde and white money, as they reasonably shal neede. An. 2. H. 6. cap. 12.

Assayer

Cõptroller Bullion

ti. damages

Golde-smithes

Chaungeour

Small golde White money

42 ¶ No person from the feast of Easter, shall cary nor doe to be caried out of this Realme or Wales, any maner money of coyne of this realme, nor of the coyne of other realmes, lands, or seignories, nor no plate, vessell, masse, bullion, nor iewelles of golde, wrought or vnwrought, or of siluer, without the kings licence, except such persons as be dispted within thafore said statute made the said second yere of king Henry the vi. (which is before 39.) & in other diuers statutes, vpon paine of felony, and to be adiudged and reputed as felonie. The same felonie to be heard and determined in like maner and forme, and before such person or persons, as other felonies bee commonly heard & determined within this realme. An. 17. Edwardi quarti cap. 1. This act was made to endure for seuen yeres. See this statute continued here following. 43. & 45.

Transpost

Plate Bullion

Iewels

Licence

Felony

43 ¶ The said statute made in the said seuenteenth yeere of king Edwarde the fourth. cap. 1. be and stand a statute good and effectual with all the premisses in the same, and be obserued, kept, & put in due execution, from the feast of the Purification of our Lady, that shalbe in the yeere of our Lorde God, M. CCCC. lxxix. and to endure vnto the ende of twentie yeres next ensuing. And ouer that by the same authoritie it is ordeyned and enacted, that no person dwelling or inhabiting within this realme, from the sayde feast of the Purification, pay or deliuer wittingly by way of exchange, or otherwise to any marchaunt, or other person borne out of the kings obeysance for any marchandises or wares, or in any otherwise, any maner pieces of golde coygned in this realme, or any other realmes, or any Plate, Vessels, Masles, Bullion, Jewels of gold wrought or vnwrought, to forfaite and lose the double summe or double value of all such money of golde coyned, plate, vessell, masle, bullion, or iewell of golde or siluer payed, deliuered or exchanged contrary to this acte. The one halfe of al the same forfeiture to be to the king our soueraigne lord, & the other halfe to any of his subiects that wil seyse it, or sue for any such payment, deliuerraunce, or eschaunge made or to be made, contrary to this act, and that it be lawfull to the kings subiectes in this case, to sue for the said forfaiture by action of debt, by

Eschange Marchant

Plate Bullion Jewels Forf.

spoile

writte

wytte at the cõmon law, by bill or plaint, after the custome of the citie, port or towne, where it shall happen any forfaiture to fal and be, or by information to be
Exchequer made in the kings eschequer, and that no protection nor essoyne be allowable in any such action or information. Anno 4. Henrici septimi cap. 23.

Soueraigne Royall Angell

44 ¶ All maner of gold of the coyne of a soueraigne, halfe soueraigne, royall, halfe royall, & the fourth part of a royall, angell, halfe angell, and euery of them being golde, whole and weight, shall go & be currant in payment though all this realme, for the summe that they were coined for. And also as well all maner of

Grotes Forreine coyne

grotes of English coyne, and of the coine of other landes, nowe currant in this realme for grotes, or for foure pence being siluer, and not clipped, minished, or otherwise impaired, except reasonable

Cracked grotes

wearing, albeit they bee cracked, as all maner of grotes, or pence of two pence of English coyne, or of the coyne of other landes now currãt in this realme, for half grotes, or pence of two pẽce not clipped, minished, or otherwise empaired, being siluer, howbeit they be cracked, shall in

Currant

likewise goe & be currant though all the same realme, for the summe as they were coyned for. And ouer that, that all maner

Pence

of pence being siluer, hauing the print of the kings coyne, shall haue course and be currant for payment alwell to vs in all our receipts, as to all our Receiuors, and to all other lordes spirituall and temporall, and their receiuours, and to all other within this our realme, without any maner refusall or contradiction, except only pence bearing diuers spurres, or the mulletes betwixt the barres of the crosse, and those pence so bearing the print of the spurre or the mullet, to haue course for

Halfepence

halfe pence onely, and not aboue. And if

Refuse

any person hereafter refuse any coyne afore rehearsed, to take it in payment after the effect and tenure of this acte, that then he that so refuseth it, shalbe compelled by the Maior, Sherife, Bailife, Constable, or chiefe officer or gouernour of the towne, or place where any such payment shall be refused, to accept and take the sayd payment. And furthermore to be

Imprison Maior Sherife Bailife

imprisoned, or otherwise punished by the discretion of the sayde Maior, Sherife, Baylife, Constable, or other chiefe officer or gouernour afore rehearsed. And if the sayd Maior, Sherife, Baylife, Constable, or chiefe officer or gouernour, refuse to take any such coyne in payment,

Refuse

as it is afore rehearsed, that then he so refusing the sayd payment, to be compelled

Iust. of p.

by the Iustice of the peace of the same countie where such payment shalbe refused, to accept and take the sayd payment, and he so refusing the same, to be further

Punish

punished for the sayd refusing by the discretion of the same Iustice. And also it is ordeyned by the sayd authoritie, that all

Grotes Halfe grotes Pence Minished

maner of grotes & halfe grotes, or pence of two pence, alwell English coyne as coyne of other landes clipped, minished, or otherwise empaired, except reasonable wearing, shall not goe nor be in any wise

Not currãt

currãt for ꝑ payment within this realme, but vterly to be refused and forsaken in payment from henceforth, and that notwithstanding it shalbe lawful to any person, hauing any such grotes or pence of

Clipped

two pence clipped or minished, to bring the same to the kinges mint, there to be

Changes

changed after ꝑ custome of the said mint,

Plate

or conuert the same into plate, bullion, or otherwise sell or employ to his most profite & aduantage within this realme, any other act or actes, to the contrary in any wise notwithstanding. And in eschewing

Clipping

and auoyding of such clipping in time to come, the king our soueraigne Lorde, by the aduice of his counsell, hath caused to be made newe coynes of grotes & pence of two pence, and that euery piece of the same coynes, shall haue a circle about the

Golde

vtter part thereof. And also that all maner of gold hereafter to be coyned within

Scripture

this his realme, shal haue the whole scripture about euery piece of the same golde, without lacking of any part thereof, to the intent that his subiects hereafter may haue perfite knowledge by the circle or scripture, when the same coynes be clipped or appaired.

Compell Maior Sherife Bailife

Warden Cõptroller

And also it is enacted by the sayd auctho͠itie, that if the Warden o͠r Controller of the kinges Mint, hereafter duely execute not their office in searching the same coyne, and see that it be made perfect in fourme as is afo͠resayde, before it passe from the mynt, that then the same Warden and Comptroller shal fo͠rfayte the sayd office, and make fine fo͠r the same at the Kinges pleasure. Moreouer it is enacted by the sayde auctho͠itie, that no maner of person shall carry no͠r conuey, no͠r cause to be caryed out of this realme any bullion, plate o͠r coyne of golde o͠r siluer into Ireland, ouer and aboue the summe of vi.s.viii.d. no͠r conuey any such bullion, plate, o͠r coyne, into any shippe, boate, o͠r other vessels, vpon payne to fo͠rfaite the sayd bullion, plate, o͠r coyne, and to haue imprisonment, and make fine and raunsome at the kings will. And in likewise, that no maner person bying no͠r conuey, no͠r cause to be brought no͠r obteyned any maner of coyne of golde o͠r siluer aboue the summe of iii.s. foure pence of the coyne of Ireland into this Realme, vpon payne of fo͠rfeiture of all the same coyne aboue the sayd summe of three shillings foure pence so brought into this realme, and to haue imprisonment, and make fine and raunsome at the kings wil. And that it shalbe lawful fo͠r euery of the kings subiectes to take and seyse all such money of ꝑ coyne of Ireland hereafter to be brought o͠r conueyed into this realme, ouer and aboue the sayde summe of three shillings foure pence, and to bring it into the kinges Mint, there to kepe the same vnto the kinges vse. And euery person that so shall bring any such Irish money to the said mint, shal haue the value of the one halfe of all such Irish money by him so brought to the sayde mint, at the same time deliuered to him to his owne vse by the master of the mint fo͠r the time being.

Fo͠f. office

Bullion Golde Siluer Ireland Ship

Fo͠f.

Imprison

Bying out of Ireland

Fo͠f.

Imprison

Seise

K. vse Irish money

Moitie

An. 19. H. 7. cap. 5.

45 ¶ An. 1. H. 8. cap. 13. & An. 3. H. 8. cap. 1. two seuerall actes were made to endure to the nexte parliament, that the afo͠resayd statute of 17. E. 4. cap. 1. before 42. should stand good, except the penaltie of felonie, and that who should cary any of the thinges specified in the statute contrary to these statutes, should fo͠rfaite the double value.

46 ¶ All such coyners as shal coyne and make any money at any mint within this realme of England, shall make and coyne of euery hundred pounder worth of golde, that they shall strike into coyne twentie pounde in the coyne of halfe angels, commonly called pieces of golde of xl. pence. And of euery hundred pounder worth of bullion, plate, o͠r siluer, that they shal strike into coyne, as many grotes as shall amount to ꝑ summe of fiftie pounds sterling, as many halfe grotes called pence of two pence, as shal amount to the summe of twentie pound sterling, as many pence as shall amount to the summe of twentie pound, as many halfe pence as shall amount to the summe of x. markes sterling, & as many farthings as amount to the summe of v. markes sterling. And that any time that any coyners in any mint within the realme, shall do contrary to this act, the master and keeper of that mint, fo͠r the time being, shal fo͠rfaite and lose x.li. Thone moitie thereof to bee to the king our soueraigne lo͠rde, the other moitie to the partie that shall sue fo͠r the same, by bill, information, action of debt, o͠r other wise, wherein the said master shal not be admitted to doe his lawe, and no protection ne essoyne to bee allowed fo͠r the defendant. And fo͠r as much as at this ꝓsent time farthings and halfe pence be striken all with one coyne, so that the cõmon people of the Realme, many times take these that be farthings fo͠r halfepence: Be it therefo͠re enacted, by auctho͠itie afo͠resayde, that all such farthings, that from hence fo͠rth shalbe made within this realme, shal haue vpon the one side thereof, the ꝓyne of the Port colice, and vpon the other side thereof, the ꝓint of the Rose, with a Crosse, vpon like payne.

Coyners

100.li. gold

20.li. halfe angels

100.li. Mone

50.li. grotes

Halfe grotes

Pence

Halfe pence

Farthings

Mint master

Fo͠f.

Payne

Farthings

Port colice

Rose

And furthermo͠re be it enacted by the auctho͠itie afo͠resayd, that all maner persons reso͠rting to the sayde Mint with any Plate o͠r Bullion, vnder the value aboue sayde, to be coyned, shall haue and receiue

Tenth part

receiue at the ſayd mint the tenth part of all ſuch plate and bullion in halfe pence and farthings.

Prouided alwaye, that this act nor any thing contayned in the ſame, be not in any wiſe preiudiciall to the coyners and Mint Maiſters of Yorke, Durehme, and Canterburie, nor to any of them, for any money to bee coyned there, other then heretofore hath beene accuſtomed. This act to beginne to take effect at the feaſt of Saint Michaell the Archangell next comming, and not before. Anno 14. Eli. 8. cap. 12.

Coyners Yorke Durihme Canterburie Foyle.

47 ¶ See Eſchaunge 6. that money ſolde aboue the value proclaymed, ſhalbe forfaite.

48 ¶ An. 7. E. 6. cap. 6. it is enacted, that the ſayde ſtatute made An. 17. E. 4. cap. 1. before 42. & euery article, clauſe, ſentence or prouiſion therein contayned, ſhall be affirmed and enacted to be good and effectual to the firſt day of May next comming, and to endure to the ende of twentie yeeres then next enſuing. Prouided alwayes, that if any of the lordes of the Parliament, or any of the peeres of this realme for the time being, ſhall fortune to be indicted of any of thoffences limited in ſaid act made in the ſeuententh yere of king Edward the fourth, that thē they and euery of them, ſhall haue his or their tryall by their peeres, as hath beene vſed heretofore in caſes of high treaſon. An. 6. Ed. 6. cap. 6.

L. of parliament Peeres Indicted

Tryall

49 ¶ Anno 17. E. 4. cap. 1. an act was made to endure for ſeuen yeeres, againſt Iriſh money to be current in England.

Iriſh money

50 ¶ In the new printed booke commonly called Magna carta, late printed by Richard Tottell, Anno Domini. M. D. lxi. folio 167. is as followeth. Quia multorum regum temporibus prouiſum fuit, quod propter pauperes denarius argenti, ceſtaſſauoier, ſterlingus, quoties neceſſitas expoſtulat diuideretur in obulum, quadam ex parte Domini Regis diſtricte præcipitur, quod quicunque in emptionibus & venditionibus obulum ſeu quadrantem legalis metalli, & debitam habentem formam recuſare præſumpſerit, tanquam regiæ maieſtatis contemptor capiatur, & in carcerem detrudatur. Præceptum eſt etiam quod ſubeat iudicium pilloriī.

51 ¶ Be it enacted &c. that if any perſon or perſons, hereafter falſely forge or counterfaite any kinde of golde or ſiluer, as is not the proper coine of this realme, nor permitted to bee current within this realme, that then euery ſuch offence ſhal be deemed and iudged miſpriſion of high treaſon, and thoffenders therein, their procurers, ayders, and abettours, being conuict according to the lawes of the realme of ſuch offences, ſhall be impriſoned, and forfaite ſuch landes, goods, and cattels, as in caſes of miſpriſion of treaſon, for concealement of high treaſon. An. 14. Eliz. cap. 3.

Counterfait Foreine coyne

Miſpriſion of treaſon

Impriſon

Fort.

¶ Mortdaunceſter.

IF any heire after the death of his auncеſtor be within age, and his lorde haue the warde of his landes and tenementes, if the Lord will not render vnto the heire his lande (when he commeth to his full age) without plea, the heire ſhall recouer his land by aſſiſe of mortdaunceſter, with the damniages that he hath ſuſteyned by ſuch withholding, ſince the time that hee was of full age. And if an heire at the time of his auncеſtours death be of full age, and he is heire apparant, and knowen for heire, and be founde in the inheritance: the chiefe Lorde ſhall not put him out, nor take, nor remoue any thing there, but ſhall take onely ſimple ſeyſin thereof, for the recognition of his ſeignorie, that he may be knowen for Lorde. And if the chiefe lord do put ſuch an heire out of the poſſeſſion maliciouſly, wherby he is driuen to purchaſe a writ of Mortdaunceſtour, or of coſinage, then he ſhal recouer his damages as in aſſiſe of nouel diſſeyſin. Touching heires, which holde of the king in chiefe, this order ſhall bee obſerued, that our ſoueraygne Lord the king ſhall haue the firſt ſeyſin of their lands, like as he was wont to haue before time. Neyther ſhall the heire, nor any

Heire

Ward

Damages

Full age

Seiſin

Coſinage

Damages

other intrude inheritance, before he hath receyued it out of the kinges handes, as the same inheritance was wont to be taken out of his handes and his auncestors. And this must be vnderstanded of landes & fees, the which were accustomed to be in the kings handes, by reason of knights seruice, or seruauntie, or right of patronage. Marlebridge cap. 16. Anno. 52. Henrici 3.

Knights seruice

2 ¶ Item it is prouided also, that if a man die, hauing many heires, of whom one is sonne or daughter, brother, or sister, nephewe, or neese, and the other be of a further degree, all the heires shall recouer from henceforth by a writte of Mortdauncestour. Gloucester. 6. An. 6. E. 1.

¶ Mortmaine.

IT shall not be lawfull from henceforth to any man to giue lands to any religious house, nor to take the same land againe to hold of the same house. Nor it shall not be lawful to any house of religiō, to take the landes of any man, & to lease the same to him, of whome he receyued it: If any man from henceforth giue his landes to any religious house, and thereupon bee conuict, the gift shalbe vterly voyde, and the land shal returne to the lord of the fee. Magna charta cap. 36.

Religious Take againe

Lease

Voyd gift Lord of the fee

2 ¶ When religious men and other ecclesiasticall persons doe implede any, and the partie impleded maketh default, whereby he ought to lese the lande, forasmuch as the Justicers haue thought hitherto, that if the partie impleded make default by collusion, that where the demaundāt by occasion of the statute could not obtaine seysin of the lande by title of gift, or other alienation, he shall nowe by reason of the default, and so the statute is defrauded: It is ordayned by our souereigne lord the king in this case, that after the default made, it shalbe inquired by the Countrey, whether the demaundant had right in the thing demaunded, or no, and if it be founde, that the demaundant had right, the iudgement shall passe with him, and shall recouer seysin: and if hee had no right, the lande shall accrue to the next lord of the fee, if he demaund it within a yeere from the time of the inquest taken. And if he doe not demaund it within the yeere, it shall accrue to the next lorde abour, if he doe demaund it within halfe a yeere after the same yeere. And so euery lord after ꝑ next lord immediat, shal haue the space of halfe a yeere for to demaunde it sufficiently, vntill it come to the king, to whome at length through default of other lordes the land shall accrue. And to challenge the iurours of the inquest, euery of the chiefe lordes of the fees shall be admitted, and likewise for the king they that will, shall challenge. And after the iudgement giuen, the land shall remayne in the kings handes, vntill it be deraynd by the demaundant, or some other chiefe lord, and the sherife shalbe charged to answere therefore at the eschequer. Wi. 2. cap. 31. An. 13. E. 1.

Impleade

Default

Default

Enquire

Judgement

Demaund

Lord

King

Challenge

Sherife

3 ¶ No person, religious or other whatsoeuer he be, that will buy or sel any landes or tenements, or vnder the colour of gift or lease, or that wil receyue by reason of any other title, whatsoeuer it bee, lands or tenements, or by any other craft or engine will presume to appropre to himselfe, vnder paine of forfaiture of the same, whereby such landes or tenements may any wise come into mortmaine, we haue prouided also, that if any person religious or other, doe presume eyther by craft or engine to offend against this statute, it shalbe lawfull to vs & other chiefe lords of the fee immediate, to enter in the land so aliened, within a yere from ꝑ time of the alienation, and to hold it in fee and as inheritance. And if the chiefe lord immediate be negligent, and wil not enter within the yeere, then it shalbe lawfull to the next chiefe lord immediat of the fee, to enter in the same land within halfe a yere next folowing, and to hold it as before is sayde. And if all the chiefe lordes of such fees being of ful age, within the iiii. seas, & out of prison, be negligent or slacke in this behalfe, Ther immediately after the yere accōplished from the time that such purchases, gifts, or appropriations happe

Religious

Landes

Enter One yere

Chiefe lord

4. Seas Out of prison

to

to be made, shal take such lands and tenements into our hand, & shal infeoffe other therein by certaine seruices to be done to vs, for the defence of our realme, sauing the chiefe lordes of the fees, their wardes and eschetes and other seruices thereunto due and accustomed. An. 7. E. 1.

Wardes
Eschets
Seruices

4 ¶ It is to be vnderstanden, that the king ordayned at Westminster the first day of Aprill, the xxvii. yere of his raigne, that such as would purchase a newe purchase, as men of religion, that shoulde amortise landes or tenementes, woulde haue writtes out of the kinges Chauncerie, for to enquire vpon the poyntes accustomed in all thinges, and that enquestes of landes or tenementes that bee worth yeerely more then xx. li. that is to witte, by entent, bee retourned into the Eschequer, and there to make fine for the amortisments, or for the purchase hauing, if the inquestes doe passe for him that purchased them, and afterwarde it shall bee certified vnto the Chauncellour or his deputie, that hee take a reasonable fine therefore, according to the quantitie of the thing, and after to deliuer it: In like maner they shall doe, that will purchase landes or tenementes holden of the King in chiefe. Also folke dwelling beyonde the sea, that haue landes and tenementes, or rentes in Englande, and will purchase letters of protection, or will make generall attourneys, they shal bee sent vnto the Eschequer, and there shal make their fines, & from thence shall be sent vnto the Chauncellour, or his deputie, for that that he ought to do therein. In like maner they shal do, that will purchase any faire, market, marrayne, or any other libertie. Also such as will purchase atterminement of their debts, shalbe sent into the Eschequer. Also such as be not able to trauaile, & folke that dwell in farre counties, which plead or be impleaded, shal haue a writ out of the chauncery to some sufficient man, that shall receyue their atturneis when neede is. And for a remembrance of these things, there is an indenture made, deuided into three parts, whereof one part remaineth in ỳ Chaun-

Writs Chauncery
Enquests
Eschequer King
Chauncelor
Protection
Faire Market
Attourneis
Indenture

cerie, another in the Eschequer, and the third in the garderobe. An. 27. E. 1.

See the same statute almost worde for worde in the volume of tholde statutes fol. 62. intituled statutum de terris & tenementis amortizand.

5 ¶ Touching the graunt of our soueraigne lord the king to be obtained vpon Inquests returned into the Chauncerie, for landes to bee abreuied into mortmayne, the king commaundeth that nothing shall be done (where there be any lordes meane) except the religious persons can shew to our soueraigne lord the king their assent, vnder their patentes sealed with their seales. And that nothing shal passe in case where the donour reserueth nothing to himselfe. And likewise where inquisitions be made and returned without warrant, that is to wit, the writte originall without the inquest, and except that the writte original make mention of euery thing according to the newe ordinance deuised by the kings stat. of amortisment of landes. An. 34. E. 1.

Enquests
Lords meane
Religious
Donour
Inquisitios

6 ¶ The writte of our lord the king of making of inquisitions in the chauncerie, shal not be graunted to any man, if it be to the losse of our lord the king, or the landes or tenementes of others, if they may be giuē or assigned to any religious men, or other according to the fourme of the writte vsed in the Chauncery, in case where those landes or tenementes come to mortmaine, but by petitions put vp in the full Parliament. And so that if those religious men, or other, to whome such landes or tenementes were graunted, be so needy and poore, that they can not liue of their owne, our lorde the king hereupon, (after due aduise had) shal doe as shal please his grace, of writtes of graunting inquisitions of landes put to mortmaine.

Ad quod dampnum
Parliament

7 ¶ If prelates, clerkes beneficed, or religious folke, which haue purchased landes, & the same haue put to mortmaine, bee impeached vpon the same before our Justices, & they shewe to vs a charter of licence, & processe thereupon made by an enquest of Ad quod dampnum, or of our

Spirituall Religious Purchas
Licence

grace, or by fine, they shalbe freely let in peace, without being further impeached for ỳ same purchase. And in case they can not sufficiently shewe, that they haue entred by due processe, after licence to them graunted in generall, or in speciall, that they shalbe well receiued to make a conuenient fine. And that the enquirie of this article, shall wholly ceasse, according to the accord compised in this parliament. An. 18. E. 3. pro clero. cap. 3.

Proces

8 ¶ As it is contayned in the statute De religiosis, that no religious ne other whatsoeuer he be, do buy or sell, or vnder colour of gift, or terme, or any other maner of title, receite of any man, or in any maner by craft or engine of any maner, cause to bee appropriate vnto him, any landes or tenementes, vpon payne of forfaiture of the same, wherby the said lands & tenementes in any maner might come to mortmayne. And if any religious or any other come against the sayd statute by art or enginne in any maner, that it bee laweful to the King, and to other Lords in the sayd landes and tenementes to enter, as in the sayd statute doth more fully appeare.

Religious purchase

Forf.

King Lords Enter

And nowe of late by subtill imagination, and by art and engine some religious persons, vicars, and other spirituall persons, haue entred in diuers lands and tenementes, which be aduoyning to their Churches, and of the same landes by sufferance and assent of the tenauntes haue made Churchyardes, and by bulles of the Bishop of Rome, haue dedicate and hallowed the same, and in them doe make continually parochiall burying without licence of the king and of the chiefe lords, therefore it is declared in this parliamẽt, that it is manifestly within the compasse of the sayd estatute. And moreouer it is agreed and assented, that all they that bee possessed by feoffement, or in any other way, to the vse of religious persons, or other spiritual persons, of landes and tenementes, fees, aduowson, or any maner possessions, to thentent to amortise them, whereof the sayd religious and spirituall persons take the profites, that betwixt this and the feast of Saint Michael next comming, they shall cause them to bee amortised by the licence of the king, and of the lords, or els that they shall sell them, & alien them to some other vse, betweene this and the sayde feast, vpon payne to be forfaite to the king, and to the lordes, according to the forme of the sayd statute of religious, as landes purchased by religious people. And that from henceforth no such purchase be made, so that such religious or other spirituall persons take thereof the profites, as afore is sayd, vpon payne aforesayde. And also that the same statute extende and be kept of all landes, tenementes, fees, auowsons, & other possessions purchased, or to be purchased to ỳ vse of guilds or fraternities. And moreouer it is assented, for as much as the Mairs, baylifs, and commons of cities, boroughs, and other townes, that hath a perpetuall comminaltie and others, which haue offices perpetuall, be as perpetuall as people of religion, that from henceforth they shal not purchase to them and to their commons or office, vpon the payne contayned in the statute De religiosis. And also of that that others bee possessed, or hereafter shall purchase to their vse, and they thereof take the profites, it shalbe done in like maner as afore is sayde of people of religion. An. 15. R. 2. cap. 5.

Religious

Churchyardes Bulles

Licence

Forf.

Purchace

Guildes Fraternities Mairs Baylifs

Profites

9 ¶ Where by reason of feoffements, fines, recoueries, and other estates, and assurãces made of trust of manors, landes, tenementes, and hereditamentes, to the vse of parish churches, chappels, church wardens, guildes, fraternities, comminalties, companies or brotherheads, erected and made of deuotion, or by common assent of the people without any corporation, and also by reason of feoffementes, fines, recoueries, willes, and other actes made to any vses aforesayd, or to the vses & intents to haue obits perpetual, or any other annual seruice of a priest for euer, or for iii. score or iiii. score yeres, founden of the issues and profites of the manors, landes, tenements, and hereditamentes, whereof such feoffements, fines, recoueries, wills, and

Feffements Fines Recoueries

Churches Guildes Fraternities

Vses Obites Priest

Feoffees

and other actes bene made, or that the feffees, coniſees, recouerees, or other perſons, and their heires thereof ſeyſed, ſhall take, leuy, receyue and perceiue, or cauſe or ſuffer to be taken, leuied and perceiued, thilliues, reuenues and profits thereof, and the ſame to diſpoſe, paye, conuert, or otherwiſe emploie or ſuffer, or cauſe to be diſpoſed, payed, conuerted or employed to any ſuch vſes, incents or purpoſes as bene aboue ſpecified, or to any other like vſes or intents, there groweth and iſſueth to the king our ſouereigne lord, and to the other lords & ſubiects of the realme the ſame like loſſes, and inconueniences, and is as much preiudicial to them, as doth and is in caſe where lands be alienes into mortmaine. Be it therefore &c. that all and euery ſuch vſes, intents and purpoſes of what name, nature or qualitie they ſhalbe called, that ſhalbe deuiſed, couenanted, made, declared, or in any wiſe ordayned after the firſt day of March, in the xxiii. yeere of the raigne of our ſouereigne Lord king Henry the eight, by any feffee, recouerer or coniſee, or by any other perſon or perſons, to whoſe vſe any ſuch Feffee, recouerer or Conyſee ſhalbe ſeiſed of any Mannours, Lands, tenements or hereditaments, or of thilliues, reuenues and profits of them, or any of them ſhalbe vtterly voyde and of no ſtrength, vertue or effect in the law.

Profits Conuert

Vſes

Voyde

Prouided alway, that it ſhalbe lawfull to euery perſon being ſeiſed of any manors, lands, tenements, or hereditaments to his owne proper vſe, or hauing feoffees, recouerees, or coniſees, to his owne vſe, to make, ordeine, or deuiſe, or cauſe to be made, ordeined, or deuiſed any of the vſes, intents, or purpoſes aboue ſpecified, in ſuch maner as they mought haue done afore the making of this act, and as if this act had neuer bene had ne made. So that none ſuch vſes, intents, or purpoſes to be made, ordeyned, or deuiſed, after the ſayd firſt day of March, be not in any wiſe made, ordeyned, deuiſed, or appointed to endure, continue, or abide by any craft, colour, termes, ſentences, clauſes, words, or other meanes aboue the terme of xx. yeres next after the firſt making and beginning of any ſuch vſes, intents or purpoſes. And it is &c. that if any perſon or perſons in defraude of this eſtatute binde, or ordeine any their heires or ſucceſſors, or any other perſon or perſons, that they ſhall ſuffer ſuch vſes, intents or purpoſes to endure and continue contrarie to this act, vpon paines or penalties of loſſes of any other lands, tenements or hereditamēts, or of any other thing or things, or doe attempt or deuiſe by any colour, craft or meanes, any thing or things to make any ſuch vſes, intents or purpoſes to be declared, contrarie to the true meaning of this act, to continue or abyde for any longer time or ſeaſon, then is aboue limited for the ſame: That then euerie ſuch paine, penaltie, craft, colour, and euerie other thing and things of what kinde, nature or qualitie ſoeuer it be, that ſhall be ſo made, ordayned, or deuiſed in defraude of this act, ſhalbe vtterly voyde in the lawe to all intents. And that this eſtatute ſhalbe alwayes enterpreted and expounded, as beneficially as may be to the deſtruction and vtter auoyding of ſuch vſes, intents, and purpoſes therein aboue remembred, and of all other like vſes and intents, otherwiſe then all onely after ſuch maner, as is afore by this preſent act deuiſed. Prouided alway, that in ſuch Cities & Townes corporat, where by their auncient cuſtomes they haue good and lawful authorities to deuiſe into mortmaine the lands, tenements, and hereditaments within the ſame Cities or Townes corporat, that this act ſhall not be in any wiſe preiudiciall or hurtfull to any ſuch cuſtome.

Defraude

Voyde

Cities Townes corporat

Prouided alway, that this act ne any thing therein contained, ſhall extende or be in any wiſe preiudiciall to hinder or impaire any ſuch ordinances, deuiſes, or declarations of vſes, as ſhall hereafter be made and declared in writing by the executors of the teſtaments and laſt wils of Robert Jannes, and John Terry, late Aldermen of the city of Norwich nowe deceaſed, or by the executors of the ſuruiuor of the executors of either of them, of any

Vſes

Executors

20. Peres

any lands, tenements or hereditaments, not mounting in the whole aboue ỳ clere yerely value of xl. li. to be employed and conuerted to and for the discharge of tols and customes within the said citie, and at the gates of the same, for the discharge of the poore people within the same citie of Tares and Tallages hereafter to be assessed and leuied, and for the clensing of the streates of the same Citie, or for any of the said good purposes, according to the true intents and meanings of the said last willes and testaments, and of either of them, so that the same ordinance, deuises, and declarations be had, made, and certified in writing into the kings court of Chauncery, within two yeres next ensuing the said feast of Easter next comming. Anno. 23. H. 8. capitulo 10.

40.li. Tolles Customes

Tares Clensing of streates

¶Mortuaries.

NO Parson, Vicar, Curat, nor parish Priest, ne any other spirituall person, nor their Fermors, Bailifes, nor lessees, shall take, receiue or demand of any person or persons within this Realme, for any person or persons dying within the same, any maner mortuarie or corse present, ne any summe or summes of money, ne any other thing for the same more then is hereafter mencioned: Ne also shal conuent or call any person or persons before any Judge spirituall for the recouerie of any such mortuaries or corse presents, or any other thing for ỳ same, more then is hereafter mencioned, vpon paine to forfait for euery time so demaunding, receiuing, taking or conuenting, or calling any such person or persons before any spirituall Judge, so much in value as they shall take aboue the summe limited by this act. And ouer that, xl. shillings to the partie greeued contrarie to this act, for the which forfaiture the party so greeued contrary to this act, shall haue an action of debt, by Writ, Bill, plaint, or information, in any of the kings Courts, wherein no wager of law &c. shalbe allowed, first it is &c. that no maner mortuarie shalbe taken or demaunded of any person whatsoeuer he be, which at the time of his death hath in mouable goods vnder the value of x. marke. Also that no mortuarie shalbe giuē or demanded from henceforth of any maner person, but onely in such place where heretofore mortuaries haue bene vsed to be payed and giuen, and in those places none otherwise, but after the rate and fourme hereafter mencioned. Ne that any person pay mortuaries in more places then one, that is to say, in the place of their most dwelling and habitation, and there but one mortuarie. Nor no parson, vicar, curate, parish priest, or other, shall for any person dying or dead, and being at the time of his death of the value in mouable goods of tenne markes, or more clerely, aboue his debts paied, and vnder the summe of xxx. li. take for any mortuary more then iii. s. iiii. d. in the whole. And for a person dying or dead, being at the time of his death of the ualue of xxx. li. or aboue clearely, aboue his debts paied in mouable goods, and vnder the value of xl. li. there shall no more be taken or demanded for a mortuarie then vi. s. viii. d. in the whole. And for any person dying or dead, hauing at the time of his death of the value in moueable goods of xl. li. or aboue, to any summe whatsoeuer it bee, clearely aboue his debts payed, there shalbe no more taken, payed, or demanded for a mortuarie then tenne shillings in the whole.

x. Marke

iii. s. iiii. d.

xxx. li.

vi. s. viii. d.

xl. li.

x. s.

Spiritual person

Corse present Money

Comment Spirituall Judge

Forf.

Action of debt

Prouided, that no woman being couert baron, nor childe, ne for any person not keeping house any mortuarie be paied, ne that any Parson, Vicar, Curate, paroche priest, or other, aske, demand, or take for any such woman childe, or for any person, not keeping house dying or dead, any maner thing or money by way of mortuarie, ne also for any wayfaring man, or other ỳ dwelleth not, ne maketh residēce in ỳ place where they shal happē to dye, but that the mortuarie of such waifaring persons be answerable in places where mortuaries be accustomed to be paied, and in maner and forme, and after the rate before mencioned, and none otherwise, in ỳ place or places where such wayfaring

Women couert Children

Seruants

Wayfaring men

wayfaring persons, at the time of their death had their most habitation house and dwelling places, and no where els.

Prouided alway, that it shalbe lawfull to all maner Parsons, Vicars, Curates, parish priestes, and other spirituall persons to take and receyue any maner summe of money, or other thing which by any person dying, shall fortune to be

Bequest

disposed, giuen or bequeathed vnto them

High aultar

or any of them, or to the high altar of the Church: This act or any thing therein mencioned notwithstanding.

And be it &c. that no mortuaries, nor corses presents, ne any summe or summes of money, or other thing for any mortuarie or corse present shabe demaunded, taken, receiued or had in the parties of

Wales

Wales, nor in the marches of the same,

Calice Berwike

nor in the Townes of Caleis or Berwike, nor marches of the same, but onely in such parties and places of Wales marches, and Townes aforesaid, where mortuaries hath bene accustomed to be taken and paid. And in those parties and places no mortuaries nor corse presents, ne any other thing for mortuarie or corse present from henceforth shalbe demaunded, taken, receiued, or had, but onely after the fourme, order, and maner aboue specified in this present act, & none otherwise, ne of any other person or persons then is limited by this present act, vpon paine aboue contained in this present act.

Prouided also, that it shalbe lawfull to

Bishops

the Bishops of Bangour, Landaffe, Saint Dauids, and saint Asse, and likewise to the Archdeacon of Chester, to take such mortuaries of the priests within their dioces and iurisdictions, as heretofore hath bene accustomed. Prouided also that in such places where mortuaries haue bene accustomed to be taken of lesse value then is aforesayd, that no persons shalbe compelled to pay in any such place any other mortuarie or more for any mortuarie then hath bene accustomed, ne that any mortuarie in such place shalbe demanded, taken, receued or had, of any person or persons exempt by this act, nor in any wise contrary to this act, vpon the paine afore limited. An. 21. H. 8. cap. 6.

¶ Mummers.

ANno. 3. H. 8. cap. 9. an act was made to endure to the next Parliament, against Mummers and disguised persons, and sellers and keepers of bysours.

Bysours

¶ Murder and manslaughter.

MUrder from henceforth shall not be iudged before our Justices where

Justices

it is found missortune onely, but it shall take place in such as are slaine by felony,

Felony

and not otherwise, Marlebridge cap. 25. Anno. 52. Hen. 3.

2 Item, the king remembring how murders and sleaing of his subiects daply increase in this lande, the occasions whereof be diuers, one, that no men in townes where such murders happen to

Attache

fall and to be done, will attache the murderer, where the lawe of the land is, that if any man be slayne in the day, and the felon not taken, the townshyp where the

Townshyp amerced

death or murder is done, shalbe amerced: And if any man be wounded in perill of death, the partie that so wounded should be arrested, and put in suertie, till perfite

Arrest Suertie

knowledge bee had, whether he so hurt

Coroner

should liue or die. And the Coroner vpon

Enquirie

the viewe of the body dead, should enquire of him or them that had done that death or

Abbettors

murder, of their abbettours and consentors, and who were present when the death or murder was done, whether man or woman, and the names of them that

Names Certifie

were present and so found, to enrolle and certifie: which lawe by negligence is disused, and thereby great boldnes is giuen to sleers and murderers. And ouer this it

Pere and day

is vsed, that within the pere and day after any death or murder had and done, the felon should not be determined at the kings suit, for sauing of the parties suit: wherein the partie is oft times slowe and also agreed with, and by the end of the pere all is forgotten, which is an other occasion of murder. And also he that will sue any

Appeals

appeale, must sue in proper person, which

suit

ſuit is long and coſtly, that it maketh the partie appellant weary to ſue. For reformation of the premiſſes, the king &c. will that euery Coroner exerciſe and doe his office, according to the law as is afore rehearſed. And that if any man be ſlaine or murdered, and therefore the ſlears, murderers, abbettors, maintainors, and comforters of the ſame bee indicted, that the ſame ſlears and murderers, and all other accellaries of the ſame, be arraigned and determined of the ſame felony and murder at any time at the kings ſuit within the pere after the ſame felony and murder done, and not tarry the peere and day for any appeale to bee taken for the ſame felony or murder. And if it happen any perſon named as principall or acceſſary to be acquited of any ſuch murder at the kings ſuit within the pere and day, that then the ſame Juſtices before whom he is acquited, ſhall not ſuffer him to go at large, but either to remit him againe to priſon, or els to let him to baile after their diſcretion, till the pere and day be paſſed. And if it fortune that the ſame felons and murderers, & accellaries ſo arraigned, or any of them to be acquited, or the principall of the ſaid felony, or any of them to be attainted, the wife or next heires to him ſo ſlaine as ſhall require, may take and haue their appeale of the ſame death and murder within the pere and day after the ſame felony and murder done, againſt the ſaid perſons ſo arraigned and acquited, and all other their accellaries, or againſt the accellaries of the ſaid principal, or any of them ſo attainted, or againſt the ſaid principals ſo attainted, if they be on liue, and the benefite of his Clergy thereof before not had. And that the appellant haue ſuch and like aduauntages, as if the ſaid acquitall or attainder had not bene, the ſaid acquitall or attainder notwithſtanding.

And ouer that the wife or heire of the ſayd perſon ſo ſlaine or murdered, as caſe ſhall require, may commence their appeale in proper perſon at any time within the pere after the ſayd felony done before the Shirife and Coroners of the counties where the ſayd felonie and murder was done, or before the king in his bench, or Juſtice of gaole deliuerie. And the appellāt in any appeales of murder or death of man where Battel by the courſe of the common law lieth not, may make their Attorneis, & appeare by the ſame in the ſayd appeales, after they be cōmenced to the end of the ſuit, and execution of the ſame. And if any perſon be ſlaine or murdred in the day, and the murderer eſcape vntaken, the townelhip where the ſayd deede is ſo done, be amerced for the ſayde eſcape. And that the Coroner haue authoritie to enquire thereof vpon the viewe of the bodie dead. And alſo Juſtices of peace haue power to enquire of ſuch eſcapes, and that to certifie afore the King in his Bench. And after the felonie found, the Coroners deliuer their inquiſitiōs afore the Juſtices of the next gaole deliuery in the Shire where inquiſition is taken, the ſame Juſtices to proceede againſt ſuch murderers, if they be in the gaole. And els the ſame Juſtices to put the ſayde inquiſitions afore the king in his Bench. And foraſmuch as Coroners had not nor ought any thing to haue by the lawe for their office doing, which oft times hath bene the occaſion that Coroners haue bene remiſſe in doing their office: It is ordained, that a Coroner haue for his fee, vpon euery inquiſition taken vpon the viewe of the body ſlayne xiii.s.iiii.d. of the goods and cattels of him that is the ſlear and murderer, if he haue any goods. And if he haue no goods, then the Coroner to haue his ſaid fee, of ſuch amerciaments, as ſhall fortune any townelhip to be amerced for the eſcape of ſuch murder, as is aforeſaid. (See this clauſe ſomwhat reſtrained by 1. Hen. 8. cap. 7. before in Coroners. 7.) And if any Coroner be remiſſe and make not his inquiſitions vpon the viewe of the bodie dead, and certifie not according as is afore ordayned, that the Coroner for euery default forfait to the king C.s. Anno 3. H. 7. cap. 1.

Coroner

Indict

Accellaries

Within the pere

Principal Accellarie Acquite

Juſtices

Impriſon Baile

Acquite Attaint Wife Heire

Appeale Peace & day

Clergie

Wife Heire.

Appeale

Shirife Coroner

R. Bench Juſtice of G.

Battell

Attorney

Murder Day Eſcape Townelhip Amerce Coroner Enquiris

Juſt. of P. Certifie

Coroners Fee

xiii.s.iiii.d.

Forf.

¶ Muſters.

Where heretofore the ſeruice of muſtering and leuying of able men

men to serue in the Warres, hath bene greatly hindered, aswell by absence from the musters, as by forbearing of the likliest men, and choosing other not meete for the seruice, and yet many times by corruption discharging those againe, to the great perill of the Realme: Be it &c. that if any person or persons that shalbe commanded at any time hereafter generally, or especially to muster afore any such as shall haue authoritie or commaundement for the same, by or from the king and Queenes maiesties, or by the heires or successors of the Queenes maiestie, or by any Lieutenant, Warden, or other person or persons authorised for the same, do willingly absent him or them selues frō the same musters, hauing no true & reasonable excuse of sickenesse or other lawfull impediment, or at their apparance at such musters, doe not bring with them such their best furniture of array and armour, as he or they shall then haue for his or their owne person in a readinesse, shal for euery such default and offence, haue and suffer imprisonment by the space of tenne daies without baile or mainprise by the commandement of such as shall haue authoritie, as is aforesaid, to take the same musters, vnlesse he or they so offending as is aforesaid, doe agree to or with the said commissioners or two of them to pay to the vse of the king and Queene our soueraigne Lord and Lady, or of the heires and successors of the same our soueraigne Lady, for euery such offence xl. shillings for a fine, which sayde fine, after agreement for the payment of the same as is afore sayd, shalbe certified and estreated into the Court of Eschequer at Westminster, by such as shall haue power to take the said musters as is aforesayd, or by two of them, vnder their seales, or the seales of two of them, within the space of two moneths next after such agreement to pay the sayd fine haue or made: and the same fine so estreted, to be leuied in such forme as fines assessed by the iustices of assise, or of gaile deliuerie in their circuites are vsed to bee leuied. And be it further enacted by the authoritie aforesayde, that if any person or persons, which at any time or times hereafter shalbe commaunded or appointed by the king and Queene our soueraigne lord and ladie, or by the heires and successours of the same our soueraigne lady by their commission, letters, or otherwise authorised, to leuy, muster or make any men to serue in their warres, or otherwise for the defence of this Realme, doe by any meane exact, leuie, receiue or take, or cause to be taken any summe or summes of money or other reward or thing whatsoeuer, of any person or persons, for seruice in the warres, or that shal be appointed, named or mustred to serue in any such seruice, or for the sparing, releasing, or discharging of such person or persons from the said seruice, that then euery such person that so shall offend in exacting, receiuing or taking by any wayes or meanes any summe or summes of money, or other reward, or thing whatsoeuer as is aforesaid, shall for such offence forfait tenne times so much as he shall so receiue, exact or take. (See in Captaines 6. a penaltie of 20. li. set vpon them.) And be it further enacted by the authoritie aforesaid, that if any captaine, petie captaine, or other hauing charge of men for seruice in warre, shall for any auantage, lucre or gaine by him to be taken or receiued, discharge or licence any of the souldiours, or men appointed to serue in the warres, vnder his rule or order, to depart frō the same seruice, or shal not paye vnto his souldiours, and to euery of them their full and whole wages, conduct and coate money within ten daies next after that such captaine, petty captaine, or other hauing charge of men as is aforesaid, shal haue receiued the same, that then the partie so offending in giuing any such licence or discarge as is aforesaid, shall lose and forfait for euery such offence tenne times the value of the thing so taken or receiued, (See in Captaines 6. a penaltie of 20. li. set vppon them) and shall also pay to euery souldiour from whom her shall so withhold any of the sayd wages, conduct or coate money, treble the summe so

Abſent
Lawfull excuſe
Beſt armour
Impriſon
Mainpriſe
Two Commiſſion
Fine
Eſtreat Eſchequer
ti. moneths
Commiſſion
Reward
Diſcharge
Foꝛf.
Captaine
Pety captaine
Diſcharge Licence
Not pay
Wages Conduct
x. Daies
Foꝛf.

Spoiles

so withholden: the one moity of all which forfaitures (other then such as before by this act is limited or giue to ꝑ souldior or souldiors, as is aforesaid, for their wages, coate or conduct money withdrawen) shal be to the king and the Queenes Maiesties, and the heires and successours of the Queenes Maiestie, and the other moitie to him or them that will sue for the same, by action of debt, bil, plaint, information, or otherwise in any court of record, in which accion or suit, no essoine, protection or wager of lawe shalbe allowed. And be it further enacted, by the authoritie aforesaid, that all Justices of Assises in their circuites, and all Justices of peace, within the limittes of their Commission in their assises and sessions, and stewards of leetes, lawdaies, and liberties, at their leetes and lawdaies, shall and may from time to time enquire, heare, and determine euery of the said offences, committed or done contrarie to this act, within the precincts of their commission, leete or liberrie. And if any person or persons shal be before the sayd Justices of assise, Justices of peace, or any of them presented or indicted of any the offences aforesayd, that then the said Justices of assise, or Justices of peace before whom such indictment or presentment shalbe taken or had, shal and may by the authoritie of this act, awarde such proces against euery such person or persons so indicted, as vpon indictments of trespas is vsed and accustomed to be made: and if any such person or persons so indicted doe appeare before the said Justices, and confesse the same, or plead to the same indictments, and after by verdict of xii. men, shalbe of any the sayde offences contained in such indictment or indictments, conuicted, that then the sayd Justices before whom any such conuiction shalbe so had, shall and may award such person or persons so conuicted vnto prison, there to remaine without baile or mainprise, vntill such time, as he or they haue paied, or satisfied the moytie of the forfeiture afore vnto the king and Queenes Maiesties vse, and the other moitie thereof vnto him or them that shal come before the sayd Justices, and giue euidence against the partie to be conuicted at the time of the sayd conuiction, and by whose euidence he shalbe of the sayde offence conuicted. And if any such conuiction shalbe had without any euidence openly giuen by any person or persons, that then the partie conuicted as aforesayde, shall remaine in prison as is aforesaid, vntil he haue satisfied the whole forfeiture to the King and Queenes Maiesties vse. Prouided alwaies and be it further enacted by the authoritie aforesaid, that if any the offences aforesaid, touching captaines, petie captaines or other hauing charge of men, shalbe committed during the time that any armie or number of men being vnder a Lieuetenant, shalbe assembled and continue together, or by any captaine, pety captaine, or other hauing charge of men that shall serue vnder any Lord, Warden, or other chiefetaine, that then vpon complaint thereof, the lord Lieutenant or the lord Warden or other chiefetaine, during the time of any his or their Commission, shall and may heare, order and determine the same offences, by his or their discretions. Prouided alwaies, that this act ne any thing therein contained, shall not in any wise extend to take away or discharge any tenant or fermour of his seruice or conenant towards his lord, for the finding of horse, armour or weapon, or for doing of seruice by himselfe, or by any other which by the tenor of his land otherwise is bounden to doe before the making of this act, but that he shall yeld, do and pay the same in as ample maner and forme, as though this act had neuer bene had or made. Prouided also and be it further enacted by the authoritie aforesaid, that if any such captaine, petie captaine, or other hauing charge of men as is aforesaid, shalbe at any time hereafter conuicted, or ordered by vertue of this act, for any of his offences aforesaid, that the same captaine, pety captaine or other hauing charge of men as is aforesaid, so conuicted, shal not otherwise or eftsones be vexed, troubled, sued or conuicted for ꝑ same offence, wherof he shalbe

Just. of all.

Just. of p.

Stewards of leetes

Enquire Diet & ter.

Just. of all. Just. of p. Indicted

Proces

Confesse Trauers

Imprison Mainprise

Prouiso

Captaine Pety captaine

Lieutenant L. Warden

Prouiso

Fermour

Horse Armour Weapon

Prouiso

Captains

Commit

shalbe so before conuicted or ordered. And where one branche or article conteined in the statute made in the second and third yeere of the raigne of the late king Edward the vi. entituled an act touching the true seruice of captaines and souldiours, (which See before in captaines 6.) whereby the departure of any Souldiour seruing, as in the sayd act is expressed, without licence of ỹ Lieutenãt or other officer or officers named in the sayde act, or in their absence of their Deputies, was made felony, is of no force, strength ne effect, at this present, by reason of the act of repeale of certeine treasons, felonies, and premunire made in the first session of the Parliament holden at Westminster, in the first yeere of the Queenes maiesties raigne: Be it for good and reasonable considerations enacted and established by the authoritie of this present parliament, that the said branche or article, and euerie sentence and matter therein conteined, be from henceforth wholy reuiued and continued, & be and remaine in full strength and effect to all intents, constructions and purposes, the said act of repeale notwithstanding. And that all and euery other article, clause, prouiso, and matter contayned in the same act, shall stand, remaine, and be in their full force, strength and effect: Any thing in this act contayned to the cõtrarie notwithstanding. And yet neuertheless where in the sayd act it is prouided, that no person or persons should be charged for the taking or receyuing of any gyft or reward of any of his or their tenãts or friends towards the relieue, aide or helpe of the same persons being commanded to serue in warres or otherwise to find men on horsbacke or on foote, within this realme or without, nor for the gift, reward, aide or helpe reserued or couenaunted to be paid or giuen to any person appointed to serue in wars, or to find horse or men to serue by reason of any graunt, couenant, reseruation, custome or tenure, any thing in the sayd act to the contrarie notwithstanding, as by the sayde act and prouiso more plainly it doth and may appeare. Be it enacted by the authoritie of this present Parliament, that no person or persons shall or may by colour of the said prouiso, or of any words or matters therein contained, exact or demaund, or leuie any summe or summes of money, horse, armour, or any other thing, other then shalbe employed forthwith in the present seruice of those wars of the king and Queenes maiesties, her heires or successors, for which it is leuied: the which summe or summes of money, horse, armour, or other thing, or as much thereof as shall not be spent, lost, or consumed in the sayd seruice, shalbe rendred and restored to such person or persons, as paid or deliuered the same, vpon the penalties and forfaytures contained in the sayd act. Prouided alwayes, that no person or persons inhabiting within any citie, borough, or towne corporate, being a Countie of it selfe, or in which any Justices of peace be or hereafter shalbe by charter, shalbe compellable by vertue of this act, to make his or their appearance, with such furniture as is aforesaid, at any muster hereafter to be had or taken out of the suburbes, precinct or liberties of the same citie, borough or Towne, nor before any person or persons, authorised by commission, or otherwise as is aforesayd, vnlesse the Maior, or other head officer of such citie, borough or Towne, and one other discreete inhabitant of the same at the least be ioined in the same Commission or other authoritie as is aforesayde, with the same other person or persons so authorised, any thing before mencioned to the contrarie notwithstanding. An. 4. & 5. P. & M. capitulo. 3.

Felonie
Repealed
Reuiued
Exact
Prouiso
Citie
Countie
Maior
Commission

¶Newe castle vpon Tyne.

ALL the keeles which now be and hereafter shalbe in the said port (See vpon Newe castle vpon Tyne) shalbe measured by certaine commissioners thereto to be assigned by the king, and marked, of what portage they be, before that any cariage be made by the same, vpon paine of forfeiture to the king al the vessels called keeles, by which any such coles shall be

Keeles
Cõmissioners
Marked
Portage
Fort.
Coles

be caried, before that they be marked in the maner afore sayd. Anno quinto. Hen. 5. capitulo. 10.

Marchant

2 ¶ From henceforth any marchant or marchants, or any other person or persons, shal not ship, load, or vnlode, charge or discharge any maner of goods, wares or marchandises to be solde here within this your Realme or els where, in, to or from any ship or ships, or other vessels, in, or at any place or places within the sayde portriuer, and hauen betweene the saide place called the Sparhauke, and the sayd place called Hedwinstremes, but onely at the sayd Towne of Newcastle, and no where els, vpon paine of forfayture of all such goods, wares, and marchandises to the king our said soueraigne lord, and to his heires kings of England, and that it shalbe lawful vnto the Maior, burgesses, and cominalty, of the said towne of Newcastell, and their successors, and all other the kings officers there for the time being, for to take and sease all the sayd forfaitures, goods, wares and marchandises, to the vse of our Soueraigne lorde the king or of his heires, and the value thereof, to be answered in his eschequer. Be it ordeined, that euery owner, fermer, and occupier of the said weires, gozes and engins, and euery of the same, doe abate, put downe, and put away the same weires, gozes, and engins on this side the feast of Easter next comming. And that no maner person or persons from henceforth arreise, leuie or make any maner weire, goze or engin in the said hauen betweene the sayde places called Sparhauke and Hedwinstremes, vpon payne of a hundred pound of lawfull English money for euery time they do the contrary: whereof the one halfe shalbe to our soueraygne Lord the king, and the other halfe to him or them that will sue therefore by action of debt, bill, plaint or information in any of the kings courts, wherin the partie defendant shal not wage his lawe, nor in the action any essoine, licence ne protection be allowed. And further it shalbe lawfull at al times after the feast of Whitsunday next comming, to the Maior, Burgesses, and cominaltie of the sayd Towne of Newcastle and their successours, to abate, plucke downe and take away all and euery of the sayd weires, gozes, and engines that shalbe then found standing in any place within the sayde port and hauen, betweene the sayd places of Sparhauke and Hedwinstremes, and that hereafter shalbe newly made, leuied and inforced any where within the same, without trouble, let or vexatiõ of any maner person or persons, by suit in the lawe or otherwise. Prouided alway, that this act be not preiudiciall or hurtfull to any person or persons, being the kings subiects, for buying, shipping, loding or vnloding of any salt or fish within the sayde riuer and port, or to any of them, or any other person or persons, repayring to the sayd port with ships and marchandises, for selling or buying of any wares or marchandises, needfull for the victualling and mayntaining of their sayde ships, at the time of their being within the sayd port: This act or any thing comprised in the same notwithstanding. Anno. 21. Hen. 8. capitulo. 18.

Maior

Officers Seale

Escheqner

Weires

Foyl.

Moitie

Weires

Halt Fishe

Chamill

¶ Newes.

FRom henceforth none be so hardie to tel or publish any false newes or tales, whereby discord or occasion of discord or sclaunder may growe betwene the king and his people, or the nobles: And he that so doth, shalbe kept in prison, vntill he hath brought him forth into the Court, which did speake the same. W. 1. capit. 33.

Sclaunder

Imprison

2 ¶ Of counterfaiters of false newes, and of horrible and false lies, of Prelates, Dukes, Earles, Barons, & other nobles and great men of the realme, and also of the Chauncellour, Treasorer, Clerke of the priuie Seale, Steward of the kings house, Justice of the one bench or of the other, and of other great officers of the Realme, of things which by the said Prelates, lords, nobles and officers aforesaid were neuer spoken, touched, nor thought, in great sclaunder of the sayde Prelates, lords and officers, whereby debates and discords

Lyes.

Sclaunder

discords might rise betwixt the said lords and commons (which God forbid) and whereof great perill and mischiefe might come to all the Realme, and quicke subuersion & destruction of the sayd realme, if due remedy bee not prouided: It is straytly defended vpon grieuous payne, for to eschew the sayd damages & perils, that from henceforth none be so hardy to cõtriue, speake, or to tell any false newes, lyes, or other such false things of prelats, lords, and of other aforesaid, whereof discorde or any sclaunder might rise within the same realme, & he that doth the same, shall incurre and haue the payne another time ordeyned thereof by the statute of Westminster first, (that is to say cap. 33. before 1.) which will, that he be takē and imprisoned, til he haue brought him forth that did speake ỹ same. An. 2. R. 2. cap. 5.

Discord

Imprison

3 ¶ When any such (that is to say) that is mentioned in the sayde statute of W. 1. (cap. 33. before 1. and An. 2. R. 2. cap. 5. before 2.) is taken and imprisoned, and can not bring him forth that did speake the same, as is aforesayde, that he be punished by the aduice of the Counsel notwithstanding the sayd statutes. Anno 12. R. 2. cap. 11.

Punish

4 ¶ In An. 1. & 2. P. & M. cap. 3. it is enacted that ỹ aforesaid statutes of W. 1. cap. 33. An. 2. R. 2. cap. 5. & An. 12. R. 2. ca. 11. shalbe & remaine in their ful force, strength & effect to all intentes, constructions and purposes. And further the Iustices of the peace in euery shire, citie and towne corporate, within the limittes of their seuerall commissions, shall by auctoritie of this present act, haue ful power to examine, heare, and determine the causes aboue sayde in the sayd two first actes specified. (S. W. 1. cap. 33. before 1. & 2. R. 2. cap. 5. before 2.) and to put the sayd two first estatutes, and euery branche in them contayned, in due execution, that from henceforth condigne punishment be not deferred from such offendors. And forasmuch as diuers and sundry malicious and euill disposed persons, maliciously, seditiously, rebelliously, and vnnaturally, contrary to the duetie of their fidelities and allegeaunces, haue nowe of late not onely imagined, inuented, practised, spoken and spread abode diuers and sundry false, seditious, and slaunderous newes, rumours, sayings & tales, against our most dread soueraigne Lord & king, and against our most natural soueraigne Lady and Queene, and against eyther of them, of whom we are forbidde to thinke euill, & much more to speake euill, which offence soundeth, and is as well to the great dishonour, reproche, and sclaunder of their most excellent Maiesties, as also to the great sclaūder of this their realme, and other their dominions, but also haue deuised, made, written, printed, published, and set forth diuers haynous, seditious and sclaunderous writings, rymes, ballades, letters, papers and bookes, intending and practising thereby to moue and stirre sedicions, discorde, discention, and rebellion within this Realme, to the great perill and daunger of the same: For auoyding whereof, be it &c. that if any person or persons, after the twentie day of February next ensuing, and after opē proclamation made of this act, shal maliciously of his or their imaginatiō, speake any false, seditious, and sclaunderous newes, rumours, sayings, or tale of our sayd soueraigne Lord and king, or of our sayd most naturall soueraigne Lady and Queene, that then all and euery such person & persons so offending, being thereof conuicted or attaynted, in fourme hereafter in this Acte expressed, shall for euery first offence, in the same market place within the shire, citie, or borough, where or neere vnto the place, where the sayde wordes were or shalbe so spoken, be set openly vpon the pillory, by the Sherife or his ministers, if it shal fortune to be without any Citie, or towne corporate. And if it happen to bee within such Citie or Towne corporate, then by the principall officer or officers of such citie or towne corporate, or his or their ministers, and there to haue both his eares cut off, vnlesse he paye one hundreth poundes to the king and Queenes highnesse vse, within one moneth, next after iudgement giuen

Sclaunder

Writings
Rimes
Ballades
Letters
Bookes

Speake

King

Queene

Pillory
Sherife

Citie

Eares cut off
100. li.

of his sayde offence, and also shall suffer
Imprison imprisonment by the space of three monethes, after such his or their execution.

And it is &c. that all and euery person and persons, which after the sayde day, and after proclamation made of this act, shall maliciously speake any false, sedicious and sclaunderous newes, rumours, or tales, to the sclaunder and reproche of
King. our sayde soueraigne Lord the king, or of our sayde most naturall Soueraigne La-
Queene die the Queene, of the speaking or reporting of any other, that then all and euery such person or persons so speaking and reporting, being thereof conuict or attainted in forme hereafter in this act expressed, shall for euery such offence in some market place within the shire, citie, borough, or towne, where, or neere vnto the place where the sayde wordes were or shall be so spoken and reported, be set o-
Pillory penly vpon the Pillory by the Sherife or his ministers, if it shall fortune to bee without any Citie or Towne corporate. And if it shall happen to bee within such Citie or Towne corporate, then by the principall officer or officers of such citie or towne corporate, or his or their ministers, and there to haue one of his eares
One eare cut off 100. markes cut off, vnlesse he pay one hundreth marks to the kings and Queenes highnesse vse, within one moneth, next after the iudgement giuen of his sayde offence, and also
Imprison shall suffer imprisonment by the space of one moneth after his or their execution.

And be it &c. that if any person or persons, shall after the sayde day, and after Proclamation made as is aforesayd, maliciously deuise, write, print, or set forth
White Print Booke Ballade Letter Sclaunder any maner of booke, ryme, ballade, letter, or writing, conteining any false matter, clause, or sentence of sclaunder, reproche and dishonour of the King and Queenes Maiesties, or of either of them, or to the encouraging, stirring, or mo-
Insurrection Rebellion uing of any insurrection or rebellion within this realme, or any the dominions belonging to the same, Or whosoeuer
Procure shal maliciously procure any such booke, rime, ballade, letter or writing to be written, printed, or set forth, and the sayde offence not being punishable by the Statute made in the xxv. yere of the raigne of king Edward the third, (S. cap. 2. which is in Treason. 1. concerning treasons or declaration of treason) that then and in euery such case the offender and offenders therein, after his or their conuiction, Conuict or attaynder, shall for his or their first offence, in some market place within the Shire, Citie or borough, where the sayde offence is, or shall be committed or done, by the Sherife, or his ministers, if it shal fortune to be without any citie or towne corporate, & if within such citie or towne corporate, then by the principall officer or officers of such citie or towne corporate, or by his or their ministers, haue his and their right hand striken off. Hand cut off

And be it &c. that if any person or persons, being once lawfully conuicted of any of the offences aforesayde, nowe prouided to bee punished by the execution of losse of eare, eares, or hande, as is aforesayd, do afterwardes eftsones offend in any of the offences aforesayd, that then he or they so offending, shal suffer imprison- Imprison ment during his or their liues, without baple or mainprise, and forfeite and loose Mainprise Forf. to the King and Queenes Maiesties, all his and their goods and cattels.

And it is &c. that Justices of Oyer & Just. of Oyer and term. determiner, within the limittes of their commission, Justices of assise in their Just. of all. seuerall circuites, Justices of Gaole deli- Just. of gaole deliuerie uerie, & Justices of peace, as well within Just. of p. the liberties as without, within ỳ limits of their seuerall commissions, in their generall sessions, or other sessions, which Generall they or two of them, whereof one of them to be of the Quorum, may & shal appoynt Quorum at their pleasure, where and when neede shal require, & shal by vertue hereof haue ful power & auctority to enquire, heare, Enquire & determine all & euery ỳ offences afore- Oyer & ter. sayd, as in cases and triall of felony. And that the partie indicted & arraigned, shall haue aduantage of all maner of challen- Challenge ges to the Jurie (peremptorie challenge only except) as in triall of felony. And also ỳ euery iustice of peace within ỳ limits Just. of p. of his commission, shall haue full power

and

and authoritie to committe any person being vehemently suspected of any of the sayd offences to warde, there to remaine without bayle or mainprise vntill he shall be deliuered, according to this act. Suspect Imprison Mainprise

Prouided alwaies and be it &c. that no maner of person or persons shalbe molested or impeached for any of the offences concerning speaking, or reporting, as is aforesayde, vnlesse hee or they be thereof accused and conuicted within three moneths, next after his or their sayd offence so committed or done. And in case any person shall be imprisoned for any of the sayd offences, concerning speaking or reporting, and not thereof conuicted within three moneths next after his offence supposed to be by him done and committed, that then the person so imprisoned, shalbe set at libertie, and no longer detained in prison. 3. moneths Libertie

Prouided also and be it &c. that euery such Maior or Maiors, Bailifes & other head officer & officers of cities, boroughs & townes corporat, which haue or hereafter shall haue iurisdiction and authoritie within the seuerall limittes of their office or offices to holde and keepe sessions as Justice or Justices of the peace, shall and may by authoritie hereof, as wel arrest & commit to warde all and euery person & persons, being vehemētly suspected of any of the offences aforesayde, as also to proceede to the discussion, hearing and determining of euery of the sayde offences, and to see, and make due execution thereof, according to the purport, meaning and effect of this present acte: Any thing in the same act heretofore made to the contrary notwithstanding. Maior Bailife Sessions

Prouided alwaies, that the said iustice of peace, aswell within liberties as without, the which shal for any the offences aforesayde commit any person or persons to warde, as is aforesaid, shall within ten dayes next after such committing, with one other Justice, whereof one of them to be of the Quorum, direct their precept to the Sherife or Sherifes of the Countie, where the offence shalbe committed, or to other ordinary officer, if it be within any citie or towne corporate, where the Sherife cannot intromit, commaunding him or them by the same to impanell and returne, as they shal assigne xxiiii. good and lawfull men of his or their Bayliwike or Bayliwikes, to enquire of the sayde offence or offences, the which any such person or persons shall be so imprisoned for. And thereupon within one moneth after the date of the sayd precept, to proceede & determine, as aboue is expressed. Euery one of the same Justices, vpon the payne of tenne pound to be payed to the king & Queenes highnesse, as often as they shal be found in default of any the same. Just. of p. Impanell One moneth Just. of p.

Prouided also, and be it enacted, that this act shalbe proclaimed in al the shires within the Realme, before the xii. day of February next comming, to the intent that all persons may haue notice thereof, & auoyde the peril & daunger that might ensue by offending against the same. And this act to be onely in force, vntill the end of the next parliament and no longer.

Prouided alwayes, and be it &c. that none of the peeres of this realme shall be arrested or imprisoned for any of the sayd offences, but onely by order or commandement giuen from the king & Queenes priuy Councell, or of the heires of the Queene, and that the sayd peeres, & euery of them that shall hereafter fortune to be endicted of any of the offences aforesayd, shall be tryed by their peeres, as before hath bin accustomed in cases of treason or felony. An. 1. & 2. P. & M. cap. 3. And after An. 2. & 3. P. & M. cap. 21. It was cōtinued to the last day of the next parliamēt. And after An. 4. & 5. P. & M. cap. 9. It was cōtinued to the last day of the next Parliament. And after An. 1. E. cap. 7. This act was made to extende to the Queene, as foloweth. Peeres Counsell Triall

5 ¶ Be it declared, ordeyned, and enacted by authoritie of this present Parliament, that the sayde act and statute made in the sayd first and second yeres of the raygnes of the sayde late king and Queene, and continued as is aforesayd, & all and euery braunche, article, wordes, sentences, clauses, prouisions, and things Statute

therein obtained, shal from henceforth by auctoritie of this present Parliament be expounded, judged, taken & deemed in all Queene things to extende to the Queenes highnesse that now is, as fully & largely to all intents, constructions, and purposes, as though ỳ same act had by expresse wordes extended to the heires and successours of the said late Queene, any question, ambiguitie or doubt, growen, risen or made, or hereafter happening to growe, rise, or to be mooued to the contrary, in any thing notwithstanding. And that all and euery person and persons, which hereafter shal maliciously vtter or speake any false, seditious or Sclander sclanderous newes, rumours, sayings, or tales of the Queenes highnes that now is, or of the heires of her bodie, being Kings or Queenes of this realme, or shall commit or doe any thoffences expressed in the sayd act, against our said soueraigne Lady the Queene that now is, or the heires of her body being Kings or Queenes of this realme, and being thereof conuicted or attaynted, according to the fourme and order in the sayde former acte expressed, shall from henceforth incurre such paines and penalties, and haue such and the same Triall, judgement and punishment for the same offences, as in the said act is limitted and appointed, and according to the fourme, tenour, and effect of the same act, and none otherwise. An. 1. Eli. cap. 7. But these two actes be repealed during this Queenes life, & an other course taken, as here followeth. 6.

☞ 6 ¶ Whereas in and by the lawes & statutes of this realme already made and ordeyned against seditious words and rumours, vttered against ỳ Queenes most excellent Maiestie, there is not sufficient and condigne punishment prouided for to suppresse the malice of such as be euill affected towardes her highnesse: Bee it therefore enacted by the auctority of this present Parliament, that if any person or xl. dayes persons, after the ende of fourtie dayes next ensuing the end of this present Session of Parliament, shall aduisedly, and with a malicious intent of his or their owne imagination, speake any false, seditious, and sclanderous newes, rumours, sayings or tales against our said most na- Tales turall Soueraygne Lady the Queenes Maiestie (that now is,) That then al, and euery such person and persons so offending, being thereof lawfully conuicted or attaynted, in fourme hereafter in this present act expressed, shall for euery such first offence, eyther bee in some market First offence place within the Shire, Citie, or Borough where the sayde wordes were, or shalbe so spoken, set openly vpon the Pil- Pillorie lory, by the Sherife or his ministers, if it shall fortune to bee without any citie, or towne corporate: And if it shall happen to be within any citie or towne corporat, then by the principall officer or officers of such citie or towne corporate, or his or their ministers, and there to haue both his eares cut off, or at the election of the of- Both eares cut fendour pay two hundreth pounds to the CC. li. Queenes Highnesses vse in her Maiesties receypt of the Exchequer, within two monethes next after the iudgement ii. moneths giuen of his said offence, and also shal suffer imprisonment by the space of sixe mo- Imprisonment vi. moneths neths after such his or their conuiction, Champile without bayle or mainprise.

And be it further enacted by the auctoritie aforesayd, that all and euery person and persons, which after the ende of the said fourtie dayes, shall aduisedly and with a malicious intent against our sayd Soueraigne Lady report any false, sedi- Report cious and slaunderous newes, rumours, or tales to the sclaunder & defamation of our sayd soueraigne Lady the Queenes Maiestie (that nowe is) of the speaking or reporting of any other, that then all and euery such perso or persons so reporting, being thereof conuicted and attaynted in forme hereafter in this act expressed, shall for euery such first offence, eyther bee in First offence some market place within the Shire, Citie, Borough, or Towne where the sayde wordes were, or shall be so reported, set openly vpon the Pillorie by the Pillory Sherife or his ministers, if it shall fortune to be without any Citie or Towne corporate, and if it shall happen to bee within any citie or towne corporate, then Speake of himselfe

by

by the principal officer or officers of such citie or towne corporate, or his or their ministers, and there to haue one of his eares cut off, or at the election of the offendor paye two hundreth markes to the Queenes highnesses vse, in her Maiesties said receite of the Exchequer, within two moneths next after the iudgemẽt giuen of his said offence, & also shall suffer imprisonmẽt by the space of three moneths after such his or their conuiction, without baile or mainprise.

One eare cut

CC. markes

Imprisonment three moneths

Mainprise

And be it further enacted by thauthoritie aforesayd, that if any person or persons, once lawfully conuicted for any of the offences aforesayde, doe afterwardes eftsoones offend in any of the offences aforesayd, that then euery such seconde offence to be deemed and adiudged felonie, and the offendour & the offendours therein, to suffer such paynes of death and forfaiture, as in case of felonie, without any benefite of Cleargie, or sanctuarie to bee allowed vnto the offender in that behalfe.

Second offence Felonie

Cleargie Sanctuary

And be it further enacted by the auctoritie aforesayde, that if any person or persons, after the ende of the said fourtie dayes, eyther within this Realme, or in any other the Queenes dominions, or in any other place out of the Queenes dominions, shall aduisedly and with a malicious intent against our sayde Soueraigne Lady, deuise, and write, print, or set forth any maner of booke, ryme, ballade, letter or writing, conteyning any false, seditious, and slaunderous matter to the defamation of the Queenes Maiestie: (that now is) or to the incouraging, stirring or moouing of any insurrection or rebellion within this Realme, or any the dominions belonging to the same, or if any person or persons after the ende of the sayde fourtie dayes, eyther within this realme or other the Queenes dominiõs, or in any other place out of the Queenes dominiõs, shal aduisedly, & with a malicious intẽt against our said soueraigne Lady, procure or cause any such booke, rime, ballade, letter, or writing, to be written, printed, published, or set forth, (and the sayd offence not being punishable by the statute made in the fiue and twentieth yeere of the reigne of king Edwarde the third concerning treason, or declaration of treason, (which see in treason 1.) or by any other statute whereby any offence is made or declared treason:) That thẽ euery such offence shalbe deemed and adiudged felonie, and the offendours therein being therof conuicted & attaynted, shall suffer such paines of death and forfaiture, as in case of felonie is vsed, without any benefite of Cleargie or Sanctuarie to be allowed vnto the offender in that behalfe.

White Set forth Booke Writing

Defamation

Insurrection

Procure

Felonie

Cleargie Sanctuary

And for that diuers persons wickedly disposed, & forgetting their duetie and allegiance, haue of late not onely wished her Maiesties death, but also by diuers meanes practised & sought to know howe long her highnesse shoulde liue, and who should reigne after her decease, and what chaunges and alterations should thereby happen: to the intent that such mischiefes & inconueniences as may thereby growe in the cõmon weale to ỳ great disturbãce of ỳ same, may be cut off & be preuented:

Be it also enacted by the auctoritie aforesaid, that if any person or persons, of what estate, condition, or degree soeuer he or they be, at any time after the ende of the said fourtie dayes, & during the life of our sayd soueraigne Lady the Queenes Maiestie (that nowe is) either within her highnesses dominions, or without, shall by setting or erecting of any figure or figures, or by casting of natiuities, or by calculatiõ, or by any prophecying, witchcraft, conjurations, or other like vnlawfull meanes whatsoeuer, seeke to knowe, & shal set forth by expresse words, deedes, or writings, howe long her Maiestie shal liue or continue, or who shall reygne as King or Queene of this Realme of England, after her highnesses decease, Or else shal aduisedly & with a malicious intent against her highnesse, vtter any maner of direct prophecies to any such intẽt or purpose, or shall maliciously by any wordes, writing, or printing, wish, wil or desire the death or deposition of our soueraygne Lady the Queenes Maiestie (that nowe is) or any thing directly to the

Cast figure

Conjuration

Set forth

The Queenes life

Who shall succeede

Prophecies

Desire death

same effect, that then euery such offence shalbe felony, & euery offendour & offendours therein, and also all his or their aydours, procurers, & abetters in or to the said offences, shalbe iudged as felons, and shall suffer such payne of death & forfeiture, as in case of felonie is vsed, without any benefite of Cleargie or Sanctuarie.

Felony

Aydours

Cleargie

And bee it further enacted by the authoritie aforesaid, that the Iustices of the Court, commōly called the kings bench, Iustices of Oyer and determiner, Iustices of Assises in their seuerall circuits, and Iustices of generall gaole deliuerie, as well within liberties, as without, within the limittes of their seuerall commissions, shal by vertue hereof haue full power and authoritie to inquire of, and to heare, and determine all and euery the offences aforesayde, and that the partie indicted, and arraygned of any the offences aforesayd, shal haue aduantage of all maner of challenges to the Iury, as in triall of felonie is vsed.

Iust. king. b. Oyer & terminer

I. of Assises

Gaole deliuery

Enquire Heare Determine

Challenges

And also that all Iustices of peace, as well within Liberties as without, within the limits of their seueral Commissions, in their general or quarter Sessions, shal by vertue hereof haue ful power and authoritie, to enquire of al and euery the offences aforesayd, & to cause the offendor and offendors therin to be indicted without any further proceeding therein. And that also euery Iustice of peace within the limits of his Commission, shall haue full power & authoritie, to commit any person being vehemently suspected of any of the sayd offences, to warde, vnlesse he doe put in suerties, to make his personall appearāce at the next quarter Sessions, or gaole deliuerie, & in default of finding such suerties, then to cōmit him to prison, there to remaine, vntil he shal find suerties for his appearāce, as is aforesaid.

Inst. of p.

Quarter Sessions

Enquire

Euery Iust. of peace

Commit

Bayliwer

And bee it further enacted by the authoritie aforesayd, that all offences made felony by this act, which hereafter shalbe done or committed by any person or persons out of this realme of England, shall be from henceforth inquired of, heard, and determined before ỳ Queenes Maiesties Iustices of her bench for pleas to be holden before her selfe, by good and lawfull men of the same countie, where the same bench shalbe kept, in like maner & forme to all intents and purposes, as if the same offences had bene done and committed within the same Countie where they shal so be enquired of, heard & determined. Any thing to the contrary notwithstāding.

Felonies out of the realme

Tryall

Kings bench

Prouided alwayes, & be it enacted by the authoritie aforesayde, that no maner of person or persons, shall be molested or impeached for any of the offences, concerning speaking or reporting as is aforesayd, vnlesse he or they be thereof accused within one moneth next after such words so spoken or reported, before some one Iustice of peace, & the witnesses therein to be vsed, named to the same Iustice, and the same accusation and witnesses names put in writing by the sayde Iustice, and certified at the next quarter Sessions or gaole deliuerie: And vnlesse such offendor also be indicted within one yeere next after his or their sayd offence so supposed to be committed or done.

Prouiso

Speaking Accused within one moneth

Inst. of p.

Indicted within one yere

Prouided also, and be it enacted by the authoritie aforesaid, that euery such Maior or Maiors, Bailife, or other head officer of cities, boroughs, and townes corporate, which haue or hereafter shall haue iurisdiction and authoritie within the seuerall limittes of their office or officers, to holde and keepe Sessions, as Iustices or Iustices of the peace, shal & may by the authoritie hereof, as wel arrest and commit to warde or Bayle, in maner & forme aforesaid, all and euery person & persons, being vehemently suspected of any the offences aforesayde, as also to inquire of all and euery the offences aforesayd, and to proceede to the indicting of euery such offendor without any further proceeding therein, Any thing in this act to the contrary notwithstanding.

Maior

Citie

Iustices of peace

Inst

nen

Prouided also, & be it enacted, that this present act shall be proclaymed in all the Counties within this realme, before the ende of eyght and twentie dayes next ensuing the ende of this present Session of Parliament, to the intent that al persons

Proclamation

may

may haue notice thereof, and thereby to auoyde the perill and daunger that may ensue by offending against the same.

Peeres — Prouided alwayes, & be it enacted by the auctoritie aforesayd, that the Peeres of this realme, & euery of them that shall hereafter fortune to be indicted of any the offences aforesayd, shalbe tryed by their Peeres, as before hath bene accustomed in cases of treason and felonie.

Tryall

Prouiso — Prouided also, & bee it enacted by the auctoritie aforesayd, that this act, nor any thing therein conteyned, nor any attaynder or attaynders of any person or persons, for any offence or offences made felonie by this acte, shall in any wise extend or be adiudged, interpreted, or expounded, to make ỳ offendor or offendors to forfeite or lose any landes, tenements or hereditamens any longer, then onely during his owne life, or to make any corruptiõ of blood to any the heire or heires of any such offendor or offendors, or to make the wife of any such offendor to lose or forfeite her dower or title of dower, of or in any landes, tenementes, or hereditamentes, or her action or interest to the same: Any thing in this Act conteined, or any attaynder or attaynders hereafter to to bee had, for any offence or offences made felonie by this act, to the contrary notwithstanding.

Forf.

During life Corruption of blood

Dower

Prouiso — Prouided alwayes, and be it enacted by the auctoritie aforesayd, that no person or persons shall be hereafter indicted or arrayned, for any offence or offences touching or concerning speaking or reporting as aforesayd, vnlesse the same offence or offences be proouen by the testimonie, deposition and othes of two sufficient witnesses, at the time of his or their Indictment, which sayde witnesses also, at the time of the arraygnement of the partie so indicted, shall be brought forth in person before the partie so arraygned, face to face, and there shal openly declare all they can say against the sayd partie so indicted, vnlesse the sayd partie so indicted, shall willingly and without violence confesse the same.

Speaking

Witnesses

And be it likewise enacted by the auctoritie aforesayde, that the Statute of the first and second yeres of King Philip and Queene Marie, entituled, (An Acte against seditious woordes and rumors) and one other Act of Parliament made in the first yeere of the raygne of our sayd soueraigne lady the Queenes Maiestie, (that now is) whereby it is prouided & enacted, that the said former act shal extend to and for our said soueraigne Lady ỳ Queenes Maiestie that now is, & euery clause, article, & sentence in euery of the said actes and statutes, shal from and after the Proclamation of this Act, be repealed & voyd to all intentes and purposes, for so long time as this Acte shall continue in full strength and perfect force.

Reyell

And be it likewise enacted by the auctoritie aforesayde, that this Act, nor any thing therein conteined, shall haue continuance, or be in force for any lõger time, then onely during the naturall life of our Quenes life
sayd soueraigne Lady the Queenes most excellent Maiestie, that nowe is, whome God long preserue to his glory, her highnesse honour and safetie, and to the common wealth of all her Maiesties Dominions. Amen. An. 23. Eli. cap. 2.

¶Nisi prius.

Justices — FRom hẽceforth two Justicers swoorne shalbe assigned, before whome & none other, assises of Nouell dysseisin, Mordaunncestour, and attaints shalbe taken, & shall associate with them, two, or one of the discreetest knightes of the shire into which they shall come, and shall take the foresayd assises and attaintes but thrise in the yeere at the most, that is to say, First betweene the quinzime of Saint John Baptist, and the guile of August, and the second time betweene the feast of the exaltation of the Crosse, and the vtas of S. Michael, and the third time betweene the feast of the Epiphanie, and the feast of the Purification. And in euery shire at euery taking of assises, before their departure, they shal appoynt ỳ date of their returne, so that euery one of the shire may knowe of their comming, and shall aiourne the

Assises Mordaunncestour Attaintes

Knight

Depart Returne

Aiourne

assises from terme to terme, if the taking of them bee deferred at any day by vouching to warrantie, by essoyne, or by default of iurours. And if they see that it be profitable for any cause, that assises of mortdaunc̃estour being respected by essoine or voucher, ought to be adiourned into the bench: it shalbe lawfull for them to do it, and then they shal send the record with the original writte before the Justicers of the benche. And when the matter is come to the taking of the assise, the Justicers of the bench shall remit the matter to the first Justicers before whom the assise shalbe take. But from henceforth the Justicers of the bench in such assises shal giue iiii. dayes at the least in the yeere, before the sayde Justicers assigned, for to spare expence & labour. Inquisitions of trespasse shall be determined before the Justicers of both b̃enches, except the trespasse be so heynous, that it shall require great examination. Inquisitions also of other pleas pleaded in eyther of the benches shalbe determined before th̃, wherein final examination is required, as when the ruine or seyson of any is denied, or in case when one article is to bee inquired. But inquisition of many and great articles, the which require great examinatiõ, shall bee taken before Justicers of the Benche, except that both parties desire that the inquisition may bee taken afore some of the associates, when they happen to come into those parties, so that from henceforth it shall not be done but by two Justicers, or one with some knight of the shire, vpon whom the parties can agree. And such inquisition shal not be determined before any Justicers of the Benche, vnlesse a day and a place certaine bee appointed in the Shire in presence of the parties, and the day and place shalbe mencioned in a writ iudicial by these wordes: Præcipimus tibi, quod venire facias coram iusticiariis nostris apud Westmonasterium in octauis S. Michaelis (nisi talis & talis, tali die & loco ad partes illas prius venerint) duodecim &c. And when such maner of inquests be taken, they shal be returned into the bench, and there shal iudgement be giuen and inrolled.

Record Original

4. Dayes

Trespas Just. of both Bb.

Inquisitiõs

Just. of the bench

Day and place

Enquests

And if any inquisitions be take otherwise then after this forme, they shalbe of no effect, except that assise of darraine presentment, and inquisitions of Quare impedit shall be deliuered in their owne shire before one Justicer of the benche, and one knight, at a day and place certaine in the bench assigned, whether the defendant cõsent or not, & there the iudgement shalbe giuen immediately. All Justicers of the benches from hẽceforth shal haue in their circuites, clerks to inrolle all pleas pleaded before them, like as they haue vsed to haue in time passed. Also it is ordayned, that the Justicers assigned to take assises, shal not compell the Iurours to say precisely, whether it bee disseisin or not, so that they do shew the trueth of the deede, and require ayde of the Justicers. But if they of their owne head will say, that it is disseisin, their verdict shalbe admitted at their owne perill. And tr̃ hencefoorth the Justicers shal not put in assises or iuries, any other th̃ were summoned to ꝑ same at the first. W. 2. cap. 30. An. 13. E. 1.

Darrein pres. Quare impedit

Justices

Clerkes

Iurour

Verdict

¶ Where we haue prouided, that none shalbe impanelled any where out of the shire where he is dwelling, in recognisaunces, inquestes, & Iuries, that hath lesse then an C.s. of land or rent, whereby as well they that haue more lands, by too often appearing as well in our eschequer, as before our Justices of eyther Benche, are much impouerished: We therefore considering the intollerable damage of our people, not onely for the discharge of such Iurours, but also for the more speedie ministration of Iustice to all parties suyng in our court, haue prouided and ordayned, that inquestes, & recognisaunces determinable before Justices of eyther bench, from hencefoorth shall be taken in time of vacation before any of the Justices, before whome the plea is brought, being associate to one knight of the same shire, where such enquests shall passe, vnlesse it be an inquest ꝑ requireth great examination. And so from henceforth in taking such inquestes, the Justices shall doe as to them shall seeme most expedient

Iurours

Enquestes Justices

Vacation

Knight

Statute

Enquests

erpedient for the comyn vtilitie of our Realme, notwithstãding the statute lately made at Westminster, vpon ỳ taking of such inquestes, contayning that if any inquestes be taken contrary to the forme of the sayd statute, they should be of none effect. And therefore we cõmand, straitly charging thee, that incontinent without further delay, thou shalt cause to be read and published in cities, boroughs, market Townes, and other solemne places throughout thy libertie, where thou shalt thinke most necessarie, of the articles aboueslaid, the which we haue graunted, willing them to be kept and obserued stedfastly and without contradiction, and that thou notifie and declare all and singuler the premises to all our liege people without delay. witnesse &c. stat.de finibus leuatis. An.27.E.1.ca.4.

3 ¶ Where it is contained in a stat. made at Westminster, the second day of Aprill the xxvii. yere of the raigne of the kings father that nowe is, that inquestes and recognisances taken before the Justices of either bench, should be taken before any Justice of the places, accõpanied with some knight of the shire where such inquestes happe to be taken, if they haue not nede of great examinatiõ: And that in such inquestes the Justices shall do as they shall thinke most expedient for the weale of the Realme, the which statute needeth to be better declared: It is agreed, that inquestes and iuries that hap to be taken hereafter in pleas of land, that require not great examination, shalbe taken in the countrey, before a iustice of the place where ỳ plea is, accompanied with a substancial man of the countrey, knighe or other, so that a certaine day be giuen in the bench, and a certaine day and place in the countrey, in presence of the parties demaunding the same. And also inquests and iuries in pleas of lande that require great examination, shalbe taken in ỳ cõtrey (in manner aboueslaid) before two Justices of ỳ bench. An.12.E.2.cap.3.

Enquests Recognisals

Knighe

Justices

Juries

4 ¶ Where as in a statute made at Yorke in the time of the father of our soueraigne Lord the king that now is, it is contayned that Enquestes and Juries, which be, and shall be hereafter to be taken, requiring no great examination, shall be taken before one Justice of the place where the plea is, adioyning to him one discrete man of the countrey, knight or other, so that a certaine day be giuen in the bench, and a certaine day and place in the countrey, in the presence of the parties, if the demaundant may the same: And also the enquestes and Juries in plea of land, which require great examinatiõ, shall be taken in the countrey in the sayd forme, before two Justices of the bench: It is accorded and enacted, that all such enquestes, which are to be taken hereafter in plea of lande, shalbe taken as well at the request of the tenaunt as of the demaundant. All other processe according to the sayde statute in such case saued and kept. An.2.E.3.cap.17.

Enquests Juries

Day

Justices

Enquests

5 ¶ Where in times past diuers people of the realme, as well great men as other, haue made aliances, confederacies and conspiracies to maintayne parties, pleas and quarrels, whereby diuers haue bene wrongfully disherited, & some raunsomed & destroyed, and some for feare be maimed & beate, durst not sue for their right nor cõplayne, nor the Jurors of enquestes giue their verdicts, to the great hurt of the people, & sclaunder of the law & common right: It is accorded that the Justices of the one benche & of the other, & the Justices of assises whensoeuer they come to holde their sessions, or to take enquestes vpon Nisi prius, shall inquire, heare and determine, as wel at the kings suite, as at the suite of the partie, of such maintainers, bearours, and conspirators. And also of them that commit champertie, & of all other things contayned in the sayde article, as well as Justices in eire should do, if they were in the same cõtie. And that that cãnot be determined before the Justices of the one bench or the other, vpõ ỳ Nisi prius for shortnes of time, shal be aloyned into the place whereof they be Justices, & there be determined as right & reason shal require. An.4.E.3.cap.11. This is confirmed An.7.R.2.cap.15.

Maintenãce

Mayhem

Enquests

Justices

Diets & trr.

Conspiratois

Champertis

Atourns

6 ¶ Who

K. Bench

6 ¶ Who ſo demaundeth the Niſi prius in the kinges bench, as well at the ſuite of the defendant as the plaintife, as before this time hath beene done by the forme of the ſtatute, the Niſi prius ſhalbe graunted before any Iuſtice of ỳ place where the plea dependeth, if any of ỳ ſame place may well goe into thoſe parties. And if not, then the Niſi prius ſhalbee graunted before any Iuſtice of the common bench, at a certaine day which may be accoyded, and to deliuer or ſend the tenour of the recoyd to him, vnder the ſeale of the chiefe Iuſtice of the place, at which day he ſhall take the enqueſt, and returne the verdict vnder his ſeale, with the writ, the tenour and the panel, which ſhalbe receiued in the kinges bench and there enrolled, and thereupon iudgement giuen according to ỳ verdict of ỳ ſame enqueſt. And the ſayed Iuſtice of the common bench ſhal haue power to recoyd defaultes and nonſuites, as farre forth as if the Niſi prius had bene graunted before any iuſtice of the kinges bench. After which defaultes ſo recoyded and returned in the kings bench, the Iuſtices ſhal go to giue iudgement vpon the ſame recoyd. And in the ſame maner be it done of all the pleas, which be or ſhal be in the common bench, whereof the enqueſtes and iuries bee or ſhalbee taken in the countrey by Niſi prius. And if none of the Iuſtices of the ſame place go, the Niſi prius ſhalbe graunted before any Iuſtice of the kinges bench, and do as afore is ſaid of the Iuſtices of the common bench. And the tenour of the recoyd ſent to the ſame Iuſtice, he ſhal haue like power as afore is ſaide of Iuſtices of the common bech, which be aſſigned to take enqueſtes and iuries of the kinges bench. And if it happen that none of the iuſtices of thoſe bech nor the other, may come in the countrey, where enqueſtes or iuries be to be taken, then the Niſi prius ſhalbe graunted before the chiefe baron of the eſchequer if he be a man of the law, and he ſhal haue ſuch power as the Iuſtices of ỳ one bech or the other haue by this ſtat. And in caſe that none of the Iuſtices of ỳ one bench and the other, nor the chiefe baron of the eſchequer, being a man of the lawe, doe not come in the countrey where the enqueſtes and iuries be or ſhalbe taken by the Niſi prius: then the Niſi prius ſhalbe granted before ỳ iuſtices aſſigned to take aſſiſes in thoſe parties. So alwaies that one of the ſaide Iuſtices aſſigned, be Iuſtice of the one bench or the other, or the kings ſergeant ſworne. And the ſame Iuſtices ſhall haue ſuch power as afore is ſaid of the Iuſtices of the one bench and of the other. And if the partie demaund the tenour of the recoyd to haue with him, to deliuer to the Iuſtices, before whome the Niſi prius is graunted, for to eſchewe that no fraud nor damage bee done to the other partie, nor to the people of the enqueſtes: an other tenour of the ſame recoyd, ſhalbe deliuered to the other partie, if the ſame require. And where as it is another time ſtabliſhed, that the Iuſtices before whome the Niſi prius had bene graunted in pleas of aſſiſes of darrain preſentment, and Quare impedit, ſhould haue power to giue the iudgemences in the countrey vpon the verdict of aſſiſe and of enqueſt, and vpon nonſuites & defaultes: It is aſſented, ỳ the Iuſtices of ỳ one bench & of ỳ other, the chiefe barons of ỳ eſchequer, & the iuſtices aſſigned, before whō ỳ Niſi prius is graunted by this ſtatute, ſhall haue the power to giue iudgemēts in ỳ countrey, and returne the ſame accoyding as is cōtayned in the ſtatute of Yorke thereupon made. Anno. 14. E. 3. cap. 16.

Iuſtice

Returne Verdict

Iudgemēt

Defaultes Nonſuites

Iuſtices

Iuſt. of one B. or other

Enqueſtes

Chiefe bard

7 ¶ Againſt ỳ miſchief, ỳ happeneth to diuers people of the realme, which be impaneled & retourned before ỳ Iuſtices & Barons of the eſchequer, in which caſe becauſe that ỳ enqueſts be not purſued to the end by thoſe ỳ be parties, but in delay from yere to yere, the iuroys do greatly looſe, & ſome much more thē ỳ valour of their lād is by yere, to their great impouriſhing & deſtructiō: It is accoyded ỳ frō hēceforth in al maner of pleas, where a Niſi prius is grantable of office after ỳ great diſtreſſe returned & iii. times ſerued before ỳ Iuſtices againſt the iuroys, and

Iuſt. of aſſ

K. Sergeant

Coppie of recoyd.

Iuſtices

Iuſtices Chiefe baron

Iudgement

Iurours

Enqueſts

Graund diſtreſſe

and thereupon the parties demaunded if any of the sayd parties will pursue, or if the parties refuse to haue a writte of Nisi prius in the case, then at the suit of any of the Iurours that is present, a writte of Nisi prius shalbe made & graunted. And that aswell in ẏ eschequer as elsewhere, & thereupon the quarell set at an end wbout delay, according as the case requireth, and the law demandeth. An. 7. R. 2. ca. 7.

Knit Iurours

Eschequer

8 ¶ The Iustices, before whō iniquisitiōs, enquests & iuries frō henceforth shal be takē by ẏ kings writ called Nisi prius, according to the forme of ẏ statute thereof made, haue power of al the cases of felony and of treason, to giue their iudgements as wel where a man is acquitte of felony or of treason, as where he is thereof attainted at the day and place where the said inquisitions, enquestes and iuries be so taken, and then from thencefoꝛth to award execution to be made by foꝛce of the same iudgements. Anno. 14. H. 6. ca. 1.

Iustices Enquestes

Felony Treason

Execution

9 ¶ From henceforth the chief Iustice of England, foꝛ the time being, vpon issues ioyned, or to be ioyned in the Court called the Kings Bench, or in the Court of Chauncerie, the chiefe Iustice of the common pleas foꝛ the time being, vpon issues ioyned or to be ioyned in the court of common pleas, and the chiefe Baron of the Exchequer, foꝛ the time being, vpon issues ioyned or to bee ioyned in the court of Exchequer, or in the absence or default of any of them, two other Iudges or Barons of the same seuerall Courts, where it shall happen either of the same chief Iustices, or the chiefe Baron foꝛ the time being, to be absent, shall or may at their discretions within the sayd hall called Westminster Hall in Westminster, or in the place where the court of Exchequer is commonly kept in the said cōtie of Middlesex, as Iustices of Nisi prius foꝛ the said countie of Middlesex, within the terme time, or within foure dayes next after the end of euery or any terme, seuerally trie all maner of issues ioyned, or to be ioyned in any of the sayd seuerall courts, which by the ordinary course of the lawes of the realme, ought to be tried in any of the said courts by an inquest of the sayde countie of Middlesex, and that commissions and writs of Nisi prius shalbe awarded, in such cases, and in such foꝛme, as they are or haue bene vsed in any other Shire of this realme: and that it shalbe lawfull foꝛ any person or persons from henceforth, vpon reasonable warning giuen to the aduerse partie, or his or their atturney, as hath bene accustomed in such like cases, to take or sue foꝛth writtes and recoꝛdes of Nisi prius foꝛ the triall of the sayd issues in the sayd countie of Middlesex, as they may do vpon any issue ioyned, triable in any other countie, and thereupon take the Iurie in such maner and foꝛme, and with awarding of tales de circumstantibus, and awarding the nonsuit, as is vsed foꝛ the triall of issues ioyned, or nonsuites to be awarded in the sayde Courtes, or any of them, triable within the City of London, or within any other cōtie of this realme of England, and that the Shirifes of the sayd Countie of Middlesex, foꝛ the time being, shall make returne of all writtes of Nisi prius, which shall be deliuered to them or to their, or any of their sufficient deputie, foꝛ the time being, before the said Iudges, baron or barons, and euery of them, and shall giue their attendance vpon the said Iustices, Baron and Barons, aswell foꝛ the retourning of such tales as shalbe prayed de circumstantibus foꝛ the tryng of the sayde Issues, as foꝛ the doing and executing of all other thing and things, to the office of Shirife in such case belonging or appertaining. And that all persons to bee impannelled in such Iuries, and the parties to the same issues and suites, and the witnesses foꝛ the same, shalbe charged and bound in such and the like soꝛt, and vpon the like paines and penalties foꝛ their not appearance and attendāce, or foꝛ their, or any of their misdemeanour or default before ẏ sayd Iustice of Nisi prius, as they should haue bene, if the same issue had bene tryed in the court from whence the Nisi prius thereof was awarded: all which seuerall trials so to be had before the sayd seuerall Iustices,

Chiefe iust.

Issues

K. Bench Chauncery Chiefe iust. of cōmon p.

Chief baron

Westminster hall Eschequer

Termes, time 4. Dates

Enquests

Middlesex

Warning

Attourney

Triall

Tales de circumstantibus & Nonsuit

London

Shirifes

Returne

Tales

Iuries

Witnesses

Misdemeanour Default

Trials

baron

baron or barons, ſhal by authoritie of this preſent parliament, ſtand, and be as good and laylable in lawe, as if the ſame had bene tried in the terme time at the Barre in the Court where ſuch iſſue was ioyned or triable, any law, vſage, or cuſtome heretofore made, vſed, or accuſtomed to the contrary hereof, in any wiſe notwithſtanding. Anno. 18. El. cap. 12.

¶ Non pleuin.

The king for the eaſe of his people, by the aſſent of the prelats, Earles, Barons, and other great men, and the commons aſſembled, hath put out non pleuin of Land, which hath bene accuſtomed in the time of his progenitors and his owne time, and the paine alſo that was wont to enſue in caſe the land was not pleuied in due time: Alſo it is enacted, that none ſhal loſe his land from henceforth becauſe of non pleuin. And that this Statute holde place as wel in pleas yet hanging, wherin is no iudgement giuen, as in time to come. Anno. 9. E. 3. cap. 2.

¶ Non ſuit.

Verdict

Nouel diſſ. Mordaun.

Where as vpon a verdict found before any Iuſtice in aſſiſes of nouell diſſeiſin, Mordmaunceſtour, or any other action, the parties before this time haue bene adiourned vpon difficultie in law vpon the matter ſo found, It is ordained and eſtabliſhed, that if the verdict paſſe againſt the plaintife, that the ſame plaintife ſhall not be nonſuit. Anno. 2. Hen. 4. cap. 7.

¶ Nontenure.

Abate

By the execution of nontenure of perſell, no Writte ſhalbe abated but for quantity of the nontenure which is alledged. Anno. 25. E. 3. capit. 16.

¶ Northumberland.

Yead pence

The gathering of the ſayd headpence, ſhalbe clerely put out for euer, any vſe or cuſtome to the contrary notwithſtanding, vpon paine of a C. li. to be payed, the one halfe of the ſame to the king, and the other halfe to ỳ partie, which will ſue for the forfaiture againſt the ſhirife. This ordinance to begin at the feaſt of the nativitie of ſaint Iohn Baptiſt, which ſhalbe in the yere of our Lorde, a M. CCCC. lvi. An. 23. H. 6. cap. 7.

Foꝛf. Pouns

Shirife

¶ Norwich.

AN. 26. H. 8. c. 8. an act was made for the repairing of void ground in Norwich that was burnt.

Reparations

2 An. 33. H. 8. cap. 16. an act was made concerning buying of Worſted yarne in Norwich or Norffolke, vpō forfaiture. And in that act, it is further enacted, that if any perſon or perſons do from or after the firſt day of April next enſuing ſhip, to carry or conuey, or cauſe to be ſhipped to carry or conuey into the parties beyond the Sea, or els do carry or conuey, or cauſe to be caried and conueied into the parties beyond the Sea, any yarne called Worſted yarne, not wrought or made in cloth, ſo ſuch yarne be ſpon or made within this realme of England, that then euery perſon and perſons ſo ſhipping, conueying or carying, or cauſing ſuch yarne ſo to be ſhipped, caried or conueied, ſhall forfeit for euery poūd of Worſted yarne, ſo ſhipped, conueied, or caried xl. s. the one halfe thereof to be vnto our Soueraigne lord the king, the other halfe vnto him or them ỳ will ſue for the ſame, in any court of Record, by information, byll, plaint, or otherwiſe, wherein no wager of law, eſſoine, or protection, ſhalbe allowed. This act to continue and endure vnto the laſte day of the next Parliament. Anno. 33. H. 8. cap. 16. And after An. 37. H. 8. 23. this act is continued. And after. Anno. 1. E. 6. cap. 6. it is made perpetuall.

Worſted yarne

Ship

Tranſport

Yarne

Foꝛf.

Pounds

And further, it is there prouided, that hatmakers dwelling in Norwich, to buye ſuch wolſted yarne, called and knowen by the name of middle diſſe yarne as they haue heretofore done and vſed to doe, ſo that the ſame be wrought in hats, or employed to hatmaking within the ſaid citie. Anno. 1. E. 6. ca. 6. And after An. 5. E. 6. cap. 7.

Yatmakers

Yarne

cap.7.this act of An.1.E.6.cap.6.is confirmed as appeareth in woolles.

3 ¶No person by himselfe,or by his seruant or apprentice, shall from & after the feast of S. Michael tharchangel next comming, make or worke any feltes or thrummed hats, or weaue or make any couerlets or dorneckes,or occupie,vse or exercise the misteries, or occupations of making of feltes, or thrummed hats, or weauing of dorneckes and couerlets, or any of them, within the saide Citie of Norwich,or within the county of Norff. vnlesse he or they ẏ shall so make or worke any such feltes or hats, or so occupy ẏ occupatiõ or mistery of making of feltes or hats as aforesaid, within the sayed Citie or County,be licẽced & admitted so to do by the Maior,recorder,steward and two Justices of the peace, of the saide Citie, or by fower of them, or that haue beene apprentice to the same occupation and misterie of feltes, or hats making,by the space of vii. yeares,& in like case, vnlesse such person or persons,that shal so make or weaue dorneckes or so occupie the occupation or mysterie of dorneckes weauing within the saied City or county, be licẽced or admitted so to do by ẏ Maior, Recorder, steward, and two Justices of the peace of the saied cytie or by fower of them,or that haue beene apprentice to the sayed mysterie and occupation of dornickes weauing, by the space of seuen yeares, and vnlesse he or they that shal so make or weaue couerlets, or so occupie the artes or misterie of couerlets weauing or making, be licenced & admitted so to do by the Maior,recorder, steward, and two Justices of the peace of the sayd Cytie, or by fower of them, or that haue bene apprentice to the occupation & misterie of couerlets weauing or making, by the space or terme of vii.yeres. And be it &c. that no person or persones shal frõ hencefoꝛth make any feltes or hattes, or weaue or make any dorneckes or couerlets, as aforesayd, or occupie, exercise or vse ẏ occupatiõ, arts or misteries of making of hats or feltes, or weauing or making of dorneckes or couerlets,or any of thẽ, as aforesaid, in any place out of the said city of Norwich within ẏ said cõtey of Norff. but onely in a corporat or market towne,vpõ paine of forfaiture,as wel of the feltes,hattes,dorneckes & couerlets, and euery of them which shalbe made, wrought or wouen, contrary to ẏ forme, effect and tenour of this act, or of any part or clause thereof,as also x.s.for euery halfe douzen of the sayd feltes or hats, and of iii.s. iiii.d. for euery couerlet, and of vi.s.viii.d.for euery vi. pardes of dorneckes,so as is aforesayd,to be made, wouen or wrought cõtrary to this act,the one halfe &c.to the king,& the other halfe ther of to ẏ person or persons ẏ shal or wil sue for ẏ same,or that wil or shal seale,&c.

Prouided alway that all & euery such person or persons, as do dwell, or hereafter shall dwell and exercise the mistery of dorneckes and couerlets making with in the towne or parish of Pulham, in the said county of Norff. shal and may occupy and exercise the making of dorneckes & couerlets, within the saide Towne of Pulham, as they haue heretofore vsed to do: Any thing in this act contayned to the contrary notwithstanding.

And be it &c. that if the Maior, recorder, Steward, or Justices of the peace, of the sayed Citie, for the time being, or any of them,shall take any summe of money or reward, for admitting of any person to occupy or vse any of the arts or misteries aforesaid,that for euery such time and euery such case, the person so offending, shall lose and forfayt v.li. the one part &c.to the king,the other halfe to the partie that will sue for the same, as is aforesaied. An.5.E.6 cap.24.

4 ¶An.1.& 2.P& M.cap.14.an act was made for the Citie of Norwich for making of Russettes, sattens, sattens reuerses,fustian of Napels there and not else where,by which act there is a corporation made for these matters and diuers articles concerning the same.

¶ Nusaunce.

IN cases where as a writte is graunted out of the Chaunceric for an act by one man,

Felts Thrummed hatts Couerlets

Licence Maior Recorder Steward Just.of p.

Apprentice

Just.of p.

Apprentice

Just of p.

Apprentice

Felts Hattes

Dorneckes Couerlets

Market towne Fork.

Moitie

Pulham

Maior Recorder Justice of p.

Reward

Fork. Moitie

Russets Sattens Fustian

Corporation

man, the plaintifes from henceforth shall not depart from the kings court without remedy, for that the land is alienes from one to an other. And in the register of the Chauncerie there is no speciall writte found in that case, as of a house, a walle, a market, there is a writ graunted against him that first leuied the noysaunce: And though the house, walle, or such like be alienes to an other, a writte shall not be denied: but from henceforth, where in one case a writte is graunted, in the like case, when the like remedy is needefull, as in the case before, a writte shalbe made. Questus est nobis A. quod D. iniuste &c. leuauit domum, murum, mercatum, & alia quæ sunt ad nocumentum liberi tenementi sui, &c.

And if such things leuied be alienes from one to another, the writ shalbe thus. Questus est nobis A. quod B. & C. leuauerunt, &c. Westminst. 2. capitulo. 24.

Vicountiles

2 ¶ All writtes of nusaunces, commonly called vicountiles shall be from henceforth made at the election of the playntife in the nature of old times vsed, or els in the nature of assises determinable before the Kings Justices of the one bench or the other, or before the Justices of assise in the cointie of the place assigned or to be assigned. An. 6. R. 2. ca. 3.

Justices

¶Obligations.

Penal bads

WHere as diuers people be bound in Courts out of the Realme by instruments and in other maner: It is accorded that all penall bondes in the third person be voyd and holden for none. An. 38. E. 3. cap. 4.

¶Odio & atia.

Murder

FOrasmuch as many being indicted of murder, and culpable of the same, by fauourable inquestes taken by the shirife, and by the kings writte of Odio & atia, be repleuished vnto the comming of the Justicers in eire: It is prouided, that frō henceforth such inquestes shalbe taken by lawfull men chosen and tried out by the othe of xii. men (of whom two at the least shall be knightes) which by no affinitie touching the prisoners, nor otherwise are to be suspected. W. 1. cap. 12. An. 3. E. 1.

Enquests

knightes

¶Officers and office.

Chauncelor Treasurer

THe Chauncelour, Treasourer, keeper of the pryuy seale, steward of the kings house, the kings Chamberlaine, clerke of the Rolles, the Justices of the one bench and of the other, barrons of the eschequer, and all other that shalbe called to ordaine, name or make Justices of peace, shirifes, eschetours, customers, controllers, or any other officer or minister of the king shalbe firmely swoyne, that they shal not ordaine, name, nor make Justices of peace, shirife, eschetour, Customer, Controller, nor other officer nor minister of the king for any gift or byecage, fauour or affection, nor that none, which pursueth by him or by other priuily or appertly to be in any maner office, shal be put in the same office, or in any other, but that they make all such officers and ministers of the best, and most lawefull men and sufficient to their estimation and knowledge. Anno. 12. R. 2. cap. 2.

Justices

Shirife Eschetor Customer Reward

Customer Comptroller Weyer

2 ¶ No customer, comptroller, seacchour, weyer, or finder, haue any such office for terme of life, but onely as long as shal please the king, notwithstanding any patent or graunt made to any to the contrary. And if any such patent or graunt for terme of life be made to any, of any such office in time past, the king will that it be vterly repealed and voyd, and of no force nor valour. Anno. 14. R. 2. cap. 10.

Voyd

Searcher Gaugeour Aulnegeour Customer

Comptroller

Terme of life.

3 ¶ No searchour, gaugeour of wines, aulnegeour, finder, nor waiter of woolls, or any other marchandises, collectour of any customes and subsidies, or comptrollours, shall haue estate in his office for terme of life or of peres: but that the said offices shall remaine in the kings hands vnder the gouernance of the Treasourer for the time being, with the assent of the councell when neede is. And if any charters or Letters Patents, be made to the contrarie, they shalbe clerely adnulled, void and of none effect. An. 16. R. 2. ca. 5.

L. patents.

Voyd.

4 ¶ The sayd statute (that is to say

17. R. 2.

17.R.2.cap.5.before.3.) be firmely holden and kept, and put in due execution.

Customers Cõptrollers Resident

Joyned to the sãe, that Customers and Comptrolers in euery port of England, shalbe residẽt vpõ their offices in proper persons, without making any deputie or lieutenãt in their nães. An.1.H.4.ca.13.

5 ¶ That the statute made (that is to say An.1.H.4.cap.13.before 4) be firmely holden & kept in all poinctes: Joyned to ẏ same, that they shalbe swoorne to doe the same from tyme to tyme, vpon paine of imprisõmẽt, & to pay to the king C.li. if they do contrary. Also it is accorded & assented that the lieutenaunt of the kinges chiefe butler and ẏ searcher, shalbe resident in the same maner, and vpon the same paine of C.li. the one halfe to our soueraigne lord ẏ king, & the other halfe to him that wil sue for the same our soueraigne Lord the king, against such customers, comptrollers, lieutenant, or searcher not resident. An.4.H.4.cap.20.

Imprison

K. Butteler

Forf Poitie

Customers

Customers Cõptrolers K. butler Serchеour

6 ¶ The statutes made of custõers, comptrollers, lieutenants of the chiefe buttler, and of sercheours, the first and fourth peres of our said soueraigne Lord the king that nowe is, be kept & holden. And moreouer, that al maner of custõers and comptrollers, gaugeours of wine and sercheours throughout ẏ realme, shalbe continually resident and abyding vpon their offices, and in especiall at the time of the charge and discharge of shipps and vessels entring in the ports of England, and passing out of the same: so ẏ no such officer, after the time aboue named, be absent frõ his sayd office by three weekes at ẏ most, vpõ paine to loose his said office, vnlesse he be cõmanded & charged in especiall of record, to be in ẏ kings courts, or otherwise in the kings seruice of record, as afore is said. An.13.H.4.cap.5.

Gaugeours Sercheours

Resident

Forf

7 ¶ The officers made by the kings letters pattentes royall within the saide court, which haue power & auctorite by vertue of their offices of olde times accustomed to make clerks & ministers within the same courtes, shallbe charged and swoorne to make such clerkes & ministers, for whome they will answere at their perill, which be sufficient, faithfull & intending to that partaineth to them in the busines: aswell of the kings businesse as of his people. An.2.H.6.cap.2.

L. patents

Clerkes

8 ¶ All letters patẽts made of any of ẏ offices (that is to say sercher, gaugeour, aulnegeour, finder, weyer, collector, and controuller) or aulnage, to any person against ẏ effect of ẏ said statutes (that is to say. An.17.R.2.cap.5.before 3. & An.4. H.4.cap.20.before 5) shalbe voide and of no force, and that no letters pattentes of any of the sayde offices or aulnage, shall be made hereafter, but by warrant of bill sealed by the treasorer of England for the time being, sent by him into the chauncerie, as it hath beene accustomed before this time. And that al letters made or to be made hereafter of the sayd offices or aulnage, by other warrãt thẽ by bill of the treasorer, shalbe voyde & of no effect.

L. patents Hercheour Gaugeour Sercher

Voyd

Aulnegeour

L. treasorer

Bill Voyd

Prouided alwayes that this act shal not extend nor be preiudiciall nor hurtful to our Soueraigne lady the Queene the Prince, the Duke of Buckingham, to the inheritours of Henry late Duke of Warwike, nor to the Maior and comminaltie of London, to the Maior, Bailieffes, and comminaltie of the Citie of Winchester, as to any graunt or grants dimise or dimises, of the aulnage, or any graunt or grauntes, of any summe or summes of money, of the ferme of the aulnage to them graunted, made or confirmed, nor to no comptroller, hauing any offices out of the kinges portes, nor to John Penyroke Esquire, to Giles Seyntlo Esquire, nor to any of the Kings or Queenes houshold seruants, of any graunt or grauntes, of any office or offices, to them made before this time, with the fees and wages of olde time, due and accustomed. An. 13.H.6.cap.5.

Quéene

Maior London

Winchester Aulnage

K. houshold

9 ¶ If any steward, auditour, receiuer, or Bailife that now is or hereafter shalbe, of any of the sayd Honours, Lordships, Manors, Lands, and Tenements, (S. of the King) constable, or keeper of any of his said castels, warden, Master of game, Parke keeper, or any other officer of any of his sayd forests, chases

Steward Auditour Receiuer Bayliffe

Constable Warden

Parker Kéeper

chaſes, parkes, or warres that now is, or hereafter ſhalbe vnlawfully retained wᵗ any perſon from henceforth, or retaine any man dwelling within any of the ſaide honors, Lordſhips, manors, landes and tenements, contrary to any ordinance or act afore this time made, or ſuffer any mā dwelling within the ſame honors, lordeſhips, manors, lands, & tenements, to be vnlawfully retained with any other mā or perſō, what degree or condition ſoeuer he be of, and ſhew it not to the king within xl daies next after he haue knowledge thereof, and how, and with whome he is ſo reteined: Or any of the ſaid officers conuey any of ẏ ſaid tenāts, inhabitants, fermers to ẏ king, to any field, aſſemblie or route, otherwiſe then by the kinges commandement to do him ſuch ſeruice as he ſhalbe commaunded, & that alway in the kings liuerie and ſigne, with a coniſance of him that ſo cōuey them by the kings commandement, or if ſuch officer come not to ẏ kings highnes in the time of trouble or warre, whē he thereto ſhalbe commaunded, hauing no reaſonable excuſe to the contrary, that all graunts then made or had to him of any of the ſaid offices by the king, or by any of the kings progenitors or predeceſſors, be then vtterly void, and of none effect. And it is ordeined by the ſame auctho͞rite, that if any fermer or tenant within any of the ſame honours, lordſhippes, mannours, landes and tenements, be retained with any perſon or perſons contrary to the ſtatutes by liuery, ſigne, token or oth, indenture of promiſe, or to go to any field, garding or aſſemblie, in any mans liuerie, ſigne or token, but onely in the kings liuerie & ſigne, & to ſerue him only, or where he ſhal be commanded by the king, that al grauntes and leaſes to him made for tearme of yeeres or at will, of landes, tenementes, rents, or other poſſeſſions, being parcel of any of the ſaid honours, lordſhips, manors, landes, and tenementes, be then vtterly voyde and of none effect. An 3. H. 7. cap. 12.

Honours Lordſhips — Retayned — Kents — K. liuerie — Warre — Voyd — Fermer — Retayned — Liuerie — Leaſes — Voyd

10 ¶ An. 4. H. 7. cap. 6. it was enacted, that al letters pattents made of any office within ẏ foreſt of Inglewood, frō the firſt of the parlement ſhould be void, except the Lord Dacre and the Earle of Northumberland. — I. patents — Inglewood — L. Dacre

11 ¶ Where as diuers yeomen of ẏ crowne, & gromes of the king our ſoueraigne Lords chāber, haue diuers offices and fees granted to them by his letters pattents, for ẏ conſideration of their attendance in the kings ſeruice, which do not endeuour thē ſelues in giuing their atendance after their duetie: It is therefore &c. that if any of the ſaide yeomen or grome do not giue their attēdance about the kings highneſſe according to the ordinance of his chamber, that then all letters pattents to them or any of thē made, or hereafter to any ſuch perſon or perſōs to be made, be of no better force ne effect, but at the kings pleaſure. A. 7. H. 4. c. 7. — Yeoman Gromes — Attendance — I. pattents — Voyd

12 ¶ Where diuers of the kings ſubiectes, by their ſiniſter & ſubtil information and meanes, haue heretofore had and obteined of the kings maieſtie, aſwel by letters pattents, as by billes and warrants aſſigned by his graces hand, diuers grants for terme of life & liues, of diuers offices, fees, wages, and other profites being extraordinary, & not the ordinary offices, fees, wages or profits of the garriſō within the townes of Calles, Guiſnes, Hāmes, Ruiſbāk, and the marches of the ſame, & in the towne of Barwicke: And haue likewiſe obteined of the kings highnes diuers eſpeciall warrantes and licences, for to be abſent and non reſidēt in & vpon their ordinary offices within the ſaid townes & marches: And where alſo diuers of the kinges ſubiectes of their ſiniſter and ſubtill meanes, haue likewiſe obteined of the kinges maieſtie for terme of life and liues, diuers grants vnto them made by the kings graces letters pattents of diuers offices of ſhirifwickes within the kinges dominion of Wales, contrary to the common wealth of the countrey there, not onely to the great vnſuertie of the ſaide townes and places aboue rehearſed, but alſo to the great diſquieting, vexatiō and trouble of the kings louing and obedient ſubiects:

I. pattents — Billes Graunts — Garriſon Calles — Barwick — Warrants — Terme of life — Shiriffe-wickes — Wales

For

For reformation whereof be it ẽ. that al
1. Patents and singuler such letters patents, warrants and licenses heretofore graunted or made by the kings maiestie, to any person or persons, as is aforesaid, and euery of them shal by authority aforesayd, from and after the first day of September next
Voyd comming be clearly voyde, frustrate, and of none effect, to al intents, constructions and purposes. And also that al and singu-
Reuersions ler grauntes of the reuersion or reuersions of any office or offices in the townes aboue rehearsed and marches of the same, shall by authority aforesayd, be likewise voyde, frustrate, and of none effect, to all intents and purposes. An. 32. H. 8. cã. 27.

13 If any person or persons, at any
Sell office time hereafter, bargaine or sell any office or offices, or deputation of any office or offices, or any part or parcell of any of them, to receiue, haue or take any money, fee, reward, or any other profit directly or indirectly, or take any promise, agree-
Bond ment, couenant, bond, or any assurance to receiue or haue any money, fee, reward, or other profite, directly or indirectly, for any office or offices, or for the deputation of any office or offices, or any part of any of them, or to the intent that any person should haue, exercise or inioy any office or offices, or the deputation of any office or offices, or any part of any of them, which office or offices, or any part or parcell of them, shall in any wise touch or concerne the administration or execution of iustice, or the receipt, comptrolment or payment of any the kings highnes treasour, money, rent, reuenue, accompt, aul-
Aulnage Auditor Surueior nage, auditorships, or surueying of any the kings maiesties honors, castles, manours, lands, tenemẽts, woods, or hereditaments, or any the kings maiesties customes, or any administrations, or necessary attendance to be had, done, or executed in any the kinges maiesties custome house or houses, or the keeping of any the kings maiesties townes, castels or fortresses, being vsed, occupied or appointed for a place of strength, defence, or which shall concerne or touch any clarkeship, to be occupied in any maner of court of record, wherein iustice is to be ministred, that then all and euery such person and persons that shall so bargaine or sell any Sell Deputation of the sayd office or offices, deputation or deputations, or that shal take any money, fee, reward, or profit for any of the sayde office or offices, deputation or deputations of any of the sayd offices, or any part of any of them, or that shall take any promise, couenant, bond, or assurance for any money, reward or profite to be giuen for any of the sayd office or offices, deputation or deputations, of any of the said office or offices, or any part of any of them, shall not onely lose and forfait all his and their Forf. right, interest and estate, which such person or persons shall then haue, of, in, or to any of the sayd office or offices, deputatiõ or deputations, or any part of any of them, or of, in, or to the gift or nomination of any of the saide office or offices, depu-
Deputation tation or deputations, for the which office or offices, or for the deputation or deputations of which office or offices, or for any part of them, any such person or persons, shall so make any bargaine or sale, or take or receiue any summe of money, fee, reward, or profite, or any promise, couenant, or assurance to haue or receiue any fee, reward, money, or profit: But also that all and euery such person and persons that shall giue or pay any summe of money, reward, or fee, or shal make any promise, agrement, bond, or assurance for any of the sayd offices, or for the deputation or deputations of any of the said office or offices, or any part of any of them, shall immediatly, by and vpon ỹ same fee, money or reward giuen or payed, or vpon any such promise, couenant, bond, or agreement had or made, for any fee, summe of money, or reward to be paied as is aforesaid, be aiudged a disabled person in the Disabled lawe, to al intents and purposes, to haue, occupy, or inioy the sayd office or offices, deputation or deputations, or any part of any of them, for the which such person or persons shall so giue or pay any summe of money, fee or reward, or make any promise, couenant, bonde or other assurance, to giue or pay any summe of money, fee,

or reward. And be it &c. that all and euery such bargaines, sales, promises, bonds, agreements, couenants, and assurances as before specified, shalbe voyde, to, and against him and them, by whom any such bargaine, sale, bond, promise, couenant, or assurance shalbe had or made. Prouided alway, that this act or any thing therein contained, shall not in any wise extend to any office or offices, whereof any person or persons is or shalbe seised of any estate of inheritance, nor to any office of parkership, or of the keeping of any parkhouse, manour, garden, chase, or forest, or to any of them: Any thing in this act heretofore mencioned, to the contrary therof in any wise notwithstanding. Prouided also, that if any person or persons do hereafter offend in any thing contrary to the tenour and effect of this act, yet that notwithstanding al iudgements giuen, and all other act and actes executed or done by any such person or persons so offending by authoritie or colour of the office, or deputation which ought to be forfaited, or not occupied, or not enioyed by the person so offending as is aforesaid, after the said offence so by such person committed or done, and before such person so offending for the same offence be remoued from the exercise, administration, and occupation of the said office, or deputation, shalbe and remaine good and sufficient in lawe, to all intents, constructions and purposes, in such like maner and forme, as the same should, and ought to haue remained and bene, if this act had neuer bene had or made.

Sales
Voyd
Enheritance
Parkership
Iudgemēts

Prouided also that this act, or any thing therein contained, shall not in any wise extend to any bargaine, sale, gift, graunt, nomination, bonde, couenant, promise, agreement or assurance whatsoeuer it be, of, or for any the office or offices, deputation or deputations aforesaid, or any part of any of them, had, made, done, concluded or agreed before the first day of March next comming, but that the same bargaine, sale, gifte, graunt, nomination, bond, couenant, promise, agreement, or assurance had, made, concluded, or agreed before the said first day of march, shall alwaies remaine, continue and be in such force, strength and effect, as if this act had neuer bene had or made, any thing before in this Act mencioned to the contrary therof in any wise notwithstanding. Prouided alwaies, and be it &c. that this act or any thing therein contained, shall not in any wise extend or be preiudicial or hurtfull to any of the chiefe Iustices of the kings Courtes, commonly called the kings bench, or common place, or to any of the Iustices of assise that nowe be, or hereafter shalbe, but that they, and euery of them, may do in euery behalf touching or concerning any office or offices to be giuen or graūted by them, or any of them, as they or any of them might haue done, before the making of this act: any thing before mencioned to the contrary in any wise notwithstanding. An. 5. E. 6. ca. 16.

Chief iust.
Iust. of ass.

¶ Oyer & terminer.

A Writ of trespas to heare and determine from henceforth shall not bee graunted before any Iustices, except Iustices of either Bench, and Iustices in Eire, but for great trespas, where hasty remedy is required. And our Lorde the king hath graunted this of his especiall grace, neither also hereafter shall be graunted a writ to heare and determine appeales before Iustices assigned, but in a speciall case, and in case when our Lord the king shall commaund it, but that such appealees & indicters be not long kept in prison, let them haue a writ of Odio & atia, as in Magna charta, and other Statutes it is said, Westminster 2. capit. 29.

Trespas
Iust. of b.
Iust. in eire
Appel
Odio & atia

2 ¶ Per statutum quod vocatur regna de iustic. assignatis, it was ordeined, that Iustices should goe through England to heare and determine trespasses, and other complaints of things done within xxv. yeres before, and diuers matters bee in that Statute concerning those things.

3 ¶ For the punishment of felonies, robberies, manslaughters, trespasses, and oppressions of the people committed in times past, it is accorded, that our Soueraigne lord the king shal assigne Iustices in diuers places of his lande within the kings

Iustices

kings bench and elſe where, as it was done in the time of his ſaid grandfather of great men of the land, which be of great power, with ſome of the Juſtices of the one bench or of the other, with other learned men in the lawe, to enquire as wel at the ſuit of the partie, as at the kings ſuit, and to heare and determine all maner of felonies, robberies, manſlaughters, theft, oppreſſions, conſpiracies, and greuances done to the people againſt the lawe, ſtatutes and cuſtomes of the land, as wel by the kings miniſters, as by other whatſoeuer they be, and that as well within franchiſe as without. And alſo to enquire of ſhirifes, coroners, vndersherifes, hundreders, bailifs, conſtables, and all other miniſters within liberties and without, and of their vnderminiſters. And to heare and determine at the kings ſuit, and alſo the parties. And our ſouereigne lord ỹ king, and all the great men of the realme in the full parliament, haue taken vpon them to maintaine and keepe the peace. And they and theirs to ſaue the kings Juſtices, and aide them where they come, ſo that the iudgement and execution be not let, but executed. And that the offenders be not hid by them, nor maintained priuily nor apperily. But the entent of the king and of his coũſaile is not, that by this act any preiudice ſhould enſue to the great men of the land hauing liberties, nor to the citie of London, nor to other cities, nor boroughs, nor to the fiue ports in the right of their franchiſe. An. 2. E. 3. cap. 7.

Oier & ter.
Felonies
Manſlaughters
Shirifes
Coroners
Bailifes
Conſtables
Liberties
London
Cities
v. Ports

¶Oyle.

THe Maior of the City of London (for the time being) with the Maſter and Wardens of ỹ miſtery or craft of tallow Chaundlers of the ſame city, for the time being, ſhall from henceforth haue full power and authoritie to ſearch all maner of oyles, brought into ỹ ſaid citie of London to be ſold, in whoſe hands ſoeuer they be or ſhalbe found, and that as oft as the caſe ſhall require. And that the ſayd Maior with the ſaid maſter and Wardens of the ſaid miſterie or craft of tallow chaundlers for the time being, ſhall truely ſearch and ouerſee, that the ſame oyles to be put to ſale, be not mixt nor altered from their right kindes, but that they be good and lawfull as they ought to be. And that it ſhalbe lawfull to the ſaid Maior, with the ſaid maſter and wardens for the time being, to damme, auoyd, and vtterly to call away all ſuch oyles as they ſhall find defectiue, or falſely or deceiuably mixed and altered from their right kinds, as is afore ſaid, without any let or perturbance of any perſon or perſons whatſoeuer they are or ſhalbe. And alſo the ſayde Maior, maſter, and wardens to commit ſuch perſon or perſons, as ſhalbe found defectiue for vſing of ſuch diſceit or craft, to ward, and to puniſh him or them therefore by their diſcretions, according to the lawes and cuſtomes, within the ſayd citie or libertie of London, vſed, had and made, of and for other miſdoers and offenders in the ſayd Citie. And be it &c. that the Maior in euery City, Borough and Towne within this realme where a Maior is, (for the time being) or the gouernour or gouernours, or rulers of euery other City, borough, and towne corporat within this realme, alſo for the time being, ſhall haue within their iuriſdiction, liberty, and fraunchiſe, euery of them like authority and power to make and do like ſearch, order, direction, correction, puniſhment, and execution of the ſame, of, for, and vpon all oyles being defectiue, or deceiueably or falſely mixed and altered by any perſon or perſons within their liberties and franchiſes, in maner and forme, as is afore rehearſed, as the ſayd Maior, maſters, and wardens of the ſayde City of London by this preſent act haue or might haue, of, for, or vpon any oyle ſold or to be ſold within the City of London. An. 3. H. 8. cap. 14.

Maior
London
Tallow
chandlers
Wardens
Search
Impriſon
Citie
Borough

¶Ordinaries.

WHereas after the death of a perſon dying inteſtate, which is bounden to ſome other for debt, the goods come to the handes of the Ordinary to be diſpoſed: The Ordinary from henceforth

Inteſtat

shalbe bound to answere as farre forth as the goods of the dead will extend, in such sort as the executors should haue bene bounden, if the partie had made testament. W. 2. cap. 19.

Administrators

Commissions Justices

2 ¶Whereas Commissions be newly made to diuers iustices, that they shall make inquiries vpon Iudges of holy Church, whether they made iust proces or excesse, in causes testamentory and other, which notoriously pertaineth to the cognisance of holy church, the said Iustices haue enquired and done to be endited Iudges of holy church, in blemishing of the fraunchise of holy church, ꝑ such commissions be repealed, and from hēceforth defended. Sauing the article in Eire such as ought to be. An. 18. E. 3. cap. 6.

Indictments

3 ¶Because that the Kings Iustices do take indictments of ordinaries, and of their ministers of extortions and oppressions, and impeach them, without putting in certaine, wherein, or whereof, in what maner they haue done extortion: The king will, that his Iustices shal not from henceforth impeach the ordinaries, nor their ministers, because of such enditements of generall extorcions or oppressions, vnlesse they say and put in certeine, in what thing, and of what, and in what maner the say'd ordinaries or their ministers haue done extortion and oppression. Anno 25. E. 3. stat. 3. cap. 9.

Extortions

¶Ordinances of Statutes for erection and foundations of Churches and scholes, and for corporations.

THe Queene from henceforth during her naturall life, (which our Lorde long preserue) shal haue by vertue of this act, full power and authority to make and prescribe vnto euery of the said churches (See cathedrall and collegiat, erected by Henry the 8.) and the Deanes, prebendaries and ministers of the same, and to their successors, such statutes, ordinances and orders, for the good gouernance, rule and order of euery of the same churches, Deanes, Prebendaries, and ministers of the same, and of the lands, mannors, tenements, and possessions of euerie of the same Churches, as shall seeme good to her highnesse, the same statutes and ordinances to be made by her highnesse, by writing sealed with the great Seale of Englande, and to bee deliuered to the Deanes, Prebendaries, and ministers of euery of the said churches for the time being. And that it may be ꝛc. that our sayde soueraigne lady the Queene during the time aforesaid, by writing sealed with the great Seale of England, shall, and may alter, transpose, chaunge, augment, or diminish the said orders, statutes, and ordinances of euery of the said churches, from time to time, as occasion shall serue, and as it shall seeme good to her highnesse, and that all and euery of the said statutes, ordinances and orders to be made, altered, transposed, changed, augmented, or diminished, as is aforesaid, shal be, and remaine good and effectuall, according to the making, alteration, transposing, changing, augmenting, or diminishing of the same. Be it also ꝛc. that the Queenes highnesse may haue like power and authoritie to make, ordeine, and establish statutes, ordinances and foundations for the good order and gouernment of such grammer scholes as haue bene erected, founded, or established in any part of this realme, by the most noble prince, King Henry the eight, or King Edward the sixt, and of the ministers and scholers of the same schole, and to alter and transpose such other statutes and ordinances there made heretofore from time to time, as to her highnesse shall seeme most conuenient. Anno 1. M. 2. Parliamento cap. 9.

Prebendaries

Deanes

Alter

Statutes.

Foundations

¶Oth.

SEe in the newe printed booke commonly called Magna charta, late printed by Richard Tottel. An. do. 1556. foliis 164. & 166. of the othes of the king, the bishops, the kings counsellours, escheatours, shiriffs, Maiors and bailifes.

King
Bishop
K. Counsel
Escheators
Maiors

2 ¶An. 21. R. 2. cap. 5. it was enacted, that the lords, prelates, and other that should sue liuerie, should take an oth, but that

Liuerie

Repealed

that parliament is repealed by 1.H.4. cap.13.

3 ¶An.28.H.8.cap.7.&.10.ſeuerall othes bee ſet out by thoſe ſeuerall actes to be ſwoꝛne by diuers perſons to the maintenance of the kings Supꝛemacie, and againſt the Pope and ꝑ ſea of Rome, but all the articles cõcerning thoſe othes, be repealed by 1.& 2.P.& M.ca.8. But a newe oth is appointed by 1.El.1. which is in Crowne.6.

Supremacie
Pope

¶Oxford.

AN.9.H.5. cap.8. an act was made to endure to the next Parliament that ſhould be after the returne of the king into England, againſt ſcholers of Oxfoꝛde, foꝛ putting out of poſſeſſion of any, foꝛ hunting, and foꝛ breaking the Ordinaries pꝛiſon.

Hunting
Breake
priſon

¶Palace.

AN.28.H.8.cap.12. there is an act foꝛ ꝑ kings palace at Weſtminſter, and how farre it extendeth.

Weſtminſt.

¶Panell.

NO enqueſt, but aſſiſes and deliueꝛances of gaoles, bee taken by writte of Niſi prius, noꝛ in other maneꝛ, at the ſuit of any great oꝛ ſmal, befoꝛe that ꝑ names of al that ſhal paſſe in the enqueſtes be returned in the court. And that the ſhirifes array the panels in aſſiſes foure daies at the leaſt, befoꝛe the ſeſſions of the Juſtices, vpon paine of. xx.li. ſo that the parties may haue the viewe of the panels, if they demaund the ſame. And as to the returne oꝛ anſwer of the Bailiffes of fraunchiſes, they ſhall make their anſwer to the ſhirifes ſixe daies befoꝛe the ſeſſions vpon the ſame paine. And in all maneꝛ of panels arraied by the ſhirifes oꝛ baylifes within fraunchiſe, ſhalbe put the moſt ſubſtantiall people and woꝛthy of fayth, and not ſuſpect, which haue beſt knowledge of the trueth, and the moſt nigheſt. Anno.42.E.3.cap.11.

Enqueſts
Niſi prius
Shirifes
Foyſ.

2 ¶An.18.H.6.cap.14. it was enacted, that if any ſhirife oꝛ other that arraied panels, did take any thing theꝛefoꝛe, the party greeued, ſhould haue an action, and recouer ten times as much, to endure to the next parliament, and then further foꝛ euer, if that parliament thought it good. See the booke at large.

Shirife

3 ¶Anno.11.H.7.cap.25. an act was made to endure to the next parliament, that Juſtices of peace ſhould ouerſee the panels, and reforme them by their diſcretions. And after, An.12.H.7.cap.2. this act was continued tō the next parliamēt.

Juſt. of p.

4 ¶To remedie the great extoꝛtion and coꝛruption of ſhirifes and their miniſters, in returning at Seſſions vpon the enqueſtes foꝛ the body of the Shire, the names of ſuch perſons as foꝛ their benefite will wrongfully indite true men, and conceale offenders:

Be it ꝛc. That all panels to be returned, which be not at the ſuit of any partie that ſhalbe made & put in by euery ſhirife and their miniſters afoꝛe any Juſtice of gaole deliuery, oꝛ Juſtices of Peace, whereof one to bee of the Quoꝛum, in their open Seſſions to enquire foꝛ the king, ſhalbe reformed by putting to and taking out of the names of the perſons which ſo be empanelled by euery ſhirife, and their miniſters, by the diſcretion of the ſame Juſtices befoꝛe whom ſuch panels ſhalbe returned. And that the ſame Juſtice and Juſtices ſhall commaund euery Shirife, and their miniſters in his abſence, to put other perſons in the ſame panell by their diſcretions, and that the ſame panels ſo reformed by the ſayd Juſtices, be good and lawfull. And that if any ſhirife, oꝛ any their miniſter, at any tyme doe not returne the ſame panels ſo reformed, that then euery ſuch Shirife oꝛ miniſter, ſo offending, foꝛ euery ſuch offence ſhall foꝛfaite twentie pound ſterling money of England, the one halfe thereof to our Soueraigne loꝛd the king oꝛ his heires, and the other halfe thereof, to him oꝛ them of his ſubiects that wil ſue foꝛ the ſame by action of debt at the common lawe, oꝛ bill oꝛ complaint, where in ſhall foꝛtune any ſuch to fall and be: and that none eſſoine, ne ꝓtection be allowed foꝛ the defendant oꝛ defendāts in thoſe

Shirife.
Juſt. of p.
Quoꝛum
Reforme
Panels
Diſcretion
Foꝛf.
Vpon

actions or plaintes, nor that the sayde defendant or defendants therin be admitted to wage their Lawe. And that the kings pardon shalbe no barre against the partie and parties in the same, that any such actions shall sue. Anno.3. Hen.8.cap.12.

Pardon Barre

* ¶Parliament.

A Parliament shalbe holden euery yere once, or more often if neede be, An.4. E.3.cap.14.

2 ¶For maintenance of the sayd artícles and statutes, and redresse of diuers mischieues and greuances which dayly happeneth, a parliament shalbe holden euery yere, as an other time was ordeined by a statute. Anno.36.E.3.cap.10.

Yerely

3 ¶All and singuler persons and communalties, which from henceforth shall haue the summons of the parliament, shal come from henceforth to the parliaments in the maner as they be bounden to doe, and hath bene accustomed within the realme of England of olde times. And euery person of that same realme, which from henceforth shall haue the sayd summons (be he Archebishop, Bishop, Abbot, Prior, Duke, Earle, Baron, Baronet, Knight of the shire, Citizen of Citie, Burgesse of burgh, or other singuler person or communaltie) doe absent him selfe, and come not at the sayd summons (except he may reasonably and honestly excuse him to our Soueraigne Lord the king) he shalbe amerced, and otherwise punished, according as of olde times hath bene vsed to bee done within the sayde Realme in the sayd case. And if any Sherife of the Realme bee from henceforth negligent in making his returnes of writtes of the Parliament, or that he leaue out of the sayd returnes any cities or boroughs which be bound, and of olde times were wont to come to the Parliament: he shalbe punished in the maner as was accustomed to be done in the sayde case in the sayd time past. Anno quinto R.2.statut.2.cap.4.

Sommons

Absent

Amerce

Shirife

4 ¶In the right of leuying of the expences of the knights comming to the Parliaments for the Commons of the Counties, it is accorded and assented that the sayd leuying be made as it hath bene vsed before this time. Joyning to the same, that if any Lorde or any other man Spirituall or Temporall haue purchased any Lands or Tenements, or other possessions that were wont to be contributorie to such expences before the time of the sayd purchase, that the same lands, tenements, and possessions, and the tenauntes of the same, be contributorie to the sayd expences, as the sayd landes, tenements, and possessions were wont to doe before the time of the same purchase. Anno duodecimo Richardi secundi capitulo.12.

Expences Knights.

5 ¶An.21.R.2.cap.6. it was enacted, that the heires males of certaine that were attainted should not come into any parliament. But this parliament was repealed by An.1.H.4.cap.3.

Heires males

6 ¶An.21.R.2.cap.12. it was enacted, that the parliament holden An. 11. R.2. should be repealed & that restitution should be made to them or their heires that were condemned in the parliament, but this parliament of Anno. 21.R.2. was repealed by 1. H.4.ca.3. and by 1. H.4.cap.4. that Parliament of An. 11. R.2. was confirmed and reuiued.

Repealed

Reuiued

7 ¶The elections of such Knights shall be made in the fourme as followeth (that is to say) at the next Countie to be holden after the deliuerie of the writte of the Parliament, Proclamation shall be made in the full Countie of the day and the place of the parliament, and that all they that be there present, as wel suitours duely sommoned for the same cause, as other, shall attend to the election of their knightes for the parliament, and then in the full countie they shall procede to the election freely and indifferently, notwithstanding any prayer or commaundement to the contrary. And after that they be chosen, the names of the persons so chosen (be they present or absent) shalbe witten in an Indenture vnder the seales of all them that did chose them, and tacked to the sayde writte of the Parliament, which

Knights Election

Countie

Proclamation

Indenture

which indenture ſo ſealed and tacked, ſhal be holden for the Shirifes returne of the ſayd writte, touching the Knights of the Shires. And in the writs of the Parliament to be made hereafter, this clauſe ſhalbe put: Et electionem tuam in pleno comitatu tuo factam, diſtincte & aperte ſub ſigillo tuo & ſigillis eorum, qui electioni illi interfuerunt, nobis in cancellaria noſtra ad diem & locū in breui cōtentū certifices indilate. An. 7. H. 4. cap. 15.

Returns

8 ¶ The Juſtices aſſigned to take aſſiſes, ſhall haue power to enquire in their ſeſſions of Aſſiſes of ſuch returnes made, (See cōtrary to the ſtatute of An. 7. H. 4. ca. 15. before 7.) & if it be foūd by enqueſt and due examination before the ſame Juſtices, that any ſuch ſhirife hath made, or hereafter ſhall make any returne contrary to the tenour of the ſayde ſtatute, that then the ſame ſhirife ſhall incurre ẏ paine of C. li. to be payed to our Soueraigne lord the king, & moreouer, that ẏ knights of the counties ſo vnduely returned, ſhall loſe their wages of the parliament of old time accuſtomed. Anno. 11. H. 4. cap. 1.

Inſt. of aſſ. Enquire

Shirife

Forf. Knights

Wages

9 ¶ The ſtatutes of the election of the knights of the ſhires to come to the parliament, be holden and kept in al points: adioyning to the ſame, that the knights of the ſhires, which from henceforth ſhalbe choſen in euery ſhire, be not choſen, vnleſſe they be reſiāt within the ſhire, where they ſhalbe choſen, the day of the date of the writte of the commons of the Parliament. And that the Knights & Eſquires, and other which ſhalbe choolers of the knights of the ſhires, be alſo reſiant within the ſame Shires in maner and fourme as is aforeſaid. And moreouer it is ordained and ſtabliſhed, that the Citizens and Burgeſſes of the Cities and Boroughs, be choſen men, Citizens, and burgeſſes reſiaunt, abyding, and free in the ſame cities and boroughes, and none other in any wiſe. Anno. 1. H. 5. cap. 1.

Knights

Reſiant

Burgeſſes

10 ¶ An. 8. H. 5. cap. 1. it was enacted, that if he being ouer the Seas, a Parliamēt were ſummoned vnder ẏ Teſt of his Lieutenant, and he returne into England, the parliament ſhould not diſſolue,

Teſte

11 ¶ All the knights from henceforth ſo to be choſen, and the ſherifes that ſhall make ſuch elections, ſhall haue their anſwere and trauers againſt ſuch enqueſtes and offices before any Juſtices of aſſiſes from henceforth to be taken, and the ſayd knights and ſhirifes ſhall not be endamaged againſt our ſayd Soueraigne Lorde the king, or his ſucceſſours, by any ſuch enqueſt taken or to be taken, till they be duely conuict by the fourme of the lawe. An. 6. Hen. 6. cap. 4.

Knights Shirifes

Inſt. of aſſ.

12 ¶ All the cleargie from henceforth to bee called to the Conuocation by the kings writ, and their ſeruants and familiers, ſhal for euer hereafter fully vſe and enioy ſuch libertie or defence in coming, tarying and going as the great men and comminaltie of the Realme of England, called or to be called to ẏ kings parliament. Anno. 8. H. 6. cap. 1.

Conuocation

Seruants

Libertie

13 ¶ The knights of the ſhires to bē choſen within the ſame Realme of England, to come to the parliaments hereafter to bee holden, ſhalbe choſen in euery Countie of the Realme of England by people dwelling and reſiant in the ſame counties, whereof euery one ſhall haue free land or tenement to the valour of xl. ſhillings by yeere at the leaſt, aboue all charges, and that they that ſhalbe ſo choſen, ſhalbe abiding and reſiant within the ſame coūties. And ſuch as haue the greateſt number of them that may expend xl. ſhillings by yeere, and aboue as afore is ſayd, ſhall be returned by the ſhirifes of euery Countie knights for the Parliament, by Indentures ſealed betwixt the ſayd Shirifes, and the ſayde choolers ſo to be made. And euery ſhirife of ẏ realme of England ſhall haue power by the ſayd authoritie, to examine vpon ẏ Cuāgeliſts euery ſuch choſer, how much he may expend by the yere, and if any ſhirife returne knights, to come to the Parliament contrarie to the ſayd ordinance, the Juſtices of aſſiſes in their ſeſſions of aſſiſes, ſhall haue power by authoritie aforeſaid, thereof to enquire. And if by enqueſt the ſame bee founde before the Juſtices, and the ſhirife thereof bee duely attainted, that

Knights Election

Freeholders

Returne Shirife

Indentures

Examine Othe

Juſt. of aſſ.

Attaint

Fors. then the said shirife shal incurre the paine of a C li. to be payed to our Soueraigne lorde the king. And also that he haue imprisonment by a yere, without being let to mainprise or bayle. And that the knightes for the parliament returned contrary to the sayde ordinance, shall lose their wages.

Imprison Mainprise

Wages

Prouided alwayes, that he that may not expend xl.s. by yeere as afore is said, shall in no wise be chosen of the knights for the Parliament. And that in euerie writ that shall hereafter goe forth to the shirifes to chose knights for the Parliament, mencion be made of the sayd ordinaunce. An. 8. H. 6. cap. 7.

Knights

14 ¶ The king willing to make plain declaration of the said statute (See. An. 8. H. 6. cap. 7. before 13.) by the aduise and assent aforesaid, and at the special request of the sayd commons, hath ordained that the knights of all the counties within the sayde Realme to be chosen to come to the parliaments hereafter to be holden, shalbe chosen in euery Countie by people dwelling and resiant in the same, whereof euery man shall haue freehold to the valour of xl. shillings by the yeare at the least, aboue all charges within the same countie, where any such choser wil mesdoit of any such election. An. 10. H. 6. ca. 2.

Freeholder

15 ¶ Where as before this time diuers shirifes in diuers counties of England haue by colour of writs to them directed, to leuy the wages of the knights of the shires for the time being, of the parliament of the king that nowe is, and of his noble progenitours, haue leuied more money then hath bene due to the sayde knights, and more then they haue deliuered, and keeping and taking great part of the money to their owne vse and profit, and to their officers and seruants, to the great dammage of the common people of the sayde Counties: The King considering the premisses, hath ordayned by the authoritie aforesayd, that the Shirife of euery Countie for the time being, in the next Countie court holden in their Counties, after the deliuerance of the sayd writtes made to them, shall make open proclamation, that the Coroners and euery chiefe Constable of the peace of the sayd Counties, and the baylifes of euery hundred or wapentake of the same countie, and all other which will be at the assessing of the wages of the knights of the shires, shalbe at the next Countie there to be holden to assesse the sayd wages of the sayde knightes. And that the Shirife, vndershirife, Coroners or Baylifes, for the time being, bee there at the same time in their proper person, vppon payne of forfayture to the kyng of euery of them that maketh default fourtie shillinges. At which time the sayd Shirife or vndershirife in the presence of them that shal come to the same, and of the suitours of the said Counties then being there in the full Countie, well and duely shall assesse euery hundred to that assessable, by him selfe to pay a certayne summe for the wages of the knights of the shire, so that the whole summe of all the hundreds do not exceede the summe which shalbe due to the said Knightes. And after that, in the same countie shall assesse well and lawfully, euery village within the sayd hundreds, which shal be thereunto assessable, to a certaine summe for the paiment of the sayd wages, so that the whole summe of all the townes within any of the said hundreds, doe not exceede the summe assessed vpon the hundred of which they be. And that the said sheriffes, vndersheriffes, Baylifes, nor none other officer for the cause aforesayd, shall leuie more money of any village, then that whereunto they were assessed, and that if any doe or will assesse any hundred or village, other wise then is aforesayd, that they shall forfayt for euery default to the king twenty pound. And to any man which will sue in this case x.li. And that the said shirifes well and duely shall leuy the money so assessed vppon the foresayde villages as hastely as they wel may after the sayde assessing, and the same shall deliuer to the sayd knights according to the writs therfore to be made, vpon the sayde paynes. And he that will sue in this case shalbe to that admitted, and shall haue for his action in this case

Proclamation Coroners Constable Bailifes

Fors.

Assesse

Hundreds

Village.

Fors.

Shirifes

Wages

Countie court

a scire

Scire fac. a scire facias against him that offendeth against this ordinance, and if the defendant duely warned in the same, make default, or else appeare and bee in the same connict, then the plaintifes shall recouer against them, which be so connict x. pound to their owne vse, ouer the said xx. pound with their trebie dammages for the costes of their suits. And that the Justices of the Kinges bench and of the Common place, Justices of Assises and Gaole deliuerie, and Justices of peace in their countrey, shall haue power to enquire heare and determine of all the sayde defaultes, as well by enquirie at the Kings suites as by action at the suite of the partyes. And that all such expences of Knyghtes shall not bee leuyed of any other villages, segniories, or places, but of such where they haue bene leuyed before this time. And that in euery such writte from hencefoorth to be made to leuie the wages of the sayde Knightes, this acte shall be comprehended in the same.

Connict.

3. dimages.

Just. of both B.
Just. of all.
Just. of g.
Just. of p.

Oier & ter

* Anno. 23. H. 6. capitulo. 11.

16 ¶ That the statutes (S. Anno. 1. H. 5. before 9. and Anno. 8. H. 6. capit. 7. before 13.) shalbe duely kept in al points, and moreouer, that euery Shirife after the deliuerie of any such writes to him made, shall make and deliuer with out fraude, a sufficient precepte vnder his Seale, to euery Maior and Baylife, or to Baylifes or Baylife, where no Maior is, of the Cityes and Boroughes within his countie, reciting the said writ, commaunding them by the same precept, if it be a Citie, to chuse by Citizens of the same Citie Citizens, and in ỹ same manner and fourme, if it be a Borough, by the Burgesses of the same, to come to the Parliament. And that the same Maior and Baylifes, or Baylifes or Baylife where no Maior is, shall returne lawfully the precept to the same Shirifes by indentures betwixt the same Shirife and them to be made of the said elections, and of the names of the sayde Cytizens and Burgesses, by them so chosen, and therevpon euery Shirife shall make a good and rightfull returne of euery such writ, and of euery returne by the Maiors and Baylifes, or Baylifes or Baylife, where no Maior is, to him made. And that euery shirife, at euery time that he doth contrary to this statute, or any other statutes for the election of Knights, Citizens and Burgesses, to come to the Parliamẽt before this time made, shal incurre the paine contained in the said statute made the said viii. yeere, that is to say An. 8. H. 6. cap. 7. before 13. and moreouer shall forfaite and pay to euery person hereafter chosen Knyght, Citizen, or Burgesse in his costie, to come to any Parliament, and not duely returned, or to any other person, which in default of such Knight, Citizen or Burgesse will sue, an C. li. whereof euery Knyght, Citizen, and Burgesse so greeued seuerally, or any other person which in their default will sue, shall haue his action of debt against the sayd shirife or his executours or administratours, to demaunde and haue the sayde C li. with his costes in this case dispensed. And that in such action taken by vertue of this statute, the Defendaunt shall not wage his lawe of the demaunds aforesayde in no wyse, and that no Defendaunt in such action shall haue any essoine. And in the same manner at euery time that any Maior and Baylifes, or Baylifes or baylife, where no Maior is, shall returne other then those which be chosen by the citizens and burgesses of the Cities or boroughes where such elections be or shall be made, shal incurre and forfait to the King xl. li. And moreouer shall forfayte and pay to euery person hereafter chosen Cytizen or burgesse to come to the Parliament, & not by the same Maior and Baylifes, or baylifes or baylife, where no Maior is, returned, or to any other person which in default of such Citizen or burges so chosen will sue, xl. pounde. whereof euery of the citizens and burgesses so grieued seuerally or any other persõ which in their defaultes will sue, shall haue his action of debt against euery of the said Maior and Baylifes, or Baylifes or Baylife where no Maior is, agaynst their executours or administratours to demaund and haue of

Shirife

Pyecrypt Maior Baylife

Burgesses

Indentures

Citizens.

Forf.

Action of debt

Wage lawe

Essoine.

Maiors Bailifs. Returne

Forf.

Action of debt

euery

euery of the saide Maiors and Baylifes, or bailifes or bailife, where no Maior is, xl.li. with his costs in this case expended. And that in such action of debte, taken by force of this statute, no defendant in any wise, wage his law of the said demaund, nor haue any essoine.

Shirife. And that euery Shirife, that maketh not due election of knyghtes, to come to the Parliament in conuenable time, that is to say, euery Shirife in his full countie, betwixt the houre of viii. & the houre of ix. before noone, without collusion in this behalfe, and that euerie Shirife that maketh not good & true returne of such electiõs of knyghtes, to come to the parliament, in time to come, as to them pertaineth, in maner & fourme aforesaid, shal forfaite to the king a C.li. and also shall incurre the payne of an C.li. to be payed to him that will sue against him, his executors or administratours for this cause, by way of action of debte, with his costes in this behalfe expended, without waging of law of his demaund or hauing essoine as afore is said. Forf.

Prouided alwayes that euery knyght, Citizen, and Burgesse to come to any Parliament hereafter to be holden, in due fourme chosen and not returned, as afore is sayde, shall begin his action of debt aforesayd, within three moneths, after the same parliament commenced, to proceede in ỹ same suite effectually, without fraude, and if hee so do not, another that will sue, shall haue the said action of debt (as it is said) to haue, and recouer the same summe, with his costes in this behalfe dispended, in manner and fourme aforesayde, so that no defendaunt in such action shal wage his law, nor be essoined in any wise, as afore is sayd. And if any knyght, Citizen or Burgesse, hereafter returned by the Sherife to come to the parliament, in ỹ maner aforesaid, after such returne be by any person put out, & another put in his place, that such person so put in the place of him which is out, if he take vpon him to be knight, citizen, or burgesse, at any Paliament in time to come, shall forfaite to the king a C.li. and a C.li. to the knyght, Citizen or burgesse so returned by the Sherife, & afterward as afore is saide, put out. And that the knyght, citizen or burgesse, which is so put out, shall haue an action of debt of the same C.li. against such persons put in his place, his executours or administratours. Prouided alwayes, that he shall begin his suit within three moneths after the parliament commenced. And if he do not, then he that wil sue shall haue an action of debte, of the same C.li. against him which is put in place of him that is so out after such returne, his executours or administratours. And that no Defendant in such action shall wage his lawe, nor be essoined. And that such proces shall be in the actions aforesaid, as in a writ of trespas done against the peace at the commõ lawe, so that the knightes of the Shires, for the parliament hereafter to be chosen, shalbe notable knyghtes of the same cosities, for the which they shall be so chosen, or otherwise such notable Esquires and Gentlemen, being of the same counties, as shall be able to be knyghtes. And no man to be such knight which stãdeth in ỹ degree of a yeoman. An. 23. H. 6. cap. 15.

Put out

Forf.

3. monethes

Executours

3. Moneths.

Executours

Proces

17 None of the sayd knyghtes, citizens, burgesses & barons, nor any of the, that hereafter shall be elected to come, or be in any parliament, do not depart from the said parliament, nor absent himselfe from the same, til the same parliament be fully finished, ended, or proroged, except he or they so departing haue licence of the speaker, and commons in the said parliament assembled, and the same licence be entred of record in the booke of the clark of the parliament appointed, or to be appointed for ỹ common house, vpon paine to euery of them so departing, or absenting themselues in any other maner, to lose all those summes of money, which he or they should or ought to haue had for his or their wages.

Knyghtes Citizens Burgesses Barons

Absent

Licence

Clerk of the parliament

Forf.

And that all the Counties, Cities, and boroughs, wherof any such person shalbe elected, & ỹ inhabitãts of the same, shalbe clerely discharged of the sayde wages against the sayde person and persons, and their

their executours for euermore. Anno. 6. H. 8. cap. 16.

18 ¶ The Kinges royall assent by his letters patentes vnder his great Seale and assigned with his hand, and declared and notified in his absence to the Lordes spirituall and temporall, and to the commons assembled together in ỳ high house, is and euer was of as good strength and force, as though the kinges person had bene there personally present, and had assented openly and publikely to the same. And be it &c. that this royal assent, and al other royall assentes hereafter to bee so giuen by the kinges of this Realme, and notified as is aforesaid, shall be taken and reputed good and effectuall to al intents and purposes without doubt or ambiguitie, any custome or vse to the cõtrary notwithstanding. Anno. 33. H. 8. cap. 21.

19 ¶ The Shirifes for the time being, of euery of ỳ twelue Shires in Wales, and in the cõtie of Monmouth, from the beginning of this present Parliament, shall haue full power and authoritie, by force of this Acte, to gather and leuie, or cause to be gathered and leuyed the saide knyghtes fees and wages of the inhabitauntes of the said xii Shires, and of the said County of Monmouth, which ought to pay the same, and ỳ same so gathered, shal pay or cause to be paid to euery such knyght or knyghtes, or to his or their assignes, within the terme of two moneths after that any such Knight or Knyghtes shall deliuer or cause to be deliuered the kinges writte de solutione fædi militis Parliamenti, to any such Shirife, and euery such shirife making default of payment of the said fees or wages, in maner and fourme as is aforesayde, to loose and forfait xx. pound, whereof the one moytie to be to the kings vse, and the other to his or their vse, that will sue for the same in any of the kinges Courtes of recorde, by information, bill or plaint, or otherwyse afore any of the kinges officers, wherein no essoine, protection nor wager of lawe shalbe admitted.

And if it shall happen any Shirife in any of the sayd twelue Shires and countye of Monmouth, to make default of payment of the sayde wages or fees by a longer terme then two moneths, thē euery such Sherife to forfaite for euery moneth ỳ he or they shall make default twenty poundes, to be forfayted and leuyed in maner and fourme as is aforesayde. And that euery Maior and bailiffes and other head officers of Cities, Boroughes, and Townes in euerie of the sayde twelue Shires, and in the said countie of Monmouth, within like terme & space of two monethes after the receipt of the kinges maiesties writte de solutione fædi burgensium Parliamenti, like as is before mencioned, for gathering or leuying of ỳ knightes fees, shall leuy, gather and pay ỳ wages and fees, to their Burgesses, in like manner and fourme as is aforesaid, & in and vnder like paine and forfaitures as be before mencioned, to be leuied of the goodes and cattels of euery such Maior, Bailife, and other head officer, to whom the kinges sayde writte shall be directed, for the leuying of such fees, making default of paiment of the saide fee and wages to the Burgesses, in manner and fourme as is aforesaide. And be it &c. forasmuch as the inhabitances of all Cities and boroughes in euerie the saide twelue Shires within Wales, and in the saide countie of Monmouth, not finding burgesses for the Parliament them selues, must beare and pay the burgesses wages within the Shire Townes, of and in euery the saide xii. Shires in Wales, and in the saide countie of Monmouth, that from the begynning of the sayde Parliament, the burgesses of all and euerie of the saide cities, boroughes and townes, which be and shalbe contributorie to the paiment of the burgesses wages of the said Shire townes, shall be lawfully admonished by proclamation or otherwyse by the Maiors, baylifes, or other head officers of the said Townes, or by one of them, to come and to giue their election for the electing of the saide burgesses, at such time and place lawful & reasonable, as shal be assigned for the same intent by the said Maiors, baylifes, and other head officers

Royal assent

Shirife Wales

Leuy

Knightes fée

2. Monethes

Forf. Moitie

Default

Forf.

Maior Baylife

Burgesses fée

Monmouth

Wages

Proclamation

Election.

officers of the saide shire Townes, or by one of them, in which elections the burgesses shal haue like voice and authoritie to elect, name and chose the burgesses of euery the said shire Townes, like and in such manner, as the burgesses of the said shire Townes haue or vse. Prouided alway, that two Justices of peace, in euery the shires in Wales, and in the said county of Monmouth, by force of this acte, shall haue full power and authoritie, indifferently to lotte and taxe euery Citie, Borough and Towne within the Shires in Wales, wherein they do inhabite, and in the saide Countie of Monmouth, for the porcions and rates that euery the said cities and boroughes shal haue and pay towards the said burgesses within the said shire townes of euery of the saide shires in Wales, & the countie of Monmouth, which rates so rated & taxed in grosse, by the sayde two Justices of the peace, as is aforesaid, shall be againe rated and taxed on the inhabitants of euery the said cities and boroughes by iiii. or vi. discrecte and substanciall Burgesses of euery the saide Cyties and Boroughes in Wales, thereunto named & assigned by the Maior, baylifes, or other head officers of the saide Cities, Townes and Boroughes, for the time being, and thereupon þ Maior, baillife & other head officers of euery such citie, borough and towne, to collect and gather the same, and thereof to make payment in maner and forme as is aforesayde, to the burgesses of the parliament for the time being, within like time, and vpon like paines and forfaitures, as is aboue mencioned. Anno 35. Henri. 8. capitulo 11.

Just of p. Wales

Taxe

Just. of p.

¶Partition & Partners.

AND if one inheritaunce that is holden of the King in chiefe, discend to many partners, then al þ heires shal do homage to the King, and the same inheritaunce so holden of the king, shal be deuided among those heyres, so that euery of them after that shall hold their part of the king, Prerogatiua Regis. c. 5. See forfaiture 5. of partics betweene heires males in Kent.

Homage

2 HENRY by the grace of God, king of Englande, Lord of Ireland, Duke of Guyan & Normandy, Earle of Angeo, to his trusty & welbeloued Gerard sonne of Maurice Justycer of Ireland, greeting. Whereas certaine knightes of the partyes of Irelande, haue lately informed vs, that when any land doth discend vnto sisters within our dominion of Ireland, the Justices erraunt in those partyes are in doubt, whether the younger sisters ought to holde of the eldest sister, and doe homage vnto her or not: And for as much as the sayd knyghtes haue made instance to be certified, howe it hath bene vsed heretofore with in our Realme of England in like case, at their instaunce, we do you to witte, that such a lawe and custome is in England in this case, that if any holding of vs in chiefe, happen to die, hauing daughters to his heires, our auncestours and we, after the death of the father, haue alway had and receiued homage of all the daughters, and euery of thē in this case did hold of vs in chiefe. And if they happen to be within age, wee haue alway had the ward and marryage of them. And if he be tennaunt vnto another Lord, (the sisters being within age) the Lord shall haue the warde and marriage of them all, and the eldest onely shall doe homage for herselfe, and all her sisters. And when the other sisters come to full age, they shall doe their seruice to the Lordes of the fee by the handes of the eldest sister. Yet shall not the eldest by this occasion exacte of her younger sisters homage, warde, or any other subiection, for when they be al sisters, and in maner as one heire to one inheritaunce, if the eldest shoulde haue homage of the other sisters, or demaunde warde, then the inheritance shoulde seeme to be deuided, so that the eldest sister should be segniories, and tenaunt of inheritaunce, (simul & semel) that is to saye, heire of her owne parte, and segniories to her sisters, which coulde not stande well together in this case, for the eldest can demaunde no more then her sisters, but the chiefe meane by reason

Sisters Homage

Chiefe

Homage

ward & marriage

treason of her auncientie. Moreouer if the elder sister shoulde take homage of the younger, she should be as a segniores to them all, and should haue the ward of thē and their heires, which should be none other, but to call the lambe to ꝑ woolfe to be deuoured. And therefore we command you, that you cause the foresaid customes that be vsed within our Realme of Englād in this case, to be proclaimed throughout our dominion of Ireland, and to be straightly kept and obserued. In testimonie whereof &c. I witnesse my selfe at Westminster the ix. day of Februarye, the xiiii. yeere of our raigne. An. 14. H. 3.

See in the new printed booke, commonly called Magna charta, late printed by Richard Tottel. Anno. 1556. fol. 158. like statute almost word for word to this.

Tenants in common

Terme of life

Yeres

Ioyntenantes

3 ¶ All ioyntenantes, and tenants in common ꝑ now be, or hereafter shalbe of any estate or estates of inheritāce, in their own rights, or in ꝑ rights of their wiues, of any mannors, lands, tenements, or hereditaments, within this realme of England, Wales, or the marches of the same, shall and may be coacted and compelled, by vertue of this present act, to make partition betweene them, of all such mannours, landes, tenementes, and hereditamentes, as they nowe holde, or hereafter shall holde, as ioyntenauntes, or tenauntes in common, by writ de partitione faciēda, in that case to be deuised in the king our soueraigne Lords court of Chauncery, in like maner and forme as coparceners by the common lawes of this realme haue bene & are cōpellable to do, and the same writ to be pursued at the cōmon law. Prouided alway &c. that euery of the saide ioyntenauntes, or tenauntes in common and their heires, after such partition made, shall and may haue ayde of the other, or of their heires, to the intent to deraigne ꝑ warranty paramount, and to recouer for the rate, as is vsed betweene coparceners after partition made by the order of ꝑ common law, any thing in this acte contained to the contrary notwithstanding. Anno 31. H. 8. cap. 1.

Tenants in common

Ayde

Ioyntenāts

4 ¶ All ioyntenauntes and tenauntes in common, and euery of them, which nowe holde, or hereafter shall hold ioyntly, or in common for terme of life, yeere or yeres, or ioyntenauntes, or tenants in common, where one or some of them haue, or shall haue estate or estates, for terme of life or yeres, with the other that haue or shal haue estate or estates of inheritaunce or freeholde, in any mannours, landes, tenementes, or hereditamentes, shall, and may bee compellable from henceforth, by writte of partition, to be pursued out of the kings court of chauncerie, vpon his or their case or cases, to make seuerance and partition of all such mannours, landes, tenementes and hereditaments, which they hold ioyntlie or in common, for terme of life or liues, yeere or yeres, or where one or some of them hold ioyntly or in cōmon for terme of life or yeres with other that haue an estate or estates of inheritance or freehold. Prouided alway &c. that no such partycyon nor seuerauncе hereafter to be made by force of this acte, be not shall be preiudiciall or hurtful to any person or persons, their heires or successors, other then such which be parties vnto the saide partition, their executours or assignes. Ann. 32. H. 8. cap. 32.

¶ Passage & Arriuage.

Where as before this time, a horseman was wont to haue his passage ouer the sea from the porte of Douer for ii. s. and a footeman for vi. d. and now of late, ꝑ keepers of the passage & the passengers haue taken more, to the great damage of the people: It is agreed that at the same porte and all other passages of this land, as well in freshe waters, as in armes of the sea, they that doe passe, shall from henceforth pay as they were wont to paye in old time, and of more shal they not be charged, nor the passengers nor keepers of ꝑ passage shal take no more. And be it commanded to the constable of Douer, that he cause this article to be kept in his bailiwicke, vpon ꝑ perill that thereto perteineth. And if he finde any offending this acte, hee shall punishe him at euerie

Boteman

Footeman

Constable of Douer

Punish

mans

mans suit that wil there of complaine and doe right. Be it also commanded to the Baylifes at the places where such passages be, that they doe in like maner. And the Justices of Assises in ỳ counties shall haue power to enquire if any offende in this statute, and punish them, and do right therein, as well at the Kinges suite, as at the suit of the partie. An. 4. E. 3. cap. 7.

Bailifes

Just. of all.

Pilgrime

2 ¶ No Pilgrime shall passe out of our Realme to the partes beyond the sea, but only at Douer, vpō paine of a peres imprisonmēt. An. 9. E. 3. stat. de monetis, capitulo 8.

Douer

Imprison

3 ¶ The King our soueraigne Lorde of his royal maiestie, defendeth ỳ passage vtterly of all maner of people, as well Clarkes as other in euery porte, and other Towne and place vpon the coaste of the sea, vpon paine of forfaiture of al their goods, except onely the Lords and other great men of the Realme, and true and notable merchants, and the kinges souldiours. And euery person other then is before excepted, which after publication of this ordinance made, shall passe out of the said Realme without the kinges speciall licence (which licence the king will and cōmandeth that it be not from henceforth made, but onely in one of the portes vnder written, that is to saye, London, Sandwich, Douer, Southampton, Plimmouth, Dertmouth, Bristowe, Yermouth, S. Botulphe, Kingston vpon Hull, Newecastle vpon Tine, and the other portes, and passages towardes Irelande & ỳ Isles pertaining to the realme of England) shall forfayte towardes the King as much as her hath in goods as aboue is said: and neuertheless the master or mariner of the shippe, or of other vessel in which he shall carie ouer beyonde the sea any person, but such onely as be before excepte, without the said licence, and thereof be conuict duely, he shall forfaite the saide vessel to the King. And the king commandeth all wardens and searchers of the portes and passages through England, that they shall from henceforth diligently vse their office, and make good & straight searche. And if any searchers or warden of the portes or passages through the saide Realme, by negligence, or in other maner doe, or suffer wittingly to be done, in any point the contrarie of the saide two articles, touching the money of golde or siluer, and the saide passages of people, and thereof be duely conuicte, he shall forfayte to the King his saide office, and all his goodes, and his body shall bee committed to prison, there to abide by an whole yeere without redemption. And thereupō whosoeuer espieth and proueth duely, that any thing be done against the intent of the said two last articles, whereby the saide forfaiture ought to fall vpon any person, he shall haue halfe of the same forfaiture for his labour of the Kinges gifte. Anno 5. R. 2. cap. 2.

Clerkes

Fork.

Lordes

Merchantes Souldiours

Licence

Fork.

Ship master

Wardens Searchers

Money Gold Siluer

Fork.

Imprison

Moitie

4 ¶ All Pilgrimes, and all other people, except notorious and knowen Merchants, and also souldiours, and men of armes, that wil passe by the sea out of the realme, shall passe at the portes of Douer or Plimmouth, and not euery where, without especiall licence of the king himselfe, but they that will passe toward Irelād, shal passe at Liuerpole, Chester, Bristowe, or else where, where shall please them. An. 13. R. 2. cap. 20.

Pilgrimes Merchants Soldiers

Douer Plimmouth Licence

5 ¶ For asmuch as the Commons of the Realme of Englande, being in the saye Parliament, at the instance and speciall requeste of the faithfull liege people of our soueraigne Lord the King, the Baylifes, Burgelles and Comminaltie of the towne of Tewkesburie, within the County of Glouceſter, haue made to our soueraigne Lorde the King a very grieuous complaint in the same Parliament, that whereas the said towne of Tewkesbury, is adioyning to ỳ riuer of Seuerne, within the saide Countie of Glouceſter, which Riuer is common to all the liege people of our soueraigne the king, to carie and bring, within the streame of the said Riuer in boates, troughes, & otherwise, all maner of merchandise, and other goodes and cattels to Bristowe, and to euery parte adioyning to the same Riuer, in the which Riuer, diuerse persons of the saide Towne of Tewkesburie oftentimes

Tewkesburie

Seuerne

times, and nowe of late haue charged their proper Uessels and Troughes with Wheate, Rye, and other corne and goods to the value of v. hundred pounds, and so the same Uessels and Troughs so charged, haue conueyed in the same Riuer, towardes the sayde Towne of Bristowe, by the coastes of the Forrest of Deane, within the sayde Countie of Gloucester, ioyning to the sayde Riuer, there haue come great multitude of people and Rouers of the Commons of the same Forrest, and of the hundred of Bledislowe and Westburie, with great riot and force, in maner of warre, as enemies of a strange lande, and with force haue spoyled the same persons of the sayde vessels, and taken of them all their corne and goods within the same vessels, and the same persons haue manaced & threatned too, if they made any resistance or any suite, quarell or complaint for the same, to the great hinderance, losse, and impouerishment, of the sayd persons, and oppression of all the countrey there adioyning. And afterwarde the same our soueraigne Lorde the King by the aduise and consent of his counsell, sent his letters of priuie seale, directed to diuerse persons of the saide forrest, to make open proclamation, that no man of the said forrest should be so hardie, to inquire or disturbe his people to passe by the riuer with all manner of corne, goods, and cattels, or any other marchandise, vpon the paine of treason: after which proclamation so made, the saide trespassours came to the sayd riuer, with more greater routes and riottes, then euer they did before, not esteeming nor regarding the sayde letters of priuie Seale, and there spoiled at diuerse times eight troughs of wheat, rye, flowre, and diuerse other goods and cattels, and the people of the same troughes did throw ouer the borde, and diuerse of them drowned, and the sternes of the said troughes did cut away, and did threaten the owner of the sayde goods and cattels, and also the people of the saide troughes, that they should not be so hardie, to carrie no maner of vitaile by ỳ said streame, much nor little, for Lorde, nor for Ladie. And that they woulde hewe all to pieces the saide boates, if they came another time by the coastes of the saide Forrest of Deane: for the which Riotte and Rebellion no person of the saide Towne of Tewkesburie, nor of the Countrey adioyning, dare not carrie any Corne, nor other goods nor cattels in the said Riuer, nor pursue to haue remedie for such oppressions and grieues to them done, forasmuch as the said forrest of Deane, and hundreds be verie large, & the people inhabiting & resiant in ỳ same, very wild, & nigh adioining to ỳ countrey of Wales. And all the commons of the same forrest and hundreds of one affinitie, and confederacie in malice and riotte, not pondering nor regarding the lawe, nor the officers and ministers of the same, nor caring of the processe, nor punishement of the Lawe of the lande, in so much that they will not obey but at their owne wil, any minister of the kinges lawes, nor execution of the same, nor the Officers nor ministers of the lawe of the saide Countye, dare not in any wise come into the sayde Forrest, to execute any matter or processe of the lawe, against the will and intent of the Commons of the Forrest, and hundred aforesayde: Our soueraigne Lorde the king, hauing tender respecte and consideration of the said mischiefes, and also considering the inconueniences, which be like to ensue and followe vpon the same, and vpon that willing to resist ỳ malice of such transgressours and offendours, and to prouide hastie & conuenable remedy for his sayde faithfull liege people, so grieued in this behalfe, by ỳ aduise and assent of the lords spirituall and temporall, being in this present Parliament, and at the special request of the said commons there assembled, hath ordeyned by authoritie of the same Parliament, that in euery such case hereafter to come, or else had, or chaunced the last yeere passed, the Shirife of the said county, or the Baylifes of the towne of Gloucester, for the tyme beeing, or one of them, vpon paine of forfeiture of twenty pound, to be leuied

Deane forrest

Rouers

Treason

Shirife

Baylifes

For.

leuied of their landes, goods, and cattels, to the vse of our Soueraigne Lorde the king, make Proclamation at the saide towne of Glouceſter, within foure daies next after notification made to them, or to any of them by the persons so indamaged, or by any other in their names, of such iniuries and trespasses done, that the saide trespassours and offendours shall restore in the same towne of Glouceſter, within fifteene dayes after the saide Proclamation, to the saide persons so indammaged, their sayd corne and marchandises, goods, and cattels so taken, or the very value of the same, with reasonable amendes for their dammages of such taking. After which proclamation, if the sayd trespassours doe not restore the said corne and marchandises, goods and cattels, or ỳ value of the same, to the parties so grieued in ỳ forme aforesaid, with reasonable amendes for their dãmages, nor that the said trespassours be not brought to the kinges prisons to the Castell of Glouceſter for the said trespasses, by the officers of the said Forest and hundreds, or by the comminalties of the same, to be demeaned in such case by the king & his counsell, that then by consideration of the statute of Wincheſter, put for the robberie of any person, which giueth an action for him which is robbed, agaynst the hundred, within which the same robberie is done, after the forme of ỳ same statute, the said comminalties shall be charged of the same corne and marchandises, goods and cattels so taken, or of the very value of the same, to the parties so grieued, to satisfie them of their dãmages for the same taking: And that the said parties so indãmaged and grieued, may haue their generall actions of debt, against the sayd comminalties of the sayd forest and hundred, of the summe of money, to which the value of the corne, marchandises, goods and cattels so taken do extend. And although the said comminalties be no comminalties corporate, yet they shall haue proces in such actions of debt, by summons, attachements and distresse, as if he were to haue an action of debt at ỳ common law, so that if the said comminalties make default at ỳ second distresse in such actions, that then the partie which shall sue, shall haue iudgement to receiue his debte against the saide comminalties, after the supposall of their goods, in the forme aforesaid, with his reasonable doʒages and expences. And whatsoeuer yssue triable by enquest in the saide forestes and hundreds shal happen to be taken to such actions, it shall be tryed by enquest of the bodie of the said countie out of the same forest and hundreds. And that the goods and cattelles of euery singular person, of the said comminalties for the time being, shall be had, taken, and holden in lawe conuicte, as the common goods and cattels of the same comminalties, touching the returne, seruing, and all executions of writtes, processe, and iudgements, in and of the said actions. And that euery singular person of the said forest and cõminalties, haue power by the authoritie of the saide Parliament, to attache and arrest the said trespassers by their bodies, as wel within the said forest as without, and them so arrested to committe to the said prison. And ỳ the keeper of the same prison vpon payne of forte pound, to be leuyed of his goods and cattels, landes and tenements, to the vse of our Soueraigne Lord the king, shall safely keepe euery person so committed to his custodie, till the time that the king or his counsaile hath ordeined or prouided their deliuerance of recorde. And if the goods or cattels of any singular person or persons of the said forest and hundreds, being not guiltie of the said robberies, happen to be put in execution, because of any such actions and iudgementes, that then the saide person or persons so being not guiltie, may haue their speciall action of debt or trespas vpon their case, of the goods and cattels so put in execution, against the saide trespassours, to recouer their dammages, as well for the value of the goods or cattels so put in execution, as for their dammages and costs which happened to be had because of such actions of debt, and they shall haue such processe in

Proclamation

Restore

Statute of Wincheſter

Hundred

Proces

Arrest

Imprison Gaole

Action

Dammages

Proces

in the sayd actions of debt or trespasse, as is to be had in the sayd actions of debt for the said persons so endamaged & spoiled. An. 8. H. 6. cap. 27.

Free passage Seuerne

6 ¶ The sayde liege people of the king may haue and enioy their free passage in the sayde Riuer, (that is to say of Seuerne) with flotes & maggres, and all maner of marchandises, and other goods and cattels at their will, without disturbance of any. And if any be disturbed of his free passage in the sayd riuer, the partie grieued shal haue his action according to the course of the common lawe. Anno 9. H. 6. cap. 5.

Pilgrime Marchant

7 ¶ No Pilgrime, marchaunt, nor none other person or persons, horse or beast, except souldiours and marchants with their marchandises, in the maner and forme before recited, shal from henceforth take their passage at none other place or port within the countie of Kent, but only at the sayd port or towne of Douer, if they may there haue sufficient passage and shipping. And also that no Pilgrime, marchant, nor none other person or persons, horse or beast, shal come from Caleis to any port or other place within the sayde Countie of Kent, but onely to the port of the sayd towne of Douer, except souldiors and marchants with their marchandises, vnlesse they haue and shew the kings commandement in writing so to doe, or els be compelled and driuen to some other place or port by sudden tempest. And that euery person, of what estate, degree, or condition he be, which voluntarily doeth against this act or ordinance, shall forfaite for euery time that he so doeth v. markes: Our soueraygne Lord the king to haue the one halfe, to be imployed vpon the reparation of the Castle of Douer, by the surueying of the Constable or his lieutenant there, the other halfe to that person or persons of the sayd towne or castle, being a freeman of the sayd towne of Douer, that will commence or sue an action thereof against the offender. And that euery person or persons of the sayd towne or castel, freemen of the sayd towne of Douer, may in his owne name haue against euery person that willingly offendeth this statute, a generall action of debt of the said summe of v. markes, & declare especially vpon the same act or ordinance. And that processes of outlagary, and all other processes and determination shalbe had in the sayd action, as is had & vsed in other general actions of debt. And also the maister of euery ship and vessel, which willingly contrary to this act, doeth conuey to any place or places, any Pilgrime, marchant, or other person or persons, horse or beast, shal likewise forfaite at euery time that he doth so v. markes, in the maner and forme aforesaid, to be sued, had, recouered, leuied and imployed. An. 4. E. 4. cap. 19.

Action of debt

Outlagary

Ship maister

Forf.

Impositions

Boates

Seuerns Boates

Forf.

Action of debt

Delatoryes

Worcester

Iustes

8 ¶ Whatsoeuer person or persons of what estate, degree or condition he or they be, that hereafter take any imposition of any of the kinges liege people, for trough, boate, or any other vessel, for any goods or other marchãdises caried or conueyed in, and vpõ the sayd riuer & water of Seuerne, or let, vexe, or interrupt any boats, troughs, or other vessels, so passing by the said riuer & water, for any such impositiõ or otherwise against your lawes: That euery such person or persons so doing and offending, shall forfaite to the king our soueraigne Lord for euery such offence xx. li. And for euery such summe or summes so forfaited, ỳ party grieued, & other persons that wil sue for the same forfaiture, shal haue and sue an action popular of debt, as well to and for the vse of our soueraigne lord the king, as to ỳ vse of him ỳ shal sue for it in his owne name: And ỳ our soueraigne lord the king haue two parts of the said summe so forfaited: And the partie that so shall sue the same, haue the third part thereof. And the party defendant in euery such actiõ shall not be receiued to wage his law. And also be outed of delatoryes in the same actiõ, as protections, essoine & other. And if it fortune the parties in any such actiõ to defend or pleade to any issue for any offences done or committed, contrary to the premisses, triable in the Citie of Worcester, or the liberties of the same, then the same issue

to bee tryed by twelue men within the Countie of Worcester, not dwelling ne hauing any landes within the same citie, ne the suburbs of the same. And if the parties aforesayd in any such action defende & plead to arriuse for any offence done or committed contrary to the premisses, triable in the shire of the towne of Gloucest. or in the Countie of Gloucester, of the same issue to be tryed by twelue men of or in the countie of Gloucester therto adioyning, not hauing any landes, ne dwelling within the same shire of the towne of Gloucest. Prouided alway that this act, or any thing in ỹ same conteined or specified, in any wise extend not, nor be preiudicial or hurtful to any person or persons hauing any lands or medowes adioyning to the sayd streame or water of Seuerne, to take of euery person or persons, going vpon his or their said landes & medowes, and haling or drawing any such trough, boate, or vessel, reasonable recompence or satisfaction for such hurtes & offences, as he or they hauing such lands or medowes adioyning to ỹ said streame or water, shal sustayne by reason of any such going or drawing of any such trough, boate or vessel. Prouided alway, that if any person or persons spirituall or temporall, or any body corporate come before the lordes of the kings honourable counsel in the Starre Chamber at Westminster, at any time hereafter, before the feast of the Ascention of our Lord, that shalbe in the yere of our Lord God 1405. and there make any sufficient proofe and lawfull title of their owne offer, or by other meanes before the sayd feast, to haue any maner of duetie or imposition, of and for any maner boate, trough, or other vessel aforesayd, or for any other marchãdises or goods in any of the same carped & conueyed in & vpon the sayde riuer & water of Seuerne, and the same proofe & title by the said counsel admitted & decreed before ỹ same feast to be good & auaylable to the partie or parties that sue for the same: That then frõ hẽceforth after such proofe & title shewed, & so by ỹ said counsel admitted, & by thẽ before ỹ same feast decreed to be good, those persons hauing such lawful title, may & shal haue frõ the time of ỹ decree made, al maner such dutie of euery of the kings liege people, so carying or cõueying any boat, trough or vessel, in & vpon ỹ said water of Seuerne, according to their title & right so proued & decreed after the maner and forme of the same title and decree: This present act or any thing therin conteyned in any wise notwithstanding. Anno 19. Hen. 7. cap. 18.

Gloucester

Recompence

Duetie

Lawfull title

8 Where as by ỹ laudable custome & vsage within this realme of England, time out of minde vsed, that euery of the kings subiectes, & all other persons passing by ỹ riuers of Thames or Midway, & repairing to ỹ same by water in barge, or wherie boate, that is to say, frõ London to Grauesend, & from Grauesend againe to London one person or moe, to haue a barge of the owners or occupiers of the same to passe themselfe, with their males or fardels betweene the sayde places, for the summe of iiii.s. or else euery person passing in the sayde barge, to pay for him selfe, or himselfe his male or fardel ii.d. so that the same summe of two pence of euery person amount to the summe of foure shillinges. And a whiry boate betweene the sayd places, for the summe of two shillings, hath bene cõpelled to passe forth at euery tide, betweene the said places. And in likewise it hath bene vsed of like time, that euery of ỹ kings subiects, & all other persons passing or repairing by water in the tide boate or whiry boate, from London to Eriche, Greenehithes, Graystonrocke, or Purflete, or frõ any of the same places to London, one person or mor, to haue a whirie boate of ỹ owners, or occuppers of the same boate, to passe themselues with their males or fardels betweene euery of the said places, for the only summe of xii.d. or else euery person passing in the sayd boate or whirie, to pay for himselfe, or for himselfe his male or fardel one peny, so that the summe of one peny of euery person amoũt to ỹ summe of twelue pence, hath bene compelled to passe forth at euery tyde betweene the sayde places. And also it hath bene vsed of

Thames
Midway
Barge
Boate
Wherie
London
Grauesend

iiii.s.

ii.d.

Wherie

Tide boate

xii.d.

i. Peny

of like time that euery of the kinges ſubiects, and all other perſons paſſing or repairing by water in the ride boate or whirie boate, from London to Wolwich, or from Wolwich to London, one perſon or more, to haue a boate or whirie of the owners or occupiers of ſ same, to paſſe theim ſelfe with their males or fardels betweene the ſame places, for the onely ſumme of viii.d. or elſe euery perſon paſſing in the ſayde boate or whirie to pay for himſelfe, his male, or fardel a ob. ſo that the ſumme of ob. of euery perſon amount to the ſumme of eight pence, hath bene compelled to paſſe forth at euery tyde betweene the ſaid places. And alſo it hath bene vſed of like time, that euery ſ kings ſubiects, and al other perſons paſſing or repairing by water in boate or whirie, frō London to Greenewiche, or from Greenewiche to London, one perſon or more, to haue boate or whirie of the owners or occupiers of the ſame, to paſſe themſelues with their males & fardels, betweene the ſame places, for the only ſumme of foure pēce, or elſe euery perſon paſſing in the ſayde boate or whirie, to pay for himſelfe, or for himſelfe his male or fardell ob. ſo that the ſumme of ob. of euery perſon amount to the ſumme of foure pence, hath bene compelled to paſſe forth at all times betweene the ſame places. And that of like time it hath bene vſed and accuſtomed, that euery of the kings ſubiectes, & all other perſons paſſing or repayring by water in boate or whirie from London bridge, the old Swanne, the Crane in the Vintry, Paules wharfe, or from Saint Marie Oueries to Weſtminſter, or Lambith, or from Weſtminſter or Lambith to any of the ſayde places, one perſon or more, to haue a boate or whirie of the owners or occuppers of the ſame, to paſſe themſelues with their males & fardels, betweene euery of the ſaid places, for the onely ſumme of thier pence, or elſe euery perſon paſſing in the ſaid boate or whirry, to pape for himſelfe, or for himſelfe and his fardell a halfepenp, ſo that the ſumme of ob. of euery perſon amount to the ſumme of thyer pence, hath bene compelled to paſſe forth at all times betweene the ſame places. And alſo it hath bene vſed of like time that euery of the kinges ſubiectes, and all other perſons paſſing or repairing from the Blacke Friers, Bridewell, or from the Temple, to Weſtminſter or Lambeth, or from Weſtminſter or Lambeth to any of the ſayde places, one perſon or more, to haue a boate or whirie of the owners or occuppers of the ſame, to paſſe theſelues with their males & fardels, betweene euery of the ſame places for the only ſumme of two pence, or elſe euery perſon paſſing in the ſayde boate or whirie to paye for himſelfe, or for himſelfe his male or fardel ob. ſo that the ſumme of one halfepeny of euery perſon amounte to the ſumme of two pence, hath bene compelled to paſſe forth at all times betweene the ſayd places. And alſo it hath bene vſed of like time, that all manner of perſons paſſing or repairing from Weſtminſter to Lambith, or from Bridgate to Weſtminſter, or from any of the ſayde places ouer the water, one perſon or more to haue a boate or whirie to paſſe betweene euery of the ſayde places, in maner and forme aforeſayd, for the onely ſumme of a ob. and the owners or occupiers of boates haue bene compelled to paſſe forth at all times betweene the ſame places for the ſame ſumme. And alſo it hath bene vſed of like time that euery of the kings ſubiectes, and all other perſons paſſing from London to Northlake, or from Northlake to London, one or more to haue a boate or whirie of the owners or occuppers of the ſame to paſſe themſelfe with their males or fardels, betwene the ſaid places, for the only ſumme of twelue pence, or elſe euery perſon paſſing in the ſaid boate or whirie, to pay for himſelfe, or for himſelfe his male or fardel ii.d. ſo that the ſumme of ii.d. of euery perſon amount to the ſayde ſumme of twelue pence. All ſuch laudable cuſtomes and vſages notwithſtanding, the owners or occupiers of the ſayd Barges, boates, and whiries nowe refuſe, and will not paſſe with no man for the ſayde ſummes, except that they haue according to their

viii.d. Weſtminſter Lambeth viii.d. Halfepenp Greenewich viii.d. Ouer the Thames Halfepenp Northlake Weſtminſter iii.d. Halfepenp ii.d. ii.d.

owne willes and desires, to the great let & vnquietnesse of all the kings subiectes, and of all other that passe and repaire by the same, and contrary to the sayd auncient vsages and customes. For breaking of which ordinance diuers and many assaultes & frayes dayly bene made, so that oftentimes thereof manslaughter doeth ensue. And ouer that the poore husbandmen, and other householders, dwelling nigh about where such feries bene vsed, can haue no seruentes that will serue by the yere, but only by the weeke, and at the weekes end to be at their libertie, to ỳ intent that they may be watermen for their singuler & excessiue lucre in that behalfe: Be it therefore &c. that the sayd laudable custome and vsages, in maner and forme afore rehearsed, be obserued and kept, and duely put in execution in euery poynt.

Watermen

And that all & euery the watermen, rowing in great barges, with any Lorde or lordes, or other person or persons, whatsoeuer they be, take no more for his wages or labour by the day then vi. d. without meate or drinke, except he row to Mortlake or Greenewich, & then to take viii. d. onely without meat & drinke. And that if the kings subiectes, or any of them, or any other person or persons, from henceforth

Wages vi. d.

Require

require the owners or occuppers of any such barges, boates, or whiries, at any of the sayd ferries, to passe with the, offring them money for their fare or fares, in forme as is afore specified: or els if the said Lordes, or other, require the said watermen, to go with them in their barges or barge, for the vi. d. aboue sayd, and the sayd owners or occuppers, watermen or bargemē refuse to passe forth with him or them for the same fare or wages, then the same owners or occuppers of such barges, boates, or wheries, or the sayd watermen or bargemen so refusing, & euery of them, for euery such refusall, forfaite the treble value of the fare, fares, or wages so refused: The one halfe of the sayd treble value of the said fare, fares or wages, to be to the vse of the king, and the other halfe to him that will sue in that behalfe, which suite the party that in that case will sue to haue his suite by action of debt, information or presentment, and the partie defendaunt there not to bee admitted to wage his law, ne to be essoined, ne protection for him to be allowed in ỳ same. And ouer that be it lawfull to the bailifes, cō-

Forf.

Poitis

Bailife Constable

stables, and other of the kings officers, & euery of them, in euery place next adioynant, where the said feries bene exercised, vpon complaynt to them or any of them therof made by any of ỳ kings subiects, or any other person or persons, that finde them grieued in that behalfe, arrest the

Arrest

said offender or offenders, and to commit them to warde for their misdemener, & to make fine for the same. And that the Iustices of peace of euery shire, where the sayd feries bene exercised, the Maior and Sheriffes of London, and the stewardes in their leetes, and euery of them, haue auctoritie to inquire at euery sessions & leetes, as well of the defaultes of the said owners, or occuppers of such barges, boates, whirries, watermen, & bargemen, as of the default of the sayde officers for lacke of punishment of euery such offenders. Anno 6. H. 8. cap. 7.

Fine Inst. of p. Feries Maior Sherife Steward

¶ No person or persons interrupt by any obstacle, letter, or otherwise, any person or persons passing or repassing on & vpon euery of the sayd paths, customed

Path

(Set a path of a foote & a halfe on euery side of the riuer of Seuerne) nor also aske, take, or demand any toll called a maught or bottrel of wine, any other tare or impositiō of any of ỳ kings subiects there going in the sayd paths accustomed vpon euery side of the riuer of Seuerne, there haling or mawing their boates, troughes or vessels, vpō paine to forfait for euery time ỳ he or they so shal interrupt any of ỳ kings subiects, or aske, or take any such impositiō, by what name soeuer it be called xl. s. The one halfe therof to be to ỳ king, & the other halfe to the party grieued ỳ wil sue for the same &c. in ỳ which suit no essoine &c. shalbe allowed. An. 23. H. 8. cap. 12.

Seuerne Tolle

Forf.

Poitis

¶ Euery person or persons taking vpon him or them to haue & kepe any of the sayd passages, or any other passages vpon Seuerne afore sayd, frō henceforth

Passage Seuerne

do

do not conuey, neither carry with any maner barge, boate, or other veſſell, any perſon or perſons, with horſes, mares, oxen, kine, or any other cattel, nor no other perſon or perſons, before ẏ time of the ſunne riſing in the morning, and after the time of the ſunne being gone downe at night, vpon payne of impriſonment, and fine to ſet on him that ſhal ſo cõuey or cary ouer any of the ſayd paſſages of the ſayd riuer of Seuerne out of Englãd into Wales, or the foreſt of Dene, or out of Wales, or the ſaid foreſt of Dene into England, vnleſſe the ſayd paſſengers & euery of them haue good knowledge of ſuch perſon and perſons, and of their dwelling places, & vpõ requeſt to them made by any perſon or perſons, to diſcloſe the name and the dwelling place of euery ſuch perſon or perſons, ſo by them conueyed ouer ẏ ſaid water, to any ſuch perſon or perſons requiring the ſame, if ſuite be made for and after them vpon any outcry, hue or freſh ſuite, or of any felony, robbery, murder, & manſlaughter committed and done from hẽceforth. And that the kings Juſtices of peace within euery of the ſaid counties of Glou. & Somerſet at their quarter ſeſſions, ſhal haue full power & auctho̲ritie to call before them all ſuch perſons which hereafter ſhal keepe any of the ſaid paſſages, or any other ferry or paſſage ouer the ſaid water into Wales, or the ſayd foreſt, or out of Wales, or the ſayd foreſt into England, & to binde them with ſufficient ſuerties with thẽ in recogniſance, in ſuch ſummes of money as it ſhall ſeeme to the diſcretion of the ſayd Juſtices of peace, that they and euery of them being paſſengers & keepers of feries & paſſages, as is afore ſayd, from hencefoorth ſhall not after ẏ ſaid times before limitted & appointed, conuey or carry, or cauſe to be conueyed or caried any maner of perſon or perſons, or any kinde of cattell, but ſuch perſons as they do knowe and will anſwere for, and knowe where their abidings, dwellings, and habitations be, & vpon requeſt made to them or any of them, as is aboue ſayde, ſhal from time to time diſcloſe aſwel the ſame perſon or perſons, as the goods and cattels ſo paſſing the ſayd paſſages vpon freſh ſuite made, or hereafter to be made vpon any felonie, murder, or robberie cõmitted, & done in the borders of the counties afore ſayde, or any other place within this realme or ſouth Wales. Anno 26. Hen. 8. cap. 5.

Sunne riſe

Sunne ſette

Impriſon

Wales

Hue & cry

Juſt. of p.

Quarter ſeſſions

Recog.

Juſt. of p.

Cattell

11 ¶ There ſhalbe yerely appointed, choſen, and elected by the Maior & court of Aldermen of the citie of London, for the time being, the number of eight perſons, of the moſt wiſe, diſcreete, and beſt ſort of Watermen being houſholders, and occupying as Watermen, vpon the ſayde Ryuer betwixt Grauelende and Windſore, which election ſhall be yerely at the firſt court of Aldermen, to be holden within the ſayde Citie next after the firſt day of Marche, and the ſame eyght perſons ſo elected ſhal be named and called the ouerſeers and rulers of all Whirimen and Watermen, that from and after the ſayde firſt day of Marche, ſhall vſe, occupie or exerciſe any rowing vpon the ſayde Riuer of Thames, betwyxt Grauelend & Windſore afore ſaid, which ſayd ouerſeers and rulers, ſhal keepe and mayntaine good order and obedience amongſt the ſayd watermen according to the true meaning of this preſent act.

Maior London 8. perſons

Ouerſeers

And alſo be it &c. that after the feaſt of Pentecoſt next comming, no perſon or perſons where two Watermen, and not aboue the number of two, ſhal row together in one boate or whirie, in any place or places betwixt Grauelend and Windſore afore ſayd, ſhall preſume or enterpriſe to receiue or take any perſon or perſons into his or their boate or whirie, to the intent to cary or conuey him or them therein, vnleſſe one of the ſame two watermẽ, hath bene for the moſt part exerciſed and vſed in rowing vpon the ſaide Riuer of Thames by ẏ ſpace of two whole yeeres before the time. And that alſo one of the ſame two watermen at the leaſt, be duely admitted and allowed by the ſame eyght ouerſeers and rulers, or the moſt part of thẽ by writing vnder their knowen ſeale, to bee a ſufficient and hable waterman, vpon payne that euery perſon & perſons

2 yeres exerciſe

Allowed

preſuming or offending contrary to the true meaning of this preſent act, ſhall by the ſayd eight ouerſeers or rulers, be cõ-
Impriſon mitted to priſon in one of the Counters of the citie of London, there to remayne by the ſpace of one moneth or leſſe, as the offence ſhall require.

And alſo bee it &c. that no perſon or
Single men Not retained perſons being ſingle men, not keeping houſeholde and not retayned, ſhall from and after the ſayde feaſt of Pentecoſt next comming, vſe or exerciſe to rowe betwixt Graueſend and Windſore
Prentice aforeſaid, vnleſſe he or they be prentice or prentices, or in ſeruice retayned with a maſter by the whole peere at the leaſt, vp-
Impriſon on payne of like impriſonment.
Maior And alſo be it &c. that the Lord Maior of
Iuſt. of p. London, and the Aldermen of the ſame citie, and the Iuſtices of peace within the Shires next adioyning to the ſayd riuer of Thames, euery of them within their ſeuerall iuriſdictions & auctho-
rities, ſhal haue ful power and auctho-
ritie by vertue of this preſent act, vpon complaynt made to them or any of them by the ſayde ouerſeers and rulers, or two of them, or the maſter or maſters of any ſuch ſeruantes,
Oyer & ter. not onely to examine, heare & determine all complaints and offences to be done or cõmitted by any ſuch perſon or perſons, that ſhal offend contrary to the true mea-
ning of this preſent act, and to ſet at large all and euery ſuch perſon and perſons, as ſhall fortune to be impriſoned by the ſayd ouerſeers and rulers according to this act, if iuſt cauſe ſhall appeare vnto them ſo to do: But alſo by their good diſcre-
Puniſh tions and wiſedome to puniſh, correct and reſourme the ſayd ouerſeers and rulers, & euery of them that ſhall iuſtly, or with-out good cauſe or grounde, puniſh any perſon or perſons, by colour of this pre-
ſent act, or any thing therein contayned.

And be it &c. that if any perſon or per-
ſons whatſoeuer, from henceforth doe or
Whirie Boats ſhall make any whirie or boate, to the intent commonly to vſe rowing & carying people vpon the ſayde riuer of Thames, which ſhall not be two and twenty foote
Length and halfe in length, and foure foote and a halfe broade in the midſhippe, or which Breadth ſhall not be ſubſtantially and well hable and ſufficient to carry two perſons on e-
uery ſide tyght, according to the old quã-
titie, ſcantling, thickneſſe of boord, good- Goodnes neſſe, and good proportion, heretofore had and vſed: that then the ſame boate or boates, ſo being made cõtrary to the pro-
portion and ſort before expreſſed, ſhall be taken as forfaite, & ſhalbe forfaite, the one Foyl. Mouis halfe thereof to the King and Queenes Maieſties vſe, and to the vſe of the heires and ſucceſſors of the Queenes Maieſtie, and the other halfe to him or them that wil ſue &c. wherein no wager of law &c. ſhalbe allowed.

And be it &c. that if any perſon or per-
ſons, which from and after the ſayde feaſt ſhall vſe and exerciſe the occupation of rowing betwixt Graueſend and Wind-
ſore aforeſayde, which in the time of the execution of any commiſſion of preſſing Preſſing that ſhalbe had for the ſeruice of the king and Queenes Maieſties, and the heires and ſucceſſours of the Queenes maieſtie, in their affaires, ſhall willingly, volunta-
rily, and obſtinately, withdrawe, hide, or Abſent conuey him or themſelues in the ſame time of preſſing, into ſecret places, & out corners, & after when ſuch time of preſ-
ſing is ouerpaſſed, ſhall returne & come againe to the ſayd riuer of Thames, to rowe betwixt Graueſend and Windſore aforeſayde, and that duely proued by two indifferent witneſſes, before the ſaid Ma- Maior ior and court of Aldermen, or Iuſtices of Iuſt. of p. the peace, and two of the ſayd rulers, that then hee or they ſo doing and offending, ſhall ſuffer impriſonment by the ſpace of Impriſon two weekes, and bee baniſhed any more Baniſhed to rowe from thenceforth, vpon the ſayd Riuer of Thames, by the ſpace of one whole peere & a day, then next folowing.

And be it &c. that it ſhall be lawfull to
8. Rulers the ſayd eyght rulers for the time being, and their ſucceſſours from time to time, to conuent and call before them at ſome conuenient place by them to be appoyn-
ted, all and euery ſuch perſon and per-
ſons, which from and after the ſayde feaſt of Peterooſt, ſhall occupy and vſe the

ſayd

sayd trade and occupation of rowing betwixt Graueſend & Windſore aforeſayd, and ſhall enter and regiſter the name and names of them, and euery of them that ſhall be by them allowed or admitted for Watermen, to rowe betwixt Graueſend and Windſore aforeſayd, in a booke to be made for the ſame intent and purpoſe, & to take ſuch further order and direction therein, with euery of the ſayd parties, by thauethoritie of this preſent act, as it ſhal ſeeme meete and neceſſary by the diſcretion of the ſayd ouerſeers & rulers for the time being. And alſo that the ſayd ouerſeers and rulers, ſhal and may by authoritie of this act ouerſee, view and ſuruey, at al and euery time and times hereafter, all maner boates and whiries, that ſhall from & after the ſayd feaſt be made before the ſaid boat or boates, whirie or whiries be launched out of the yarde or grounde wherein the ſame boate or boates, whirie or whiries, ſhall fortune to be made, into the ſayd Riuer of Thames, to the intent that they and euery of them may be made and prepared in ſuch maner and fourme, and according to the goodneſſe, proportion, and quantitie in this preſent acte before limitted and expreſſed.

Regiſter names

Surueye

Boates Whiries

And be it &c. that if any perſon or perſons, which at any time hereafter ſhalbe elected or choſen to bee a ruler or ouerſeer, as before is expreſſed, do happen negligently to vſe and exerciſe, his or their rowme or place, or that wil obſtinatly refuſe to take vpō him or them, the rowme or rowmes, place or places of any of the ſaid ouerſeers or rulers: that then all and euery ſuch offender, or offenders ſo offending, ſhal looſe and forfaite the ſumme of fiue pounds of lawful money of Englād: The one halfe thereof ſhall be to our ſoueraygne Lorde and Lady the King and Queenes Maieſties vſe, and to ẏ vſe of the heires & ſucceſſours of the Queenes Maieſtie, & thother halfe to him or them, that will ſue for the ſame in any of the King and Queenes Maieſties courts of recorde by accion of debt, or by any other the wayes or meanes aboue ſpecified, wherein no wager of law, eſſoine, protection, or iniunction ſhalbe admitted or allowed for the defendāt or defendāts.

Negligent

Refuſe

Forf.

Moitie

And be it &c. that the ſayde Maior and court of Aldermen of the ſayde citie of London, for the time being, ſhal frō time to time at their diſcretions limit, ſet, and aſſeſſe the price & prices, and ſummes of money, ẏ euery perſon or perſons ſo authoriſed to rowe as is aforeſayd, betwixt Graueſend & Windſore aforeſayd, ſhall take for his or their labor or fare frō place to place particularly betwixt Graueſend and Windſore aforeſayd, & the ſame prices and aſſeſſements to be ſet, ſhall bring or cauſe to be brought to the priuy Counſel of our ſoueraigne Lord and Lady the king and Quene to be viewed and ſeene by ſome of the ſayd priuy counſel, and after that the ſayd aſſeſſements and prices, ſhall bee ſigned and ſubſcribed with the handes of two of the ſayd priuy counſell at the leaſt, the ſayde Maior and court of Aldermen for the time being, ſhall cauſe the ſayd prices and aſſeſſementes to bee drawen and ſet vp in tables in the Guild hall, in the Citie of London, Weſtminſter hall, and elſe where, where the ſayde Maior and court of Aldermē ſhall thinke conuenient. And euery perſon & perſons that ſhall take for his or their fare or labour aboue the prices that ſhalbe aſſeſſed, viewed, written, & ſet vp in forme aforeſayd, ſhall forfaite for euery ſuch offence fourtie ſhillings, and alſo ſhall ſuffer impriſonment by one halfe yeere, the one moitie of the ſayde forfaiture to be to the King & Queenes Maieſties, their heires and ſucceſſours, & thother moitie thereof to him or them that will ſue for the ſame in any of the kings & Queenes maieſties courtes of record, by action of debt, or by any other the waies or meanes aboue ſpecified, wherein no wager of law, eſſoine, protection, or iniunction ſhalbe admitted or allowed for the defendāt or defendāts.

Maior

London

Price

Fares

K. counſell

Subſcribed

Tables

Forf.

Impriſon

Moitie

And be it &c. that no perſon nor perſōs occupying or vſing any weſterne barge, ſhall retayne, take, or receyue into his or their ſeruice, any ſingle perſon, not keeping houſe or houſehold, but only ſuch as ſhall be retayned with him or them by the

Weſterne barge

Single perſon

Retained

whole yere and no housholder, but such as he or they wil and shal answere for, for his or their good behauiour, vpon payne of forfaiture for euery such offence, fortie shillings, the one moitie thereof to be to the King and Quenes Maiesties, her heires and successours, & the other moitie thereof to him or them that wil sue for the same in any of the King and Queenes courtes of record, by action of debt, or by any other the waies or meanes aboue specified, wherein no wager of law, essoyne, protection, or iniunction, shall be admitted or allowed for the defendant or defendants. An. 2. & 3. P. & M. cap. 36.

Good behauiour
Forf.
Moitie

¶ Patens & patenmakers.

ANno 4. H. 5. cap. 3. an act was made, that patenmakers shoulde make no patens nor clogges of Aspe, vpon payne of C. s. so that Fletchers might sel their arrowes at more easie price.

Aspe
Forf.
Fletchers

2 ¶ An. 4. E. 4. cap. 9. it was enacted that Patenmakers might make patens of Aspe, that were not sufficient for arrowes, & patenmakers, making patens or clogges of Aspe, sufficiẽt for arrowes, should forfaite xl. s.

Aspe

Forf.

¶ Patents.

WHen our soueraigne Lord the king giueth or graunteth lande or a manour with the appurtenaunces, except he make expresse mẽtion in his deede or writing of knightes fees, aduowsons of churches, and dowers when they fall, belonging to such manours or landes, then at this daye the king reserueth to himselfe such fees, aduowsons, and dowers, albeit that amõg other persons it hath not bene so obserued. Prærogatiua Regis. cap. 15. Anno 17. E. 2.

Mention
Knightes fée
Aduowsons
Dowers

2 ¶ All the annuities & other things giuen or graunted by our soueraygne lord the king, or by his father or graundfather, to any maner persons with the clause, Quousque pro statuto suo duxerimus ordinandum, shalbe wholy voyde and of no force, if the same persons haue accepted afterward any other thinges of the king, or of his sayd father or graundfather. An. 11. R. 2. cap. 8.

Annuities

3 ¶ An. 11. R. 2. cap. 7. it was enacted, that the kinges great officers might sell parcel of the forfaitures of them that were foriudged in that Parliament. And after Anno 1. H. 4. cap. 9. it was enacted, that those graunte shoulde bee good notwithstanding any other graunte, & that they that would, might haue confirmations of them.

Sell
Forfeitures

4 ¶ That the king may not be hereafter deceyued in his grauntes, Be it &c. that all they which from henceforth doe demaund of the king, landes, tenements, rentes, offices, annuities, or any other profites, shall make expresse mention in their petitions, of the value of the thing so to be demaunded, and also of that that they haue had of the kinges gift, or of other his progenitours or predecessours before.

Rentes
Offices
Annuities

And in case they make not such mention in their sayd petitions, and that duely proued, the kings letters patents thereof made, shall not be auayliable, nor of no force nor effect, but wholy reuoked, repealed, and annulled for euer, to the punishment of them which so haue done decrite to the king, as they that be not worthy to enioy the effect and benefite of the letters patentes to them graunted in this behalfe. Anno 1. H. 4. cap. 6. See this statute explaned here 5.

Mention
Petition
Voyde

5 ¶ To take away all ambiguities that might rise by the darkenes of the former statute. 1. H. 4. (before 4.) Be it &c. that all they which from henceforth doe sue to the same our soueraygne Lord the king, to haue of him any grace or gifte peerely or in fee, or otherwise, shall make expresse mention in their petition, of howe much they haue had of the gift and graūt of ỹ noble king Edward, graundfather to our soueraygne Lord the king, or of Richard late king, or of Edwarde late Prince of Wales, or of John late Duke of Lancaster, father of our soueraigne Lord the king, or of the king him selfe, and not of any other progenitour

Peerely gift
Fee

or

or predecessour of ỳ same our soueraigne Lord. And he that maketh not such mencion in his peticion, his letters patentes made to him at the same tyme by our soueraigne lord the king, shalbe of no force nor effect. And moreouer as to the wordes that is to say (other profites) compysed in the sayd statute, our sayd soueraigne Lorde the King hath declared and graunted, that of no profits, giftes, goods, or cattels, or any other things, graunted or giuen by the same our soueraigne lord the king to any, to the valour of C.li. or within, except wardes and mariages, of which the king will that he, which so shall sue to him, shall make expresse mencion in his peticion of the valour of the same, none shall incurre the paine compysed in the sayd statute. And it is not ỳ kings minde, that for any confirmation, or licence made to any by our saide soueraigne Lord the King, of any liberties, fraūchises, annuities, or any other things, graūted by any of his progenitours, or predecessours, or other person, and not specified in any peticion, to be dem aunded, otherwise then aboue is declared, none shall incurre the paine of the sayd statute. And as to thother articles compysed in the saide statute, our soueraigne Lord will that they be firmely holdē and kept, and put in due execution. Anno. 2. Henrici. 4. capit. 2.

Mencion Peticion

Voyd

Wards Mariages

Waine

Confirmation

6 ¶ An. 4. H. 4. cap. 4. the king declared that he would abstaine from graunts of reuenues, lands, and wardships, but to such as had deserued, and they that asked any such, should be punished, & should not haue the thing.

Abstaine

Punish

7 ¶ Anno. 6. H. 4. cap. 2. it was enacted that the Queene nor the kinges sonne should not be restrayned by the statute of Anno 1. H. 4. cap. 6.

8 ¶ An. 7. H. 4. cap. 16. it was enacted that they that had the elder letters patentes or grauntes of annuities by H. 4. Ed. 3. or R. 2. should be first payed at the Eschequer. &c.

Payed Eschequer

9 ¶ Euery warrant hereafter sent by the same our Soueraigne Lord the king or his heires, to the Chauncelor of Englande for the time being, the day of the deliuery of the same to the Chauncelour shalbe entred of record in the chauncerie. And that the Chauncelour doe letters patentes to be made vpon the same warrant, bearing date the day of the sayd deliuery in the Chauncery, & not before in no wise. And if any letters patents be from henceforth made to the contrary, they shall be voyde and holden for none. Anno 18. H. 6. cap. 1.

Warrant

Chauncelor

Date

Voyde

10 ¶ Euery graunt, release, confirmation, and restitution, made & graūted by the king in fee simple, or fee tayle, to any person or persons after the iiii. daye of March, the first yere of his raygne, of any manour or manours, landes or tenements with their appurtenances, whereunto the sayde person or persons before the time of euery such graunt, release, cōfirmation, or restitution to him or them so made, had, in or to the same right or title, shalbe of such force and effect as they were before the beginning of the sayde parliament: Any act made or to be made in the same parliament, notwithstāding. Anno 7. E. 4. cap. 4.

Graunt Release Confirmation

11 ¶ The kinges highnesse of his goodnesse calling to his remembraunce, that where his grace hath graunted to diuers of his seruantes (for their seruice to his grace done) landes, tenements, fees, offices, and other things, to haue to them during his pleasure: and after, other persons by their sundry suites haue obtained of his highnesse, other letters patentes of the same, not aduertising his grace of his former grauntes, whereby the sayde former patentees haue bene auoyded and put from the aduauntage of their sayde former grauntes and patents contrary to the intent and graunt of our soueraygne Lord: Wherefore bee it &c. that if any person or persons, from henceforth doe make suite to the kinges highnesse for any landes, tenementes, offices, or any other thinges, so by his grace graunted, or hereafter to bee graunted to any person or persons during his pleasure, the sayde first patentee then being in life, that he doe expresse in his sayde bill of

During pleasure

Mention

petition

petition or patent the tenour of the saide former patent. And that the king then hath determined his pleasure against the said first patent, or else the second letters patentes of any of the premisses to any person hereafter to be graunted, be void and of none effect. An. 6. H. 8. cap. 9.

Void

11 ¶ Where the kings most excellent highnesse, sithen the fowerth day of Februarij, in the xxvii. yeare of his maiesties raigne hath obtayned and purchased, aswell by exchaunges, as by giftes, bargaines, fines, feoffements, recoueries, deedes enrolled, & otherwise, of diuers and sundry persons, many sundry and diuers honours, castelles, manours, lands, tenements, meadowes, pastures, woods, rents, reuersions, seruices, and other hereditaments, and hath not onely payed diuers and sundry great summes of money for the same, but also hath giuē and granted for & in consideration thereof, vnto diuers persōs late owners thereof, diuers and sundry manours, landes, tenementes, & hereditaments, and other recompences, in and for full satisfaction of all such honours, castelles, manours, landes, tenements, rents, reuersions, seruices and other his hereditaments by his highnes obtayned, purchased or had as is aboue sayd: Be it therefore &c. that our said soueraigne Lord the king, his heires and successours, shall haue, hold, possesse and enioy al and singuler ỳ same honours, castels, manours, landes, tenements, and other hereditaments, which his hignes, sith ỳ said fowerth day of February, in the xxvii. yeare aboue said, hath obtained and had, or at any time during the space of vii. yeres next ensuing the making of this present act, shall obtain, purchase or haue by way of exchāge bargaine, purchase, or other whatsoeuer meane or meanes, according to the true meaning & intēt of his highnes bargain, exchange or purchase therin, misrecitall, misnaming, or non recitall, or not naming of any of the said honours, castels, manours, landes, tenements, and other hereditaments, or of the true names or certainties of thē or any of them, comprised, or mentioned in the bargaynes or writings made betweene the kings highnes and any other partie or parties, or of any part or parcell thereof, or of any of the townes or Counties where the sayde honours, Castels, manours, landes, tenements, and hereditaments lye and bene, or any other matter or cause whatsoeuer it bee, in any wise notwithstanding. Saiing to all and euery person & persons, and to their heires, bodies politike & corporate, and their successors, and to euery of them, other then such person and persons, and their heires, and their wiues, & the wiues of euery of them, bodies politike and corporate, and their succellours, and euery of them, of whome the kinges highnesse hath obtayned by exchaunge, gift, bargaine, fine, feoffement, recouery, deede enrolled, or otherwise, or at any time hereafter during the sayd vii. yeeres next comming, shal obtayne, purchase, or haue any such honours, castels, manours, landes, tenementes, and other hereditaments, as is afore sayd, all such right, title, vse, interest, possession, rentes, charges, annuities, commodities, fees, or other profits, (rentes seruices, and rentes seckes onely except) which they or any of them haue, might, or ought to haue had, in or to the premisses so obtained and had, in or to any parcell thereof, in as ample and large maner, forme, and condition, to all intents, constructions & purposes, as if this act had neuer bene had ne made: This present act or any thing therein cōtayned to the contrary notwithstanding. And where also our said soueraigne lord the king, sithen the said fourth day of Februarij, in the sayd xxvii. yere of his Maiesties raygne, aswell vpon diuers and sundry good considerations, his Maiestie specially mouing, as also otherwise, hath bargayned, solde, exchanged, giuen and graunted by his graces seuerall letters patentes, indentures, or other writings sealed vnder his highnesse great seale of England, the seale of his Duchy of Lancaster, & the seale of the office of the court of Augmentations of the reuenues of his crowne, or any of them, aswell to bodies politike

Exchaunge
Bargaine
Purchase

Misrecitall
Misnamed
Nonrecital

Bodies politike

Kent seruice
Kent seckes

Solde
Giuen

Seale
Lancaster

Augmentation

politike

politike and corporat, as to diuers and sundry other of his louing and obedient subiectes, diuers and sundry honours, Castels, manours, monasteries, abbathies, priories, lands, tenementes, rents, reuersions, seruices, parsonages appropriated, aduowsons, tythes, oblations, pencions, porcions, fraunchises, priuiledges, liberties, offices, and other hereditamentes, commodities, and profits in fee simple, fee taile, for terme of life or liues, or for terme of yeres, as in the same seueral letters patentes, indentures and other writings is mencioned & declared. And where also the kings maiestie heretofore sithen the said iiii. day of Februay, by his seueral letters patētes, sealed vnder the said great seale of England or otherwise, of his accustomable goodnesse, hath newely erected, ordayned and made diuers Bishoppes, deanes and chappiters, colledges, and other bodies politike & corporate, and hath by his seuerall letters patentes sealed vnder the sayd great seale of England, giuen and graunted aswel vnto them, as to diuers other bodies politike and corporat and to their successours, by such name or names as they then were, be or now stand corporat, diuers manors, landes, tenementes, parsonages, tythes, pencions, porcions, aduowsons, nominations, presētations, and other hereditamēts, and such or like liberties and iurisdictions in the same manors, landes, and tenementes, mencioned in any of the same letters patētes, as he to whom any such letters patentes were or be made or graunted, or his predecessors before had or enioyed in the manors, lands, tenementes, and hereditamēts, departed or appointed to the king, or such as any the late abbot or priour of any late monasteries or priories, or other person or persons whatsoeuer, or any of them mēcioned in any of the said letters patentes, lawfully had, exercised, vsed or enioyed within the said castels, manors, landes, tenementes and hereditaments, mencioned in any of the said letters patentes, in auoyding, disturbing, hurting, or hindering of diuers of the said seuerall

Bishops Deanes Bodies politike

letters patentes, indentures, and other writings, & of the manours, landes, tenements, hereditaments, and other things in them contained, sundry and many ambiguities, doubtes, and questions haue or might hereafter happen to be moued, obiected, alleaged, inuented, procured or stirred, aswel for misnaming, mistrecitall or non recital, of any of the same honors, castels, manors, monasteries, abbathies, priories, landes, tenementes, and other the premisses, or any parcell thereof, or for lacke of finding of offices, or inquisitions of and in the premisses, whereby ỳ title of ỳ kings highnesse therein ought to haue bene found, before the making of the same letters patents, or other writings, or for misrecital or non recitall of leases thereof before made, as well of record as not of record, or for lacke of the certayntie, miscasting, rating or setting forth of the peerely values and rates of the premisses or of the peerely rentes reserued of and for the premisses, or any parcell thereof mencioned or contayned in any of the said letters patentes or other writings, or for that the premisses be, or any part thereof is valued to a more or lesse value in the sayde letters patentes or writings, then the sayd manours, landes, tenementes, and other the premisses then were or shalbe in the peerely value: or for misnaming of the Townes, Hamlettes, Parishes, or Countis, where the same Honours, Castels, manours, monasteries, Abbathies, priories, landes, tenements, rentes, hereditamēts, and other the premisses, and euery parcel thereof, or any parcell thereof, lyen or bene: or for lacke of the true naming of ỳnatures, kinds, sortes, or quantities of ỳ saide possessions, or hereditamentes, or any parcell thereof: or for lacke of the true meaning of the corporation of the same: or for lacke of attornement, liuerie of seyson, or for misnaming of any the late tenauntes or fermours of the same so soulde, giuen, or exchanged. For remedy and reformation whereof, be it &c. that aswell all and euery the sayde letters patentes, indentures

Doubtes
Misnaming Mistrecital Nontrecital
Offices
Mistrecital Nontrecital Leales
Miscasting Peerely value
Rents
Misnaming
True naming Quantitie
Attornement Liuerie of seyson Misnaming

indentures and other writings and euery of them, sealed with or vnder the seale or seales aboue said, or any of them, made or graunted by the kings highnesse sithe the sayd iiii. day of February in the saide xxvii. yeere of his most noble raigne, as also all and singuler his graces letters patents, indentures and other writings hereafter, during the space of seuen yeres next ensuing the making of this present act to be had, made or graunted with or vnder any of the seales aboue saide to any body politike or corporate, or to any other person or persons, of any honours, castels, mannours, monasteries, abbacies, priories, nunries, colledges, hospitalles, houses of friers, or of other religious or ecclesiasticall houses or places, sites, circuites, precinctes, landes, tenementes, parsonages, tithes, pencions, porcions, aduowsons, nominations, presentations, franchises, liberties, and other hereditaments, commodities, possessions, and profites, of what kind, nature, or qualitie soeuer they or any of them be, is or shalbe, or by what soeuer name or names they or any of them be, is or shalbe named, knowen, or reputed, shall stand and be good, effectuall, and auailable in the lawe to all intents, respects, constructions and purposes, against his maiestie, his heires and successors, without any confirmation, licence, dispensation, or tolleration of the kings highnesse, his heires or successours, or of any other person or persons whatsoeuer, any the cause or matters aboue mencioned, contayned, or hereafter during the sayd vii. yeares, to be contayned in any such letters patents, indentures or other writings, to ꝑ contrary in any wise notwithstanding.

vii yeres

Effectual

Confirmation Licence Dispensation

Prouided alway, and be it &c. that all and singuler such letters patents, which at any time heretofore sithen the xxviii. day of Aprill, in ꝑ xxvi. yere of our sayd soueraigne lords raigne haue bene graūted or made, or hereafter shalbe made by the kinges highnesse, to any person or persons, of any office of keeping of any castel, blockhouse, parke, chase, forest, or keeping of any manours or mansion place, house or houses, with an annuall fee, or other yeerely profites, for the exercising of the same, and after the said castel, blockehouse, mannour, mansion place, house or houses, parke, chase, or forest happen to be fallen downe, departed, disforested, or distroyed, so that the cause of the exercising of such office is determined: that then the letters patents of graunt of the same office and offices, with the fee and fees, or other profites for the exercising of the same, shalbe from thencefoorth clerely determined, and stand and remaine as void for euer: Any thing in this act contayned to the contrary notwithstanding.

Office

Keepers

Void

Prouided also, that this act, or any thing therein contayned, shall not in any wise extend to reuiue, or make good any letters patents of the graunt of any office or offices, heretofore graunted or made by our saide soueraigne lorde the king, which now is, or be, or at any time heretofore haue bene annihilated, determined or made voyde, by authoritie of Parliament, iudgement, decree, or otherwise, any thing in this act contained to the contrary notwithstanding.

Prouided alway, and be it &c. that all and singular such patentees, graūtees, & donees, as at any time frō hēcefoorth during the saide seuen yeeres nowe next cōming, shal fortune to haue or obtaine any castels, mannours, landes, tenements, tithes, pencions, porcions, or other hereditamens, of ꝑ gift, graūt, sale or exchange of the kings maiestie, or of the onely gift of the kings maiestie, of his most liberall disposicion, & not solde, which at the day of the date of the letters pattents thereof made, shalbe of more or better yeerely value to the king, in yeerely rent or ferme, then shalbe contayned, mencioned or specified in any such letters patents, and particulars thereof made by the auditour or auditours, and in such bill or billes, as shalbe signed and sealed with the hand or handes of the patentee or patentees thereof, to be exhibited to the kings maiestie,

Gift Graunt Sale Exchange

Better value

ieſtie, or his officers within whoſe ſuruey the ſaid manours, landes, and tenementes, and other the premiſſes, or any part thereof ſhal be, or within any of thē, which bill ſhalbe ſigned, ſealed, had and made as is aforeſaid before any bill ſhalbe thereof ſigned by the kings maieſtie, that then euery of ỳ ſaid patentees, grauntees, and donees, their heires, executors, or adminiſtratours with in one yere next after due proofe and decree thereof made and had in ỳ court, within whoſe ſurney the ſame caſtles, manours, landes, tenements, and other the premiſſes, or any parcel thereof then ſhal be, ſhall content & pay vnto ỳ king, for the ſame ouerplus & more value for ỳ ſame manors, landes, tenementes, tithes, pencions, portions and other hereditaments to him ſolde or exchanged, after ſuch rate as the other landes and tenemēts were before to him ſold or exchanged: And for the ouerplus and more value of ſuch landes and tenementes, as ſhall happen to be giuen by the kinges maieſtie, and not ſold as is abouesaid, the ſaide patentee his heires, executours or adminiſtratours, ſhal content and pay to the king after the rate of twenty peres purchaſe, ſo that the ſame proofe & decree be had & made in forme abouesayd, within ten peres next after ỳ date of the ſayd letters patentes.

Bill

One pere

Court

Ouerplus

20. peres purchaſe

Prouided alwaies, that this act nor any prouiſion, clauſe or article therein cōtayned, ſhall not be vnderſtande or interpreted to be hurtfull or preiudicial to any the kings letters patentes, indētures or writings heretofore made concerning any bargaines, couenants, ſales, grantes, exchanges, or giftes of any caſtles, manors, landes, tenements or other hereditamentes in fee ſimple, or in fee taile, ſithen the fowerth day of February, in the ſeuen and twentieth yere of his maieſties raigne, and before the xxviii. day of Aprill, in ỳ xxxiii. yere of his ſaide highneſſe raigne, vnder any of the ſeales aboue ſpecified in this act: nor to any act or ſtatute heretofore made for the corporation of any ſuch letters patentes, indētures or writing. An. 34. H. 8. cap. 21.

Fee ſimple
Fee taile

13 ¶ Where the kinges moſt excellent highneſſe ſithen the eyght and twentie day of January, in the firſt yere of his Maieſties raigne, aſwel vpon diuers and ſundry good conſiderations, his maieſtie ſpecially moouing, as alſo otherwiſe, hath bargayned, ſolde, exchaunged, giuen, reſtored and graunted by his graces ſeuerall letters patents, indentures, or other writings, ſealed vnder his highnes great ſeale of England, the ſeale of the Duchy of Lancaſter, and the ſeale of the court of Augmentations and the reuenues of his crowne, or any of them, aſwell to bodies politike and corporat, as to diuers & ſundry of his louing & obedient ſubiects, diuers & ſundry honours, caſtels, manours, landes, tenements, rents, reuerſions, ſeruices, parſonages appropriated, aduowſons, tithes, oblations, pencions, portiōs, fraunchiſes, priuileges, liberties, & other hereditaments, commodities & profits, in fee ſimple, fee tayle, for terme of life or liues, or for terme of peres, as in the ſame ſeuerall letters patēts, indentures, and other writings is mencioned & declared. In auoyding, diſturbing, hurting, or hindering of the ſayd ſeuerall letters patēts, indentures, and other writings, and of the ſayd manours, landes, tenements, hereditamentes, and other thinges in them cōteined, ſundry and many ambiguities, doubts and queſtions haue or might hereafter happen to be moued, obiected, alleaged, inuented, procured, or ſtirred, as wel for miſnaming, miſrecitall, or non recital of any of the ſame honours, caſtels, manours, lands, tenements, & other the premiſſes, or any parcell thereof, or for lacke of finding of offices or inquiſitiōs, of and in the premiſſes, whereby the title of the kinges highneſſe therein ought to haue bene found before the making of the ſame letters patentes, or other writings, or for miſrecitall or non recitall of leaſes theretofore made, as well of record as not of record, or for lacke of the certeintie, miſcalling, rating, or ſetting forth of the perely values and rates of the premiſſes, or for the perely rentes reſerued, of and for the premiſſes, or any parcell thereof mencioned,

Terme of life
Peres

Doubts

Miſnaming
Miſrecitall
Non recital

Offices

Miſrecitall
Non recitall
Leaſes
Lacke of certeintie

Rentes

mencioned, or contayned in any of the said letters patentes, or other writings, or for that the premisses be or any part thereof is valued to a more or lesse value in the saide letters pattents or writings then the said honours, manours, landes, tenements, and other the premisses, then were or shalbe in verely value, or for misnaming of the Townes, Hamlets, parishes or counties, where the same honors, castels, manors, landes, tenementes, rentes, herditaments, and other the premisses, and euery parcell thereof, or any parcell thereof lyen or beene, or for lacke of the true naming of the natures, kindes, sortes and quantities of the said possessions, or herditaments or any parcell thereof, or for lacke of the true naming of ꝑ corporatie of ꝑ same bodies politike, or corporate, or for lacke of attornement, liuerie or seisin, or for misnaming of any of the late tenauntes or fermours of the same premisses so solde, giuen, graunted or exchaunged, as for diuers and sundry other suggestions and surmises not compised in the saide letters patentes, which hereafter might happen to be moued, surmised, or procured, against the same letters patentes: For remedy and reformation whereof, be it &c. that as well all & euery the sayde letters patentes, indentures, and other writings, and euery of them sealed, with or vnder the seale or seales aboue named, or any of them made or granted by the kinges highnesse, sithence the xxviii. day of January last past, as also all & singuler his graces letters patentes, indentures and other writinges hereafter during his highnesse life (which our lord long cõtinue) to be had, made, or graunted with, or vnder any of ꝑ seales abouesaide to any body politike or corporat, or to any other person or persons, of any honours, castles, manours, landes, tenementes, rentes, reuersions, seruices, personages, tythes, pencions, porcions, aduowsons, nominations, presentations, franchises, liberties & other hereditamẽts, cõmodities, possessiõs, & profites, of what kinde, nature, or qualitie soeuer they or any of them be, is, or shall be, or by whatsoeuer name or names they or any of them be, is, or shalbe named, knowen, or reputed, shal stande and be taken, reputed and iudged good, sure, perfect, effectuall, and auaileable in the law, during the states in them limitered and specified to all intentes, respects, constructions, & purposes against the king, his heires and successors, without any confirmation, licence, dispensation, or collation of the king, his heires or successours, any the causes or matters aboue mentioned, conteined, or hereafter during his sayd highnesse life to be cõtrieued, had, or made in any such letters patentes, indentures, or other writings by the king our Soueraygne Lorde to the contrary, in any wise notwithstanding.

Provided alway that this acte, ne any thing therein contayned, shall not in any wise extende to reuiue, or make good any letters patentes made of any office or offices to any comptroller, customer, alneger or searcher, ne to any letters patents of the graunt of any other office or offices, heretofore graunted or made by our sayd soueraigne Lorde the king, which nowe is or be, or at any time heretofore haue bene annihilated, determined or made voyd by iudgement, by authoritie of Parliament or decree, nor to any patent to be made to any person or persons for terme of yeres, or during the minoritie of an heire, of or in any manours, landes, or tenementes, whereof any trauers hereafter shall bee tendred within thee moneths after any office found and certified into any of the kings courtes of record, ne to any leases or graunctes of any manours, lands, or tenements of our sayd soueraigne Lordes hereafter to bee made, vnder any of ꝑ seales of the courts aforesayd, contrary to the limitation, ordinance, prouision, establishment, and authoritie of the same courts, any thing in this act contayned to the contrary notwithstanding.

Provided also and bee it &c. that this act, nor any thing therein contayned, shal not extende to make any letters patentes of any office or offices, to be of any other effect,

Value

Misnaming

Natures

Quantities

Corporation

Attornement

Liuerie of seison

Good

Effectuall

Reuiue

Offices

Comptroller

Customer

Aulneger

Serecher

Terme of yeres

minoritie

Trauers

Leases

Offices

effect, force, or strength then the same letters patentes were or should haue bene before the making of this act.

Prouided alway and be it &c. that all and singuler such patentees, grantees, donees, as any time hereafter during the life of our saide soueraigne Lord, (which almighty God long preserue) shall fortune to haue or obtaine any Castles, manors, landes, tenementes, tythes, pencions, porcions, or other hereditamentes of the gift, graunt, sale, or exchange of the kinges maiestie, or of the only gift of the kinges maiestie, of his most liberal disposition, and not solde, which at ỳ day of the date of the letters patentes thereof made, shalbe of more or better perely value to the king in perely rent and ferme, then shalbe contayned, mencioned, and specified in any such letters patentes, & particulers thereof made by the particuler surueiour or surueiours thereof, and in such bill or billes, as shalbe signed and sealed with the hand and hands of the patentee or patentees thereof to be exhibited to the kinges maiestie, or his officer or officers, within whose suruey the said manours, landes and tenementes, and other the premisses, or any part thereof shalbe, or within any of them, which bill shalbe signed, sealed, had and made as is aforesaide, before any bill shalbe thereof signed by the kinges maiestie, that then euery of the sayd patentees, grauntees, and donees, their heires, executours, and administratoures, within one pere next after due proofe and decrees thereof made and had in the court within whose surucy the same castles, manors, landes, tenementes and other the premisses, or any parcell thereof, before the saide giftes and grauntes were, shall content and pay to the king for the same ouerplus, and more value of the same manours, landes, tenementes, tithes, pencions, porcions, and other hereditamentes, to him solde or exchanged, after such rate, as other landes and tenements were before to him solde, or exchanged, & for the ouerplus and more value of such landes & tenementes as shall happen to be giuen by the kings maiestie, and not solde, as is aboue said, the sayde patentee his heirs, executors, or administrators shal content and pay to the king after the rate of twenty peres purchase, so that the same proofe and decree be had and made in maner and forme aboue saide, within ten peres next after the date of the saide letters patentes. An. 1. Ed. 6. capit. 8.

Gift
Sale
Exchang

Value

Bill

One pere

Ouerplus

Pay 20. peres purchase

14 Whereas in the Session of the parlement holden vpon prorogation at Westminster the xxii. day of Januarp in the xxxiii. pere of the raigne of the late king of famous memorp king H. the eight, & there continued and kept vntill the xii. day of May in the xxxv. pere of ỳ raigne of ỳ saide late king, amongs diuers and sundrp, and many statutes, there was then one statute made for the confirmation of letters patentes notwithstanding any misnaming, mispriision or misrehersall or any other default contayned, or rehersed in ỳ same act: wherein it was prouided & enacted by the authoritie of the same parliament, ỳ all & singuler such patentees, grantees, and donees, as at any time from the making of the same statute, during vii. peres then next following should fortune to haue, or obtaine any Castels, manors, landes, tenementes, tithes, pencions, porcions or other hereditaments of the gift, grant, sale, exchãge of ỳ kings maiestie, or of ỳ onely gift of ỳ kings maiesty of his most liberal disposition, & not sold, which at ỳ day of ỳ date of ỳ letters patentes thereof made, shal be of more or better perely value to ỳ king in perely rent & ferme, then shal be cõtayned, mẽcioned, & specified in any such letters patentes, & particulers thereof made by ỳ auditor or auditors, & in such bil or billes, as should be signed & sealed wỳ hand or hands of ỳ patentee or patentees thereof to be exhibited to the kings maiestie, or his officer or officers, wỳ in whose surucy ỳ said manors, lãds & tenements, & other the premisses, or any part thereof shalbe, or within any of thẽ, which bill shall be signed, sealed, had and made as is aforesaid, before any bil should be therof signed by the kinges maiestie, that

Misnaming
Mispriision
Mistreatal

7. peres

Value

Bill

that then euery of the saide patentees, grauntees, and donees, their heires, executors, or administratours, within one yere next after due proofe and decrees thereof had and made in the Court, within whose suruey the same castles, manours, landes, tenementes and other the premisses, or any parcell thereof then should be, should content and pay vnto the king for the same ouerplus, and more value for the same manours, landes, tenementes, tythes, pencions, porcions, & other hereditamentes to him solde or exchanged after such rate, as ỳ other landes and tenementes were before to him sold, or exchanged, and for the ouerplus, and more value of such landes & tenementes, as should happen to be giuen to ỳ kings maiestie, & not solde, as is aboue said: the sayd patentee, his heires, executours or administratours should content and pay to the king after the rate of twētie peres purchase. So that the same proofe and decree were had and made in forme aboue saide within tenne peres next after the day of the sayd letters patentes, as by the statute more at large it doth and may appeare. And also where as in the Parliament begunne at Westminster in the fourth day of Nouember, in ỳ first yere of ỳ raigne of our most dread soueraigne lorde the king that nowe is, King Edward the first, and from thence continued to ỳ twentie fourth day of december then next ensuing, that is to say, that first session of the same parliament, amongst diuers and sundry statutes, there was then also one other statute made for the confirmation of letters patentes, notwithstanding any misnaming, misrehersal or any other default, contained or rehersed in the same act: wherein it was also prouided and enacted by the auctoritie of the same Parliament, that all and singuler such patentees, grauntees and doners, as at any time after the said Parliament, & during the life of our said soueraigne Lord King Edward ỳ first, should fortune to haue or obtayne any castles, manors, landes, tenementes, tithes, pencions, porcions, or other hereditaments of the gift, graunt, sale or exchaung of the kings maiestie, or of the onely gift of the kings maiestie of his most liberall disposition, and not sold, which at the day of the date of the letters patentes thereof made, shoulde bee of more or better yerely value to the king in yeerely rent and ferme, then shoulde bee contayned, mencioned and specified in any such letters patentes, and particulares thereof, made by the particuler surueiour or surueiours thereof. And in such bil or billes, as should be signed and sealed with the hand or handes of the patentee or patentees thereof to be exhibited to the kinges maiestie or his officer or officers, within whose surueigh the said manours, landes and tenements, and other the premisses, or any part thereof should be, or within any of them, which bill should be signed, sealed, had and made, as is aforesaide, before any bill should be thereof signed by the kings maiestie: That then euery of the saide patentees, grauntees, and donees, their heires, executors, and administratours, within one yere next after due proofe and decrees thereof made, and had in the Court, within whose suruey the same Castles, manours, landes, tenementes, and other the premisses, or any parcell thereof before the saide gifts and grauntes were, should content and pay to the king for the same ouerplus, & more value of the same manours, landes, tenementes, tithes, pencions, porcions, or other hereditaments, to him solde and exchanged, after such rate as other landes, and tenementes were before to him sold, or exchanged, and for the ouerplus and more value of such lands and tementes, as should happen to be giuen by the kinges maiestie, and not solde as is aboue said, the saide patentee, his heires, executours or administratours, should content and pay to the king after the rate of twēty peres purchase, so that the same proofe and decree were had and made, in maner and fourme aforesaid, within ten peres next after the date of the saide letters patentes, as by the same Statute more at large it doth and may appeare:

Sithence

Pay ouerplus

20. peres purchase

10. peres

Misnaming misrecital

Walue

Pay ouerplus

One yere

20 peres purchase

Sithence the making of which statutes, diuers of the saide patentees, graunteés, and donees, accoꝛding to the rule, meaning and intent of the saide statutes, and pꝛouisions of the same, haue by their bils seuerall, signed and sealed with the hands and seales of the said patentees exhibited to the Kings maiestie, oꝛ to his officer mencioned in the said seuerall actes, and pꝛouisions, beforе the same bill were signed by the said late king, oꝛ by the kings highnesse that noẅ is, which billes so signed by the saide patentees, some time by the negligence of the same officers, oꝛ their clerkes, sometimes by the death of the same officers, and sometime by the alteration and chaunge of the said officers, many of the said billes so signed & sealed, bene noẅe by negligence imbeseled, and lost, and many times there haue bene no such billes made, but omitted and foꝛgotten, by reason whereof diuers questions, ambiguities and doubts may arise, aswel foꝛ the kings suerties and satisfaction, as foꝛ the patentees, their heires and assignes: Foꝛ the auoyding of all which ambiguities, questions, and doubts: Be it &c. that as well all and singuler letters patents, made by the said late king, as by the kings maiestie that noẅ is, sithence the making of the sayde seuerall statutes and acts, oꝛ that hereafter shalbe made by our said Soueraigne loꝛd the king that noẅ is, during his life, (whose life God long pꝛeserue) shalbe good and effectuall, to all and euery patentee, their heires and assignes, the lacke oꝛ want of any such bill oꝛ billes, oꝛ whether the particuler oꝛ particulers were had oꝛ made, oꝛ hereafter to be had oꝛ made by any the kings auditour oꝛ auditoꝛs, surueiour oꝛ surueioꝛs, in any wise notwithstanding.

Bill Particulers

Auditour Surueiour

And that the same patentees, graunteés and donees, their heires & assignes, and euery of them, shall from henceforth haue and take all and singuler such pꝛofites, benefites, commodities and auauntages mencioned in the sayd seuerall statutes, as though the sayd billes had bene signed and sealed, and were ready to bee shewed accoꝛding to the true intent of the said statutes oꝛ any of them.

And to the intent the king shalbe truely answered of the ouerplus of the yerely value of the said manours, Lands, Tenements and hereditaments conteyned, oꝛ to be conteined, in any such Letters Patents as is afoꝛesaid, accoꝛding to the true meaning of the said act oꝛ acts, and the pꝛouisions of the same:

Be it enacted by the authoꝛitie afoꝛesaid, that al and singuler such Patentees, graunteés, and donees, as at any time from the making of the sayd seuerall statutes haue obtayned oꝛ gotten, oꝛ hereafter shall obtaine oꝛ get, any Castels, mannours, Lands, Tenements, Tithes, Pentions, poꝛcions, oꝛ other hereditaments of the gift, graunt, Sale, oꝛ exchaunge of the saide late king, oꝛ of the king that noẅe is, oꝛ of the onely gift of the sayde kings oꝛ any of them, of his oꝛ their most liberal disposition, oꝛ of any of them, and not sold, which at the date of the Letters patents thereof made, oꝛ hereafter to be made, shalbe of moꝛe, oꝛ better yerely value to the saide late king, oꝛ to the king that noẅe is, in yeerely rent and ferme, then is, oꝛ shalbe contained, mencioned, oꝛ specified in any such Letters Patents, oꝛ particulers thereof made by the sayde Auditour oꝛ Auditours, Surueiour oꝛ Surueiours, oꝛ other officers, that then euery of the sayde patentees, graunteés and donees, their Executoures and Assignes, within one yeere next after due pꝛoofe and decree thereof made and had in the Court, within whose surueie the same Castels, Mannours, Lands, Tenements, and other the Pꝛemisses, oꝛ any parcell thereof then were oꝛ shalbe, shall content and pay to the king foꝛ the same ouerplus, and moꝛe value of the same Mannours, Lands, Tenements, Tithes, pencions, oꝛ other hereditaments, to him oꝛ them sold oꝛ exchaunged, oꝛ hereafter to be sold oꝛ exchaunged, after such rate as the other lands, and tenements were beforе to him sold, oꝛ exchaunged, oꝛ that hereafter shall bee so solde oꝛ exchanged, and foꝛ the ouerplus and moꝛe value of such lands and tenements, as should hap-

Sale Exchange

Gift

Value Rent

One yere

Ouerplus

pen to be giuen by the sayde late king, or the kings maiestie that nowe is, or that hereafter shalbe giuen by the king that nowe is, and not sold as is abouesaid, the sayd patentee and patentees, and his and their heires, executours, and assignes, shall content and pay to the king after the rate of twenty peres purchase, so that the same proofe, and decree be or shalbe made, in forme aforesaid, within sixteene yeeres next after the date of such, and the same letters patents made or to be made, in forme aforesaid.

Pay 20. peres purchase

Prouided alwayes and be it &c. that this act or any prouision therein contained, shall not in any wise extend to confirme, ratifie or make good any Lease or leases made, or hereafter to be be made for tearme of life, lines or yeres, whereupon the olde and accustomed rentes, or more, be not, or hereafter shall not be reserued and yerely payable, during the time and terme of the sayd Lease and leases, nor to any Lease or Leases made in reuersion of any part or parcell of any Manours, Lands, Tenements, or Hereditaments parcell of the Duchy of Lancaster, or within the surney of the same Duchie. Prouided also, and be it &c. that this act nor any thing therein contained, shall extend to confirme, ratifie or make good any Letters Patents heretofore made, or hereafter to be made of estate of enheritance by any king or kings of this Realme, but to such Letters Patents as were made by the sayde late king Henrie the eight, sithence the sayde fourth day of Febuarie in the saide xxvii. yeere of his raigne, or hath bene, or hereafter shalbe made by the kings maiestie that nowe is during his life (which God long preserue) any thing or matter conteined in this act, or any of the prouisions before rehearsed, to the contrarie thereof in any wise notwithstanding. And where also the late king of famous memory Henrie the eight, and also our Soueraigne Lord the kings maiestie that nowe is, as well by diuers bargaines and sales for diuers great summes of money, as by giftes, exchaunges, or otherwise, haue giuen and

Lease

Rents

Lease in reuersion

granted by their seuerall letters patents, vnder the great Seale of England, or vnder the great Seale of the Duchie of Lancaster, diuers manours, lands, tenements, or other hereditaments with the appurtenances to diuers and sundry their louing Subiects of any estate of enheritance to hold in Socage only, and not in capite for al maner of seruices, and without reseruation of any tenthes or rents in the same letters patents, as by the same seuerall Letters Patents may appeare. And for as much as by certeine statutes heretofore made, doubtes and ambiguities may rise vpon such letters patents, for lacke of tenure in Capite, or reseruations of tenthes or rents which might be hereafter to the vnquietnesse of such patentees, their heires assignes or successors, contrarie to the intents and mindes of the said late king, and of our said soueraigne lord the kings maiestie that nowe is, for the auoyding of all doubts and ambiguities, & for the quietnes of the kings louing subiects: Be it also enacted and established by the authoritie aforesaid, that all letters patents sealed, or hereafter to be sealed with the great seale of England, or with the great Seale of the Duchy of Lancaster, shalbe good, perfect, and auailable in the lawe to all intentes and purposes, according to the saide letters patents, the nonage of our Soueraigne Lorde the Kings maiestie that nowe is as Duke of Lancaster, albeit alwaies as king he is of full age, or any act, statute, or lawes for or concerning any tenures or reseruations of rents or tenthes, to the contrary notwithstanding. Sauing to al and euery person and persons, bodies politike and corporate, their heires, successours, executours, and assignes, and to euery of them other then the kings maiestie, his heires and successours, as kings of this Realme, or as Dukes of Lancaster, all and euery such rights, titles, Leases, condicions, rents & interests whatsoeuer, as they or any of them should, ought, or might haue had, if this acte had neuer bene had or made: this act or any thing therein contained to the contrary in any wise

Lancaster

Socage

R. nonage

Dukes of Lancaster

wise notwithstanding. An. 7. Ed. 6. ca. 3.

¶ Where sithen the vii. day of July, in the first yere of the Queenes maiesties raigne, diuers and sundry honours, Castels, mannours, lands, tenements, rents, reuersions, seruices, and other hereditaments haue bene conueied and assured to her highnesse, her heires and successors, by or from diuers and sundry persons and bodies politike, aswell for the discharge and satisfaction of great debts, and summes of money, as for other good considerations, for the perfect assurance, confirmation and further suertie whereof &c. Be it enacted, that all feoffements, fines, surrenders, assurances, conueyances and estates in any wise conueyed, had or made, to or for our saide Soueraigne Lorde and Lady the king and Queenes maiesties, or to or for our said soueraigne Lady the Queene, by or from any such person or persons, bodies politike or corporat, of any such honors, castels, manors, lands, tenements, rents, reuersions, seruices, or other hereditaments for any debt, summe or summes of money, or other consideration whatsoeuer, shal stand, remaine, and be good and auaileable in the lawe to all intents, constructions and purposes, according to the true meaning, intent and purport of the same: Sauing to all and euery person and persons, and to their heires, bodies politike and corporate, and to their successours, and euery of them, other then such person or persons, and their heires and wiues, and euery of them, bodies politike and corporat, and their successours, and euery of them, of or from whom the king and Queenes highnesse, or the Queenes highnesse onely hath obtayned or purchased the sayde premisses, or any parcell thereof by exchange, gift, bargaine, fine, feoffement, recouery, deede inrolled, or otherwise, all such right, title, interest, vse, possession, rents, reuersions, remainders, offices, fees, commons, profits and commodities whatsoeuer, which they or any of them haue, might or ought to haue had of, in, or to the premisses, or any part thereof, in as large and ample maner, forme and condition, to all intents, constructions and purposes, as if this act had neuer bene had ne made: This present acte or any thing therein contayned to the contrarie notwithstanding. And where aswell our sayde Soueraigne Lorde and Lady, as our sayde Soueraigne Lady the Queenes highnesse, sithen the sayde seuenth day of July, in the first peere of her maiesties raigne, aswell for diuers and great summes of money, as also for diuers and sundry other considerations, haue and hath bargained, solde, giuen and graunted by their or her graces sundry letters patents, Indentures or other writings, sealed vnder the great Seale of England, or the Seale of the Duchy of Lancaster, as well to bodies politike and corporat, as to diuers & sundry other their louing and obediente subiects, diuers and sundry honours, castels, manours, lands, tenements, rents, reuersions, seruices, and other hereditaments in fee simple, fee taile, or for terme of life, liues, or yeres, as in the same seuerall letters patents, indentures and other writinges is mencioned and declared. And to the intent the same letters patents, Indenturs, and other writings, should be of good, auailable, and perfect force and effect to all and euery her highnesse louing subiects, according to the true meaning and effect of the same: Be it enacted and established, that as well all and singuler Letters patents, Indenturs, and other writings sealed vnder the great Seale of England, or vnder the Seale of the Duchy of Lancaster, and heretofore made or graunted by our saide Soueraigne Lord and Lady the king and Quene, or by our sayd soueraigne lady the Queene for any summes of money, or for and vpon any other considerations, as all other Letters patents hereafter to be made by our said Soueraigne Lorde and lady for any summe or summes of money during the space of vii. yeres next ensuing ỹ making of this act to any body politik or corporat, or to any other person or persons whatsoeuer, of any honours, castels, manours, Lordships, Graunges, Meses, Lands,

Feoffments Fines Surrenders

Bodies politike

Tenementes, Meadowes, Paſtures, Rentes, Reuerſions, Seruices, Woods, Aduowſons, Nominations, patronages, Annuities, Rights, Intereſts, Entities, Conditions, Leetes, Courtes, Liberties, Priuiledges, franchiſes, or of any other hereditaments with their appurtenances, or of any part or parcell of them, ſealed with or vnder the great Seale of England, or vnder the Seale of the Duchy of Lancaſter, of whatſoeuer kind, nature, or qualitie, they or any of them be, or ſhall be reputed knowen or taken with their appurtenances, or any part or parcell of them, ſhalbe good, perfite, and effectuall in the Lawe, and ſhall ſtand, be taken, reputed, deemed and adiudged good, perfect, ſure, auaileable and effectuall in the Lawe, as well againſt the Kinge and Queenes maieſtie, as againſt ỳ Queene, her heires and ſucceſſours, according to the tenour of the ſayde Letters Patents, the ſame to be expounded, conſtrued, deemed and iudged moſt beneficiall for the patentees and graunctes of the ſame, according to the woords and purpoſe of euery of the ſayde Letters Patents without any confirmation, licence, or tolleration of the Queene, her heires or ſucceſſours, any miſnaming, miſrecitall or non recitall of any the ſame honours, caſtels, manours, lands, tenements and other the premiſſes, or any parcell thereof, or any lacke of finding of offices or inquiſitions, of and in the premiſſes, whereby the title of the Queenes highnes therein ought to haue bene found before the making of the ſame Letters Patents or other writings, or any miſrecitall or non recitall of Leaſes thereof before made, as well of Record as not of Record, or any lacke of the certaine miſcalling, rating or ſetting forth of the yearely value and rate of the premiſſes, or of the yearely rents reſerued of and for the premiſſes, or any parcell thereof mencioned or contained in any the ſayd Letters patents or other writings, or for that the premiſſes be, or any parcel thereof is valued to a more or leſſe value in the ſaid Letters Patents or writings, then the ſayde Manours, Landes, Tenements, and other the premiſſes, then were or ſhalbe in perely value, or any naming of the Townes, Hamlets, Parſhes, or Counties where the ſame Honours, Caſtels, Manours, Lands, Tenements, Rents, Hereditaments, and other the premiſſes, and euery parcell thereof, or any parcell thereof lien or bene, or any lacke of the true naming of the Landes, Tenements or Hereditaments, or of the natures, kinds, ſoits or qualities, of the ſayd poſſeſſions or hereditaments, or any parcell thereof, or any lacke of the true naming of the corporation, or any lacke of attornement, liuery or ſeiſon, or any miſnaming of any the late Tenauntes or Fermours of the ſame ſo ſold or giuen notwithſtanding.

False naming
Natures
Corporation
Attornement
Liuery
Seiſon
Miſnaming

Prouided, that this act, nor any thing therein contained, ſhall not extend to make any letters patents of any office or offices, to be of any other effect, force, or ſtrength then the ſame Letters Patents were or ſhould haue bene before the making of this Act. Prouided, that all and ſinguler ſuch patentees, graunctes, and donees, and euery of them, which at any time heretofore ſithence the ſaide ſeuenth day of July, haue obtained and gotten of our ſayd Soueraigne Lord and Lady the king and Queene, or of any of them, or at any time hereafter, during the ſpace of ſeuen yeres, ſhall obtaine and get of our ſaide Soueraigne lord and lady the king & Queene that now be, or of any of them, by way of exchange, or for any ſumme or ſummes of money, and Letters Patents of any monaſteries, abbathies, priories, nunries, or other eccleſiaſticall poſſeſſions, or of any parcell of them, or of any other mannours, lands, tenements or hereditaments whatſoeuer, which at the date and making of any the ſame letters patents ſo made ſithence the ſayd ſeuenth day of July, or hereafter to be made during the ſpace of ſeuen yeeres as is afore ſaid, were or ſhalbe of better and more perely value to the king and Queenes highneſſe, or to any of them in perely rent and ferme then was, is, or ſhalbe contained, mencioned or ſpecified in any ſuch letters

Offices
Exchange
Value

Particulers letters patents, or in ỹ particulers or rate thereof made or to be made by any auditours, surueiour or surueiours, or other officer, that then euery such patentee, grantee, and donee, their heires, executors, or assignes, and euery of them, within One yere one yere next after office and other due proofe, order and decree thereof made and had, or to be made & had within the space 10. Yeres and terme of ten yeres next after this present parliament in the court of the Eschequer, shal content & pay vnto ỹ Queenes Maiestie, her heires and successours, for Ouerplus the same ouerplus, and more value of the same monasteries, abathies, priories, nunries, manours, lands, tenements, and other hereditamẽts whatsoeuer, with their appurtenances so sold, giuen, graunted, or exchanged as is aforesaid, after the rate 20. Yeres purchase of twentie yeres purchase, and according to the yerely value and rate, as the same Mannours, Lands, Tenements, and other Hereditaments whatsoeuer, were at the time of the making of any such Letters patents, so made or to bee made in maner and forme aforesayd: any thing contayned in any such Letters patents, to the contrarie, in any wise notwithstanding.

Prouided that this Acte or any prouiso therein contayned, shall not in any wise extend to confirme, ratifie or make good Lease any lease or leases made or to be made by our sayd soueraigne Lorde and Lady the king and Queene, or by any of them for terme of life, liues or for yeres, whereupon Rents the old and accustomed rents or more, be not, or hereafter shall not be reserued and yeerely payable, during the time and terme of euery such Lease, nor that this present act shall in any wise extend to reuiue or make good any Letters Patents made of any office or offices to Comptroller Customer Auineger Searcher any comptroller, customer, auineger, searcher, ne to any Letters Patents of the graunt of any other office or offices heretofore graunted or made by the King and Queenes maiestie, or any of them, which nowe be, or at any time heretofore haue bene adnihilated, determined or made voyde, by iudgement, by authoritie of Parliament, or by decree, nor to any Patent to bee made to any person or persons for tearme of yeres, or during the minoritie of any heire, of any man- Minoritie nours, landes or tenements, whereof any trauerse hereafter shall be tendred within Trauers three monethes after any office found and 3. monethes certified into any of the Kings Courts of Recorde, ne to make good any Letters Patents made by our sayde Soueraigne Lorde and Lady, or any of them of any Office or Offices to be of any other effect, force or strength, then the same Letters Patents were, or shoulde haue bene before the making of this act.

Prouided, that this act, or any thing therein contayned, shall not extend to any Letters Patents, which at any time heretofore sithen the beginning of the Queenes Maiesties raigne, haue bene, or hereafter shall be made by the King and Queenes highnesse, or by the Queenes maiestie onely to any person or persons of any Mannours, Lands, Tenements, Rents, reuersions, Seruices, or other hereditaments, by force of any Information, Suit, or Suggestion made, or to bee made to her Highnesse, that the same Mannours, Lands, Tenements, or other Hereditaments so contained in any such Letters Patents were concealed Lands, Concealed lands nor to any Letters Patents heretofore made by our sayd Soueraigne Lord and Lady the king and Queenes maiesties, or any of them, to Raulfe Jackeson clerke nowe master of the Hospitall of the Sa- M. of the Sauoy uoy, in the parish of saint Clements Dacorum, without the Barres of the Newe Temple London, and to his brethren, being perpetuall Chaplains of the same Hospitall, and to their successours, but that the same letters patents and euery of them shall stand, remayne, and be in the same force, strength, and effect, as they were before the making of this act, any thing in this Acte mencioned to the contrarie notwithstanding. And where the mannour of Southwell in the Countie of Notingham, and also the Site and procinct of the Colledge of Southwell, in the same countie together with diuers

other Landes, Tenements and Hereditaments to the sayde late Colledge lately belonging or appertayning, were conueied and assured by Indenture, fine, or otherwise, by or from John Beamont Esquire, vnto our late Soueraigne lord King Edward the sixt, and to his Heires and Successours, for the discharge and satisfaction of diuers great summes of money, wherein the same John Beamount was indebted to the sayde late King: Be it enacted and established by the authoritie aforesayde, that the sayde conueiance, and assurance shalbe perfect, good, sufficient, and auaileable against the saide Beamount and his Heires to all intents, constructions, and purposes, according to the purport, tenour, and true meaning of the same coueiances and assurances. Sauing to all and euery person or persons, and bodies politike and corporate, their heires and successours, and euery of them, other then the sayde John Beamount, his wife and his heires, and all other clayming any estate or interest, by or from them, or any of them, sithen the same Conueyance and Assurance, all such Right, Title, Interest, Possession, Estate, Leases, Rents, Seruices, Commons, and all other profits and commodities whatsoeuer, as they or any of them should or might haue had if this Act had neuer bene had ne made: Any thing therein contained to the contrary notwithstanding. Anno 4. & 5. P. & M. cap. 1.

16 ¶ Where sithen the eightenth day of Nouember in the first yeere of the Queenes Maiesties raigne, diuers and sundry Honours, Castels, Mannours, Lands, Tenements, Rents, Reuersions, Seruices, and other Hereditaments, haue bene conueied and assured to her Highnesse, her Heires and Successours, by and from diuers and sundrye persons, and bodies politike, aswell for the discharge and satisfaction of greate debtes and summes of money, as for other good considerations: For the perfect assurance, confirmation, and further suertie whereof, Be it enacted by the authoritie of this present Parliament, that all Feoffements, Fines, surrenders, assurances, conueyances, and estates, in any wise conueyed, had, or made, or to be had or made, at any time during the space of seuen yeres, next after the end of this present Session of parliament, to or for our sayde Soueraigne Lady the Quenes Maiestie, by or from any person or persons, bodies politike or corporat, of any Honours, Castels, Mannours, Lands, Tenements, Rents, Reuersions, Seruices, and other Hereditaments, for any debt, summe or summes of money, or other consideration whatsoeuer, shall stand, remayne, and be good and auaileable in the Lawe, to all Intents, Constructions, and Purposes, according to the true meaning, intent, and purport of the same: Sauing to all and euery person and persons, and to their Heires, bodies politike and corporate, and to their Successours, and euery of them, other then such person or persons, and their Heires and wiues, being parties or priuies to such conueyances or assurances, and euery of them, bodies politike and corporate, and their Successours, and euery of them, of, or from whome the Queenes highnesse hath had, obtayned or purchased, or shall obtayne or purchase, during the space of seuen yeres, any Mannours, Messuages, Lands, Tenements, Rents, Reuersions, Seruices, or Hereditaments, by Exchange, Gifte, Bargaine, Fine, Feoffement, Recouerie, deede inrolled, or otherwise, all such Right, Title, Interest, Use, Possession, Rents, Reuersions, Remaynders, Offices, Fees, Commons, Profites, and Commodities whatsoeuer, which they or any of them haue, might, or ought to haue had, of, in, or to the premisses, or any parte thereof, in as large and ample maner, Forme and Condition, to all Intents, Constructions, and Purposes, as if this Acte had neuer bene had ne made: This present Acte or any thing therein contayned to the contrarie notwithstanding.

Feoffements Fines Surrenders

Debt

Purchase

Exchaunge

And where our sayde Soueraygne Lady

Lady the Queenes highnesse, sythence the eighteenth day of Nouember, in the first yeere of her Maiesties raigne, aswell for diuers and great summes of money, as also for diuers and sundrie other considerations, hath bargayned, solde, giuen, and graunted by her graces sundrie Letters Patents, Indentures, or other writings, sealed vnder the great Seale of Englande, or the Seale of the Duchy of Lancaster, or the Seale of the County Palantine of Lancaster, aswell to bodies politike and corporate, as to diuers and sundrie other her louing and obedient Subiectes, diuers and sundrie Honours, Manours, Landes, Tenements, Rents, Reuersions, Seruices, and other Hereditaments, in fee simple, fee tayle, or for terme of life, lyues, or yeeres, as in the same seuerall Letters Patents, Indentures, and other writings is mencioned and declared.

And to the intent the same Letters Patents, Indentures, and other writings, should be of good, auaileable, and perfect force and effect, to all and euerie her highnesse louing Subiectes, according to the true meaning and effect of the same: Be it enacted and established, by authoritie of thys present Parliament, that aswell all and singuler Letters Patents, Indentures, and other writings, sealed vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaster, or the Seale of the Countie Palantine of Lancaster, and heretofore made and graunted by our sayde Soueraygne Lady the Queene, for any summes of money, or for and vpon any other considerations, as all other Letters Patents hereafter to bee made by our sayde Soueraygne Ladye the Queene, for any summe or summes of money, or other considerations, during the sayde space of seuen yeeres next ensuing the making of this Acte, to any bodie politike or corporate, or to any other person or persons whatsoeuer, of any Honours, Castels, Manours, Lordships, Graunges, Meses, Landes, Tenements, Meddowes, Pastures, Rents, Reuersions, Seruices, Woods, Aduowsons, Nominations, Patronages, Annuities, Rightes, Interestes, Entries, Conditions, Leetes, Courtes, Liberties, Priuiledges, Fraunchises, or of any other Hereditaments, with their appurtenaunces, or of any part or parcell of them, sealed with or vnder the great Seale of England, or vnder the Seale of the Duchy of Lancaster, or the Seale of the Countie Palantine of Lancaster, of whatsoeuer kinde, nature, or qualitie they or any of them be, or shall be reputed, knowen, or taken, with their appurtenaunces, or any parte or parcell of them, shall be good, perfect, and effectuall in the Lawe, and shall stande, bee taken, reputed, deemed, and adiudged, good, perfect, sure, auaileable, and effectuall in the Lawe, against the Queenes Maiestie, her Heires and Successours, according to the tenour and effect of the sayde Letters Patents, the same to be expounded, construed, deemed, and iudged most beneficially for the Patentees and Grauntees of the same, and their Assignees, according vnto the words and purport of euery the sayde Letters Patents, without any confirmation, licence, or tolleration of the Queene, her Heires or Successours, any misnaming, misrecitall, or non recitall, of any the same Honours, Castels, Manours, Lands, Tenements, and other the premisses, or of any parcell thereof, or any lacke of fynding of Offices, or inquisitions, of and in the premisses, or any part thereof, whereby the tyele of the Queenes highnes therein ought to haue beene found before the making of the same Letters Patents, or other writings, or any misrecitall, or non recitall of Leases thereof before made, as well of record, as not of record, or any lacke of the certaintie, misrating, rating, or setting forth of the yerely value and rate of the Premisses, or of the yeerely Rents reserued of, and for the premisses, or any parcell thereof mencioned or contained in any of the sayde Letters Patents, or

Seuen yeres

Letters patents

Misrecitall

Leases

Misrating

other writings, or for that the Premisses be, or any part thereof is valued at a more or lesse value in the sayd letters Patents, or writings, then the said Manors, lands, tenements, and other the premisses then were, or shalbe in verely value, or any misnaming, or not trewe naming of the Townes, Hamlets, parishes, or Counties, where the same honours, manours, lands, tenements, rents, hereditaments, and other the premisses, and euery parcell thereof, or any parcell thereof, lien or bene, or any lacke of the true naming of the lands, tenements, or hereditaments, or of the natures, kinds, sorts, qualities, or quantities of the sayd possessions or hereditaments, or any parcell thereof, or any lacke of the true naming of the Corporation, or any lacke of the attornement, liuery or seyson, or of any misnaming of any the late Tenaunts, or Farmours of the same honors, manours, lands, tenements, and hereditaments, or any part thereof, so solde, graunted, or giuen, notwithstanding. Value

Prouided, that this act, nor any thing therein contayned, shall not extend to make any Letters Patents of any office or offices, to be of any other effect, force, or strength, then the same letters patents were, or should haue bene before the making of this act. Letters patents

Prouided also, that all and singuler such Patentees, Grauntees, and Donees, and euery of them, which at any time heretofore sithen the sayd eightenth day of Nouember, haue obtayned and gotten of our said Soueraigne Lady the Queene, or at any time hereafter, during the said space of seuen yeres, shall obtaine and get of our said Soueraigne Lady the Queenes Maiesty that now is, by way of exchaunge, or for any summe or summes of money, or other considerations, any letters patents of any manours, lands, Tenements, or Hereditaments, whatsoeuer, which at the date and making of any the sayde letters Patents so made, sithen the sayde eightenth day of Nouember, or hereafter to be made, during the sayde space of seuen yeres, as is aforesayd, were or shalbe at the time of the making of such Letters Patents, of better and more yearly value to the Queenes highnesse, and so aunswered in verely rent and farme, then was, is, or shall be contayned, mencioned, and specified in any such Letters Patents, or in the particulers or rate thereof, made or to bee made by any Auditour, or Auditours, Surueyour or Surueyours, or other Officer: That then euery such Patentee, Grauntee, or Donee, their Heires, Executours, or Assignes, and euery of them, within one yere next after office, or other due proofe, order, and decree, therof made & had, or to be made or had within ỳ space & terme of ten yeres next after ỳ ende of this present Session of parliament, in the Court of Therchequer, shall content and pay vnto the Queenes Maiestie, her Heires and Successours, for the same ouerplus and more value of the same Manours, Lands, Tenements, and other Hereditaments whatsoeuer, with their appurtenances, so solde, giuen, graunted, or exchaunged, as is aforesayd, after the rate of theescore yeres purchase, and according to such verely value and rate, as the same Manours, Lands, Tenements, and other Hereditaments whatsoeuer, were, and answered at the time of the making of any such Letters Patents, so made or to be made, in maner and forme aforesayd, any thing contayned in any such Letters Patents to the contrarie, in any wise notwithstanding. Auditours Surueyor

Prouided also, that this act, or any prouiso therein contained, shall not in any wise extend to confirme, ratifie, or make good any Lease or Leases made or to be made by our sayd Soueraigne Lady the Queene, for terme of life, liues, or for yeres, whereupon the olde and accustomed Rents or more be not, or hereafter shall not be reserued, and verely payable, during the time and terme of euery such Lease: nor that this present act shall in any wise extend to reuiue and make good any letters patents, made of any office or offices, to any comptroler, customer, Alneger, Searcher, nor to any letters patents Old rents Lease Comptroller Customer Alneger Sercher

tents of the graunt of any other office or officers heretofore graunted or made by the Queenes Maiestie, which nowe be, or at any time heretofore haue bene annihillated, determined or made voyde, by iudgement, by authoritie of Parliament, or by decree, nor to any patets to be made to any person or persons, for terme of yeeres, or during ẏ minoritie of any heire of any Mannours, Landes, or Tenementes, whereof any trauers hereafter shal be tendred within three monethes after any office founde and certified into any the Queenes Maiesties courtes of recorde, ne to make any Letters Patentes made by our said Soueraigne Lady, of any office or offices, to be of any other effect, force, or strength, then the same letters patents were or should haue bene before the making of this acte.

Letters patentes

Prouided also, that this acte, or any thing therein conteined, shall not extend to any letters patents, which at any time heretofore sithence the beginning of the Queenes Maiesties raigne haue beene, or hereafter shalbe made by the Queenes Highnesse, to any person or persons, of any mannours, Landes, Tenementes, Rentes, Reuersions, Seruices, or other Hereditamentes, by force of any Information, suite, or suggestion, made or to be made to her Highnesse, that the same Mannours, Landes, Tenementes, and other Hereditamentes, so conteyned in any such Letters patents, were concealed landes, but that the same letters patents, and euerie of them, shall stande, remaine, and be in the same force, strength, and effecte, as they were before the making of this acte: any thing in this act mencioned to the contrary notwithstanding. Sauing to all and euery other person or persons, and bodies politike and corporate, their heires and successours, and euery of them, all such right, title, interest, possession, estate, leases, rentes, seruices, commons, and al other profites and commodities whatsoeuer, as they, or any of them should or might haue had before the letters patents thereof made, if this acte had neuer bene had, ne made: any thing therein conteined to ẏ contrary notwithstanding. Anno 18. Eliz. cap. 2.

Concealed landes

¶ Pauing.

ANno 24. H. 8. ca. 11. an acte is made for pauinge of Strande Crosse and Charing crosse. Strand crosse Charing crosse

2 ¶ An. 25. H. 8. cap. 8. an acte is made for paving of Holburne and Southwarke. Holborne Southwarke

3 ¶ Anno 32. H. 8. cap. 7. an acte was made for pauing of diuers streetes and lanes in London.

4 ¶ An. 34. H. 8. cap. 12. an act is made for pauing of diuers streets and lanes in London, and neere vnto London. London

5 ¶ An. 2. E. 6. cap. 37. an acte is made for the pauing of Calleis, and for the couering of the houses there with tyle or slate. London Calleis

6 ¶ Anno 13. Eliz. cap. 23. an acte was made for the pauing of certaine streetes and lanes about Algate and Whitechappell in the suburbes of London, and for clensing certayne ditches there aboutes, and that Iustices of peace of London and Middlesex, to enquire thereof and to assesse fines for ẏ defaults to ẏ Queenes vse. And after An. 23. Eliz. cap. 12. there is an addition vnto this Statute. And the Iustices of peace within London and middlesex shall appoint a Scauenger. London Iust. of p.

7 ¶ Anno. 18. Eli. cap. 19. an acte was made for the pauing of the Citie of Chichester. Chichester

¶ Peace.

AS to the keping of the peace in time to come, it is ordeined & enacted that the statutes made in times past with ẏ statute of Wincheſter (after in Robberies. s. 2) shall bee obserued and kept in euerie point. And where it is conteined in the ende of the saide statute of Wincheſter, that the iustices assigned shall haue power to enquire of the defaultes, and to repoꝛte to the King in his Parliament, and the King remedie it, which no man hath yet seene: the same Iustices shall haue power

power to punish the disobeyours and re-
* sisters, Anno 2.E.3.cap.6.

2 ¶ Our said Soucraigne Lorde the King greatly desiring the tranquillitie & quietnes of his people, will and straightly commaundeth, that the peace within his realme of Englande be surely obserued and kept, so that all his lawefull subiectes may from henceforth safely and peaceably goe, come and dwell after the lawe and vsage of the realme: And that iustice and right be indifferently ministred to euery of his sayd subiectes. Anno
Justice R.2.cap.2.

3 ¶ All the Kinges Lieges and Subiects shall freely and peaceably vnder his safe protectiõ, go and come to his courts, to pursue and to defende, without disturbaunce or impeachement of any, and that
Justice Justice and right be done to all, as wel to the poore, as to the rich, in his courtes aforesayd. Anno 2.R.2.cap.4.

4 ¶ And that the peace within the Realme be holden and kept, so that al the Kinges liege people and subiectes, may from henceforth safely and peaceably go, come and abide, according to the lawes and vsages of the same realme, and that
Justice good Justice and euen right be done to euery person, sauing to the same our soueraigne lord the king his regalty and pre-
K. pierogatiue rogatiue. Anno 1.H.4.cap.1. & Anno 7. H.4.cap.1.

¶ Pedlers and Tinkers.

NO person or persons, cõmonly called Pedler, Tinker, or petty chapman, shal wander or go frõ one towne to another, or from place to place, out of the towne, parish, or village where such persons shal dwel, & sel pinnes, poyntes, laces, gloues, kniues, glasses, tapes, or any such kind of wares whatsoeuer, or gather conifskinnes or such like thing, or vse or exercise þ trade or occupatiõ of a Tinker, but onely such person or persons as shalbe therunto licẽced, And þ in such circuite or compasse, as shal be to him or thẽ assigned by two Justices of peace or mo of the same Shire, where he or they shall dwell, by writing vnder their handes and seales, vpon paine þ euery person which shall offende contrary to the meaning of this acte, shall by any Justice of the shire, Just of p. where the same offence shall be committed, vpon complainte and due proofe had by witnes or otherwise, be imprisoned by Imprison the space of xiiii. dayes at the least. Anno 5.E.6.cap.21. But see nowe the Statute 14.Eli.cap.5.in vagabondes 9.

Pinnes Poyntes Gloues Knives Glasses Conyskins Licence Just. of p.

¶ Pencions, Porcions & Corodies.

NO pencion shal hereafter be assigned by þ ordinary, or by any other maner Ordinary of agreement by collaterall suertie, or otherwise vpon any resignatiõ of any dignitie, benefice or promotion spirituall, aboue the value of the third part of the dig- 3.part nitie, benefice or promotion spirituall resigned. And if any pencion amounting aboue the value of the thirde parte of the dignitie, benefice or promotion spirituall heretofore resigned, be already limited and made sure to any spirituall person or persons, by decree of the ordinarie, or otherwise by any collaterall suertie, or hereafter shall happen to be assigned, and made sure to any person or persons spirituall, or to any other to their vse, by decree of the ordinarie, or by any other collaterall suertie, vpon any resignation Suertie thereof, yet neuertheless the incumbent Incumbent charged with such pencion nor his suerties collaterall, shall not be compelled to pay any more penciõ, then þ value of the third part of his dignitie, benefice or promotion spiritual so resigned shall mount vnto, but shal by authoritie of this acte be cleerely acquited and discharged of so much of the said pencion, as shal amount aboue the value of the thirde parte of the 3.part dignitie or benefice resigned, any decree or assignement of þ ordinary, or any collaterall writinges or suerties heretofore made or hereafter to be had or made for the same, to the contrary thereof notwithstanding. An. 26.H.8.ca.3. and it is further enacted, that euery predecessor of abbots or priors, hauing any pencion aboue the

the yeerely value of xl. pounde shall be defaulked of the moitie thereof. And that euery abbot, and all other charged for the paiment of such pencion aboue the yeerely value of xl. pound shalbe discharged of the moitie thereof. Moytie

Diuers other matters be in this acte, which I leaue out.

2 ¶ If any person or persons, being fermour or occupier of any mannours, landes, tenementes, personages, benefices, or other hereditamentes, of any of the said late monasteries or ecclesiasticall houses or places, or belonging to them or any of them, by the kings highnesse gift, graunt, sale, exchaung or otherwise, out of which premisses, any such pencions, porcions, corodies, indempnities, sinodies, or proxies, or any other profites, haue bin heretofore lawfully going out, answered, or payed to any of the Archbishops, Bishoppes, Archdeacons, and other ecclesiasticall persons aboue saide, do at any time after the first day of Aprill next comming, wilfully denie the payment thereof, at the dayes of payment heretofore accustomed, of any of the said pencions, porcions, corodies, indempnities, sinodies, proxies, or any other profites, whereof the said Archbishops, Bishops, Archdeacons, or other ecclesiasticall persons, were in possession, at or within ten yeeres, next before the time of the dissolution of any such monasteries, or other ecclesiasticall houses or places, that then it shall be lawful for the same Archbishops, Bishoppes, Archdeacons, or other ecclesiasticall persons aforesaide, being so denied to be satisfied and payd thereof, and hauing right to ỳ same thing in demaūd, to make such processe, as well against euery such person and persons, as shall so denie payment of the same pencions, porcions, corodies, proxies, indempnities, sinodies, or any other profites, which of right ought to be paid as is aforesaid, as against the Church or Churches charged with the same, as heretofore they haue lawefully done, and as by and according to the lawes and statutes of this Realme they may now lawfully doe, for the true paiment and recouery thereof. And if the partie defendaunt be lawfully conuict in any such suit, cause or matter, according to the ecclesiastical lawes, then the party plaintife shall haue and recouer agaynst the party defendant ỳ thing in demaund, and the value thereof in dammages, with his costes for his suite. And be it &c. that if it fortune the cause or matter of variance betweene any of the said parties be determinable at the common lawe, that thē ỳ party grieued to sue for his recouerie and remedie therein at the common lawe. And if the party defendant fortune to be by the course of the common lawe lawefully condemned to the party plaintife, then the saide partie playntife, shall likewise haue & recouer against the partie defendaunt, the thing in demaunde, and the value thereof in dammages, with his costes for his suit. Fermour Sinodies Proxies Archbishops Bishops Archdeacons Ecclesiastical persons Proces Conuict Dammages Cōmon lawe Dammages Costes

Prouided alway, and be it &c. that all and singuler such of ỳ said Archbishops, Bishops, Archdeacons, and other ecclesiasticall persons, which haue right or title to claime, demaund, or enioy any of the said pencions, porcions, corodies, indempnities, sinodies, or proxies agaynst any person or persons, to whom the king had made, or hereafter shall make in writing vnder seale, any sale, gift, graunt or lease for terme of life, liues or yeeres, of any of the saide mannours, landes, tenements, parsonages, benefices, and other hereditaments, charged or chargeable to or with any of the saide pencions, porcions, corodies, indempnities, sinodies, or proxies, and also hath couenanted, granted, promised, or agreed, or hereafter shal couenaunt, graunt, promise or agree, by the said writing, to acquite, discharge or saue harmeles the same person or persons, of all pencions, porcions, corodies, indempnities, sinodies and proxies, going out of the premisses or any parcell thereof, as bee or shall bee mentioned in the same writinges or any of them, shall sue for the remedy and recouerie thereof, in ỳ court of thaugmentations of the reuenues of the kinges Crowne, and not else where. And that the partie defendaut hauing Archbishops Bishops Archdeacons R. couenant Augmentation

hauing any such discharges, being conuẽted called or sued in any other court or place, or before any other iudge for any þ causes aboue said, shalbe discharged & dismissed out of þ same court or place, without any thing paying for the same, by the onely shewing forth any of the said writinges sealed vnder any of the Kinges seales, prouing or declaring the king to haue couenanted, promised or agreed to acquite, discharge or saue harmeles the said partie defendaunt thereof as is afore said: Any thing conteyned in this acte to the contrary notwithstanding. Anno 34. H.8.cap.16.

3 ¶ All and euery person and persons, that at any time heretofore since the first Sessions of the Parliament holden at Westminster in the first yere of the raigne of our sayde Soueraigne Lorde the Kinge that nowe is, by any fraudulent or deceitfull way or meanes, hath or haue gotten or obteined for money or other wise, any gift, graunt, bargayne or promise, of any Pencioner or Porcioners, of his or their saide patent or patents, concerning his or their said pencion graunted or to bee graunted or assigned out of any mannours, landes, tenementes and other hereditaments þ did belong or appertayne to any of the late monasteries, priories, religious houses, Colledges, Chauntries, guildes, fraternities or other spirituall possessions, or by reason of þ same, which came as wel to the possession of our soueraigne lorde the king that now is, as to the late king of famous memorie King Henry the eight by reason of dissolution, attaindour or surrender, and before the last day of June next comming, vpon a repayment or lawefull tender of the money or other thing takē for the same, by any such pencioner or pencioners, patentee or patentees made to him or them, do not redeliuer to euery such pencioner & pencioners, patentee and patentees, as well his or their said patent and patents, as all other writing or writinges made concerning the same pencion: That then the sayde gifte, graunt, bargayne and promise made of euery such pencion and patent, and euery of them shall be voide.

And also that then, and from thencefoorth euery such pencioner and patentee, shall haue and enioy the pencion by him so giuen, granted, bargayned, solde or promised, as though no such gifte, grant, bargaine, sale or promise, had bene made, of his or their said pencio, fee or annuitie, notwithstanding any writinges made, sealed or deliuered, betweene any such parties concerning the same.

And for the more true and sure paimēt of all and euery maner of person and persons, of and for their seuerall pencions, fees and annuities, due & to be due to thē or to any of them, out of the premisses or any part or parcel thereof, or by reason of the same: Be it &c. that if the receiuour or receiuours or any of them, their assignes, deputies, Clarkes or seruauntes, or the assignes, deputies, clerkes or seruants of any of them, hauing or which shal haue to do with the paiment of any such pencios, fees and annuities, or of any part or parcell of them, doe not at all & euery time & times before the tenth day of June, and the feast of the purification of our Ladie, next immediately ensuing euery day and feast specified in euery such graunt or patent, for the payment of the said pencions, fees and annuities, vpon a reasonable requeste thereof made to the saide receyuour or receiuours, their assignes or deputies, assigne or deputie, or to his or their clerkes or seruauntes aboue sayde, by any of the sayde pencioners or grauntees or their seuerall deputies, attourneis, or assignes, or by the seuerall deputie, attorney or assigne of any such pencioner and grauntee, well and truely paye vnto the said grantees and pencioners, their seuerall deputies, attorneis or assignes, their pencions, fees and yeerely annuities to them granted and hereafter to be granted during their seuerall liues or otherwyse according to the tenour and effect of their seuerall grauntes to euery of them made & hereafter to be made, without any further delay, not taking of the sayd grauntees, pencioners, or of any of them, their deputies,

Fraud

Redeliuer

Wopē

deputies, attorneis or alligneis, for the paiment of any of their said pencions, fees or annuities, or for ꝑ more speedie payment thereof to them or any of thē to be made, any other or more summe or summes of money, or any other thing or profite, but onely for every pound of every such pencion, fee or annuitie to them paide, iiii.d. and for the acquittance of every such partie, truely paid of his said pencion, fee or annuitie, if the saide partie, his deputie or deputies, bring and offer to deliuer none reable made iiii.d. and not aboue, that the every such receiuour or receiuours, their deputie and deputies, clerks and seruāts as afore saith, to whom any such reasonable request shall be made for the payment of the same as is afore saide, for every time that the said officer or officers, or his or their deputie or deputies, or his or their clerke or clerkes, hauing to doe with the office or offices of such receiuour or officer as is afore sayde, shal delay or cause to be delayed any the said grauntees or pencioners of the paiment of their pencions, fee or annuities, or of any part ther of, after the .ꝑ. day of June and the feast of the Purification of our Ladie, as is afore said, that forfait for every such delay C.s. And that also if any treasurer or treasurers, receiuour or receiuours, officer or officers, or his or their deputie or deputies, or his or their clerkes, or any of them as is afore said, for every time that they or any of them doe exacte and take of the said pencioners, grauntees or any of them, their deputies, attorneis, or alligues, or of the deputie, attorney, or alligne of any of them aboue the rates before declared, shall lose and forfaice for every time so exacting and taking, ten times so much as they or any of them shall so exacte & take, or cause to be exacted & taken: All which forfaiture shall be to the partie that shall first be himselfe grieued, if he will sue and demand the same within seuen moneths next after the said forfeiture, in any of the kings maiesties Courtes of his Bench, common place, or Exchequer, by action of debt, by originall writte, bill, playnt, or information: in which suit no essoine, protection, nor wager of lawe shal be allowed or admitted for the defendant. And be it. &c. that the kinges iustices of assise, and of oyer and determiner in their seuerall circuites, and the iustices of peace in euery Countie within this Realme of Englande and Wales at their generall sessions, shall haue full power and authoritie by vertue of this Acte to enquire, heare and determine all and all maner of offences hereafter to be done and cōmitted contrary to the tenour of this acte, aswell by information, as by presentment of xii. men, & shal haue ful power and authoritie to award proces vpon euery presentment or information had before them or two of them, whereof the one to be of ꝑ Quorum, of all and euery offence and offences done and committed contrary to the tenour of this acte, as in case vpon indictment of trespas.

Iust. of assise
Iust. of oyer & terminer
Iust. of p.
Generall sessions
Oyer & ter.
Proces
Quorum

Prouided alway, that if any such Pencioner or Grauntee, doe not make request in proper person for payment of his or their sayde Pencion or Annuitie as is afore said, but doeth require the same by his deputie, attorney or alligne, that then if such deputie, attorney or alligne doe not bring with him a letter subscribed with the handes of one iustice of the peace of the same Shire where the same pencioner or grauntee is dwelling, or else of the surueiour of ꝑ same Shire for the time being, witnessing the same pencioner or grauntee to be then liuing, that then the said receiuour and all other officer and officers, their deputies, clerks or seruants, to whome request by any deputy, attorney or alligne of any such pencioner or grauntee, shall be made as is afore saide, shall not be bound to pay any such summe of money, to any deputie, attorney or alligne, of any such pencioner or patentee, by vertue of this acte, nor for non payment thereof, shall incurre the daunger of any paine or forfaiture before mencioned. Any matter or thing before expressed to the contrary in any wise not withstanding.

Proper person
Iust. of p.
Surueyour
Fort.

Prouided alway, and be it &c. that this act nor any thing therein contayned shall not

iiii.d. vpon the pound Acquittance
Receiuer
Fort.
Treasurer Receiuer Officer
Exacte
Fort. Partie grieued 7. moneths

not extende to restrayne any such receiuour or receiuours, or other officer or officers as is aforesaide, but that they and euery of them shall and may paye or cause to be paid to any of the said pencioners, patentees or grauntees, their said pencions, fees and annuitie quarterly, according to the tenour and effect of their patentes or graunces as they haue heretofore done, any thing therein to the contrary thereof notwithstanding. Anno 2.E.6.cap.7.

¶ Pardon.

Writ Chauncerie

IT is prouided also, that no writte shall from henceforth issue out of the Chauncery for the death of man to enquire whether he were slaine by misfortune, or in his defence, or otherwise for felonie. But the offendour shall be in prison till the cōming of the iusticers in eyre, or iusticers assigned to the gaole deliuerie, and put himselfe before them for good and euill: in case it be founden by the countrey, that he did it in his defence or by misfortune, then the Iusticers shal do the king to wit thereof, and the king shall take him to his grace, if it please him. Glouc. ca.9. Anno 6.E.1.

Murder Felonie

Iustice in eyre

2 ¶ In Statut. de tallagio non concedendo, the King pardoned diuerse persons.

3 ¶ By a statute made Anno 7.E. intituled ne quis occasionetur pro redditu Petri de Gaueston, a pardon was giuen to them that tooke his parte, and by another statute made Anno 7.E. intituled statutum ne quis occasionetur pro morte Petri de Gaueston, a pardon was giuen, that none should be impeached of his death.

4 ¶ Anno 1.E.3.cap. the king pardoned all them that were with him and his mother in the pursuit against his father, and other, for al actes done in the pursuit.

Iustices Amerciamentes

5 ¶ An.1.E.3.sta.2.ca.3. the king pardoned diuerse iustices and amerciamentes.

6 ¶ Whereas offendours haue beene greatly encouraged, because that charters of pardon haue bene so swiftly granted in times past of manslaughters, robberies, felonies, and other trespasses against the peace: It is ordeined and enacted, that such charters shall not be granted, but onely where the king may doe it by his othe, that is to say, where a man slaieth another in his owne defence, or by misfortune. An.secun.E.3.cap.2.

R.othe.

Misfortune

7 ¶ An.2.E.3.cap.11. the king pardoned all fines forfaited for wast for a certaine time.

Fines

8 ¶ Anno 4.E.3.cap.8. the king pardoned diuers thinges.

9 ¶ Because diuers charters of pardon haue bene granted of felonies, robberies, and manslaughters, against the fourme of the statute made at Northampton, conteyning that no man shoulde haue such charters out of the Parliament, whereby such misdoers haue bene the more bold to offende: It is enacted, that from henceforth the same statute shall be kept and mainteined in al points. An.secun.E.3.c.12.

Felonie. Manslaughter

10 ¶ Where as murtherers, robbers and other felons, be greatly encouraged to offende, by reason the charters of pardon of manslaughter, robberie, felonies, and other trespasses agaynst the peace, haue bene so lightly graunted before this time: It is accorded and established by our Soueraigne Lord the King, by the assent of his prelates, earles, barons, and at the request of the said knightes and cōmons, that no such charters from henceforth shall be graunted by our soueraigne Lord the king, against the fourme of the statute late made at Northampton, the seconde yeere of his raygne. And in case that our soueraigne Lord the king grant any such charters in time to come, that within iii. monethes after the making of the same, they that haue the said charters, shal come and find before the said sheriffes and coroners of the said counties, where the felonies be done, such mainprise, and also as before is sayde of their good bearing. And the said mainprises sealed, shal be returned into the Chauncerie within iii. weeks after the end of the said iii. monethes. And if they y shal haue such charters will in time to come aid themselfe thereby, y haue not found such mainprises, or

Murderers Felons

3.monethes

Sheriffes Coroners

Mainprise. Good bearing

Chauncery

Wilfulness not

after

after such mainprise found, do beare them other wise against ỹ peace thē they ought, their charters shalbe holden for none, as afore is said. An. 10.E.3.ca.2.&.3.

Void

11 ¶ Anno 14.E.3.capit.2. and 3. the king pardoned diuers forfaitures, & his debtes due before a certayne time &c.

Forfaitures Debts

12 ¶ No charter of pardon of the death of a man, nor of other felony, shal be from henceforth graunted to any man, but in case where the king may the same doe, saning the othe of his crowne, as it is conteined in the statutes made before this time. And if any charter be from henceforth graunted agaynst the sayd statutes, the same shall be holden for none. Anno 14.E.3.cap.15.

Felony

Othe

13 ¶ Anno 14.E.3. stat. prælatorum. cap.3. the king pardoned diuers things.

14 ¶ From henceforth in euery charter of pardon of felony, which shal be graunted at any mans suggestion, the said suggestion, and the name of him that maketh the suggestion, shall be comprised in the same charter. And if afterward the same suggestion be founde vntrue, the charter shall be disalowed, and holden for none.

Felonie Suggestion

Justices

And the Justices before whom such charters shall be alleaged, shall enquire of the same suggestion, and that as well of charters granted before this time, as of charters which shall be graunted in time to come. And if they finde them vntrue, then they shall disalow ỹ charters so alleaged: And shal moreouer thereof do as the law demaundeth. Anno 27.E.3.cap.2.

Disalow

15 ¶ Anno 31.E.3.cap.13. the King pardoned escapes, and goodes of felons and fugitiues.

Escapes Felons goods

16 ¶ Anno 36.E.3.cap.16. the King graunted a great pardon.

17 Anno 42.E.3.cap.2. it is enacted ỹ the pardon that the king graunted in An. 36.E.3. should be holden.

18 ¶ Anno. 43.E.3. the king pardoned offences in his forrestes, except certaine officers.

19 ¶ An. 50.E.3.ca.3. ỹ king by parliament gaue a general pardō w exceptiōs.

20 ¶ Anno 1.R.2.cap.10. the King graunted that the generall pardons that E.3. made in An. 50. of his raigne should be allowed.

21 ¶ An. 4.R.2.cap.2. the king pardoned all escapes, except certeine.

22 ¶ Anno 5.R.2.cap.5. and an. 6.R.2.cap.13. and anno 6.R.2.stat.2.cap.3. the king gaue a pardon of all offences done in the late insurrection.

23 ¶ No charter of pardon from henceforth shall be allowed before any iusticer for murder, or for the death of a man slain by await, assault or malice prepensed, treason, or rape of a woman, vnlesse the same murder, death of the man slaine by await, assault or malice prepenced, treason, rape of the woman, be specified in the same charter, and if a charter of the death of a man be alleaged before any iustices, in which charter it is not specified, that he of whose death any such is arraygned, was murdred or slayne by awayte, assault or malice prepenced, the same Justices shal enquire by a good enquest of the visne where ỹ dead was slaine, if he were murdered or slaine by awayt, assault or malice prepenced, and if they finde that hee was murdered or slaine by awaite, assault or malice prepenced, the charter shall be disalowed, and further it shall be done as the law cōmaundeth. An. 13.R.2.stat.2. cap.1. All this is enacted to be kept by Anno 16.R.2.cap.6. And it was further enacted in Anno 13.R.2.stat.2.cap.1. that his name that sueth for such a charter should be indorsed by the chamberlaine or vnderchamberlaine, & that no such charter should be sealed by the Chauncellour, without a warrant from the priuie seale, and that he that sueth for such a charter, should forfaite as there appeareth, but all this part of this acte concerning the doing and suing and sealing of the charter is repealed by 16.R.2.cap.6.

Murder Treason Rape

Enquest

Disalowed

Name endorsed Chamberlayne

Chauncelor warrant

Repealed

24 ¶ An. 21.R.2.ca.15. ỹ king by parliament gaue a pardon for many things, but this parliament was repealed by 1.H.4.c.15.

Parliament

Repealed

25 ¶ Anno 1.H.4.cap.2. it was enacted that none that came in ayde of king H. the fourth agaynst king R. the second should be molested.

26 ¶ Anno

26 ¶ An.1.H.4.cap.26. the King by parliament pardoned diuers things.

27 ¶ An. 21.R.2.cap.13. the King by parliament gaue a pardon of diuers offects. And after anno 2.H.4.ca. 13. it was enacted, that euery person might enioy the benefite of the pardon, notwithstanding that the parliament holden An.21. R.2. and all the statutes therein made, were repealed by Anno.1.H.4.cap.3.

Indict Felony Murder Rape

28 ¶ Because that diuers common and notorious theeues be indicted of diuerse felonies, murders and rapes, in diuerse Countreyes, and vpon the same aswell before the Kinges Justices, as before the king himselfe arraigned of the same felonies, and for safegarde of their liues they become prouours to such intent, that in the meane time by hocage graunted and giftes to be made to diuers persons, to pursue and haue their charters, and then after their deliueraūce they become more strong noxyious theeues then they were before: It is ordeined and stablished, that if any person, of what estate or condicion that he be, man or woman, pray or pursue, or do to be praied or pursued from henceforth for any such theefe, so attainted by his owne confession, to haue any charter of pardon, that ỳ name of him or her that pursueth such charter, be put in the same charter, making mencion, that the same charter is granted at his or her instance. And if he to whome such charter is granted, after his deliueraunce becommeth a theefe againe, that the same person which did so pursue for his charter, shall incurre the paine of C.li. to be leuied to ỳ kinges vse. Anno 5.R.2.cap.2.

Prouers

Maine

Fost.

29 ¶ Anno 5.H.4.cap.15. the King by parliament gaue a generall pardon with diuers exceptions.

30 ¶ Anno 7.H.4.cap.18. the king by parliamēt pardoned al such as were with him or at his commandement for punishment of riots or insurrections.

Riots Insurrections

31 ¶ Anno 4.H.5.cap.8. the King by Parliament pardoned diuers offences.

Priestes Rape

32 ¶ Anno 27.H.6.cap.6. the king by Parliament pardoned all priestes of felonies, of rape, and all stipendary priestes of al forfaitures for taking of wages contrary to the statutes,

33 ¶ It appeareth in the abridgement of statutes, that E. the fourth gaue a pardon, but I cannot finde it in any booke of statutes printed.

34 ¶ Anno 1.H.7.cap.6. a pardon and discharge is giuē to them that came with the king, or were w him in ỳ field against king Richard, for murder, spoile or trespasse, done thē or after to certaine persōs.

35 ¶ Anno 5.H.8.cap.8. it is enacted that those that woulde sue for letters patents of generall pardon (which the king had graunted to all his subiectes) should be allowed without writ of allowance.

L. patents

36 ¶ It appeareth in the abridgement that H.8. anno. 7. cap. 8. & anno 8. H. 8. statute per se, gaue pardons, but I can not find any of these two statutes, in any printed booke of statutes.

37 ¶ Anno 21.H.8.cap.1. the king by parliament gaue a generall pardon with many exceptions.

38 ¶ Anno 22.H.8.cap.15. the king by parliament gaue a general pardon to the cleargie (with many exceptions & diuers persons there excepted) in consideration of a subsidie grāted to him by ỳ Clergy.

Clergie

39 ¶ Anno 22.H.8.ca.16. the king by parliament gaue a pardon to the temporaltie of all offences of Præmunire.

Temporaltie Præmunire

40 ¶ Anno 23.H.8.ca.19. the king by parliament gaue a generall pardon with many exceptions.

41 ¶ Anno 26.H.8.ca.18. the king by parliament gaue a generall pardon with many exceptions.

42 ¶ Anno 23.H.8.ca.49. the king by parliament gaue a generall pardon with many exceptions.

43 ¶ An.33.H.8.ca.21. a pardō by parliament was made to them that spake or did any thing against Queene Katherine Hayward.

44 ¶ An.35.H.8. cap.18. the king by parliament gaue a generall pardon with many exceptions.

45 ¶ Anno 1.E.6.cap.15. the king by parliament gaue a generall pardon with many exceptions.

46 ¶ Anno

46 ¶ Anno secundo Edwardi sexti capitulo 32. the King by Parliament gaue a generall pardon with many exceptions.

47 ¶ An. 3. E. 6. cap. 24. the king by parliament gaue a generall pardon with many exceptions.

48 ¶ An. 7. E. 6. cap. 14. the king by parliament gaue a generall pardon, with many exceptions. And the like graunted 5. Eli.

49 ¶ The like graunted 8. El. and the like graunted 13. El. and againe the like graunted 18. El. cap. 24. And againe the like graunted 23. El. cap. 16.

¶ Periurie.

ANno vndecimo Henrici septimi, capitulo vigesimo quinto, an act was made to endure to the next Parliament, for the punishment of periurie, by examination of the Chauncelor, Treasurer, &c. And after Anno 12. H. 7. cap. 2. that act was continued to the next Parliament, and then it expired.

Chauncelor Treasurer

2 ¶ Forasmuch as the penalties contained in the statute made 33. H. 8. cap. 9. (before in Maintenance 7.) against subornation of periurie, in the courtes there mentioned, is so small, that the offence dayly increaseth: and for that by wilfull periury committed by suborned witnesses, diuers haue sustayned great losse in their goods and landes: Be it therefore enacted &c. that all and euery such person and persons, which at any time after the tenth daye of Aprill next comming, shal vnlawfully and corruptly procure any witnesse or witnesses, by letters, rewards, promisses, or by any other sinister and vnlawfull labour or meanes whatsoeuer, to commit any wilfull and corrupt periurie in any matter or cause whatsoeuer, nowe depending, or which hereafter shall depend in suite and variance, by any writte, action, bill, complaynt, or information, in any wise touching or concerning any landes, tenementes, or hereditamentes, or any goods, cattels, debtes, or dammages, in any of the Courtes before mentioned, or in any of the Queenes Maiesties Courtes of Recorde, or in any Leete, Lawe day, auncient demeane, Court baron, or in the court or courtes of the Stannery, in the counties of Deuonshire, and Cornewall, or shall likewise vnlawfully and corruptly procure, or subborne any witnesse or witnesses, which shall from and after the sayde tenth day of Aprill, bee sworne to testifie in perpetuam rei memoriam, that then euery such offendour or offendours, shall for his haires, or their sayde offence, being thereof lawfully conuicted or attaynted, lose and forfayte the summe of fourtie pounde. And if it happen any such offendour or offendours, so being conuicted or attaynted, as aforesayde, not to haue any goods or cattels, landes, or tenementes, to the value of fourtie pounde, that then euery such person so being conuicted or attaynted of any the offences aforesayde, shall for his or their offence suffer imprisonment by the space of one halfe yeere, without bayle or mayneprise, and to stande vpon the Pillorie, by the space of one whole houre in some market Towne, next adioyning to the place where the offence was committed, in open market there, or in the market Towne it selfe where the offence was committed. And that no person or persons, being so conuicted or attaynted, to bee from thenceforth receyued a witnesse, to bee deposed or sworne in any Court of recorde within any of the Queenes highnesse dominions of Englande, Wales, or the marches of the same, vntill such time as the iudgement giuen against the sayde person or persons shall be reuersed by attaynt or otherwise, and that vpon euery such reuersall, the parties grieued to recouer his or their dammages, against all and euery such person and persons, as did procure the sayde iudgement so reuersed, to bee first giuen against them, or any of them, by action or actions, to bee sued vpon his or their case or cases, according to the

Court of record Leete Auncient demeane Court Baron Stannery

Procure Witnes

Periury

Courtes

Perpetuam rei memoriã

Fine.

Imprison

Mainprise Pillory

Disabled

Iudgement Reuersed

Dammages

Action of the case

courſe of ꝑ cõmon lawes of this realme.

And bee it further enacted, that if any perſon or perſons, after the ſayde tenth day of Aprill next comming, either by the ſubornation, vnlawfull procurement, ſinifter perſwaſion, or meanes of any others, or by their owne act, conſent, or agreement, wilfully & corruptely commit any maner of wilfull periurie, by his or their depoſition in any of the courts before mentioned, or being examined (ad perpetuam rei memoriã) that then euery perſon & perſons ſo offending, and being thereof duely conuicted or attaynted by the lawes of this Realme, ſhall for his or their ſayde offence, loſe and forfeyte twentie poundes, and to haue impriſonment by the ſpace of ſixe moneths, without bayle or mainpaſe, and the ſame perſon or perſons ſo offending, from thenceforth not to bee receyued in any Court of recorde within this Realme of England or Wales, or the marches of the ſame, vntill ſuch time as the iudgement giuen againſt the ſayde perſon or perſons ſhall be reuerſed by attaynt or otherwiſe. And that vpon euery ſuch reuerſal, the parties grieued to recouer his or their dãmages againſt all & euery ſuch perſon & perſons, as did procure the ſayd iudgemẽt ſo reuerſed, to be giuen againſt them or any of them, by action or actions vpon his or their caſe or caſes, according to the courſe of the cõmõ lawes of this realme. And if it happen the ſaid offender or offenders ſo offending, not to haue any goods or cattels, to the value of xx. li. that then he or they to be ſet on the pillory, in ſome market place within the ſhire, citie or borough, where the ſaid offence ſhalbe cõmitted, by the Sherife or his miniſters, if it ſhall fortune to be without any Citie or towne corporate: And if it happen to be within any citie or towne corporate, then by the ſaid head officer or officers of ſuch citie or towne corporate, or by his or their miniſters, & there to haue both his eares nayled, & from thenceforth to be diſcredited & diſabled for euer, to be ſworne in any of the courts of record aforeſaid, vntill ſuch time as the iudgement ſhalbe reuerſed, & thereupon to recouer his dãmages in maner & forme before mentioned. The one moitie of all ſuch ſummes of money, goods, & cattels, to be forfaited in maner and forme aforeſaid, to be to the Queene our ſoueraigne Lady, her heires and ſucceſſors, & the other moitie to ſuch perſon or perſons as ſhalbe grieued, hindred, or moleſted, by reaſon of any of the offence or offences before mentioned, that will ſue for the ſame by action of debt, bil, plaint, information, or otherwiſe, in any of the Queenes Maieſties courtes of record, in the which no wager of lawe, eſſoine, protection or iniunction to be allowed.

And be it alſo enacted by the aucthoritie aforeſaid, that aſwel the Judge & Iudges of euery ſuch of ꝑ ſaid courts, where any ſuch ſuite is or ſhalbe, & whereupon any ſuch periury is, or ſhall happen to be cõmitted, as alſo the Iuſtices of aſſiſes & gaole deliuery in their ſeuꝛal circuites, & the Iuſtices of ꝑ peace in euery coũtie within this realme, or in Wales, at their quarter ſeſſions, both within the libertie & without, ſhal haue full power & aucthoritie by vertue hereof, to enquire of all & euery the defaults and offences perpetrated, cõmitted, or done contrary to this act by inquiſition, preſentment, bill, or information, before them exhibited, or otherwiſe, lawfully to heare & determine the ſame, and thereupon to giue iudgement, award proces, and execution of the ſame, according to the courſe of the lawes of this realme.

And be it further enacted by thaucthoritie aforeſaid, that the Iuſtices of aſſiſe of euery circuite within this realme, and elſe where within the Queenes dominions, ſhall in euery Countie within their circuites, two times in the yere, that is to ſay, in time of their ſittings, make open proclamation of this ſtatute, or of the effect thereof, to thentent no perſon or perſons ſhall be ignorant or miſcognizant of the penalties herein contained.

Prouided alſo, that this acte nor any thing therein contained, ſhall not extend to any ſpiritual or eccleſiaſticall court or courts within this realme of England or Wales,

Subayne

Wilfull periury

Fayle. Impriſon

Diſabled

Iudgement Reuerſed

Dammages

Action of the caſe

Pillory

Sherife

Eares nayled

Diſabled

Reuerſe

Dãmages

Spoiles

Parties grieued

Iudges

Iuſt. of aſſi. Iuſt. of g. Iuſt. of p.

Quarter ſeſſions

Enquire

Oyer & ter. Iudgment Proces

Iuſt. of aſſiſe

Proclamation

Prouiſo

Spiritual courts

Wales, or the marches of the ſame: but that al and euery ſuch offendour or offendours, as ſhall offend in forme aforeſayd, ſhall and may be puniſhed by ſuch vſuall & ordinary lawes, as heretofore hath bene and yet is vſed and frequented in the ſaid Eccleſiaſtical courtes: Any thing in this preſent act contayned to the contrary in any wiſe notwithſtanding.

Prouided alſo, and be it further enacted by thauctoritie aforeſayd, that if any perſon or perſons, vpō whom any proces out of any of the courtes of record within this realme, or Wales, ſhall be ſerued, to Witnes teſtifie or depoſe, concerning any cauſe or matter depending in any of the ſame courtes, and hauing tendred vnto him or thē, according to his or their countenāce or calling, ſuch reaſonable ſummes of Charges money for his or their coſtes & charges, as hauing regarde to the diſtaunce of the places, is neceſſary to be allowed in that behalfe, doe not appeare according to the tenour of ỳ ſaid proces, hauing not a lawful & reaſonable let or impediment to the contrary, that then the partie making default, to Forf. looſe & forfaite for euery ſuch offence x.li. & to yelde ſuch further recompence to the partie grieued, as by the diſcretion of the Iudge of the court, out of the which the ſaid proces ſhalbe awarded, Coſte according to the coſte & hinderance that ỳ party which procured the ſaid proces, ſhal ſuſteine, by reaſon of the non apparance of the ſaid witnes or witneſſes: the ſaid ſeueral ſummes to be recouered by the partie ſo grieued, againſt the offender or offenders, by actiō of debt, bil, plaint, or information in any of ỳ Queenes maieſties courtes of recorde, in which no wager of lawe, eſſoine or protection to be allowed.

Prouided alwaies, that this act, or any thing therein contayned, ſhall not extend in any wiſe, to reſtraine the power or auctoritie giuen by act of parliament, made in the time of king Henry the vii. to the Chauncellor Chauncellour of England, & others of the kings counſel for the time being, to Riots examine & puniſh riots, routes, heynous periuries, & other offences & miſdemeanings, which the lord Chauncellour and others ſithēce the making of the ſayd act, haue moſt cōmonly vſed to heare & determine ſuch matters in ỳ court at Weſtm. cōmonly called the Starre Chāber, nor Starre chamber to reſtrayne the power or auctoritie of ỳ lord Preſident & counſel of ỳ marches of L. Preſident of Wales Wales, or of the lord preſident & counſel in the North, nor of any other Iudge hauing abſolute power to puniſh periurie, before the making of this eſtatute: But that they & euery of them ſhal & may proceede in ỳ puniſhment of al offences heretofore puniſhable, in ſuch wiſe as they might haue done & vſed to doe before the making of this act to all purpoſes, ſo that they ſet not vpon the offender or offenders leſſe puniſhment, then is conteyned in this act: This act to continue vnto the ende of the next parliament. Anno 5. El. cap. 9. This act is continued 13. El. cap. 25. vntill the end of the next parliamēt. And 14. El. cap. 11. likewiſe, vntill the end of the next parliament after that.

¶ Parſon vicar & parſonage.

PArſons, vicars, wardens of chappels, and prouoſtes, wardens and prieſtes of perpetuall chauntries, ſhall haue their wittes of Iuris vtrum of lands and tene- Iuris vtrū ments, rentes and poſſeſſions, annexed & giuen perpetually in almes to vicarages, chappels, or chauntries, and recouer by other wittes in their caſe as farforth as parſons of Churches or Prebendes. Anno 14. E. 3. cap. 17.

¶ Pewterers.

AT the ſuite of the honeſt Pewterers and haſiers of the cities of London and Yorke, and other places, foraſmuch as much pewter and haſſe is ſtollen and conueyed into coners, and ſo carryed ouer ſea, and much euill ſtuffe made and ſold for good, & many deceiuable beames and ſcales vſed, Be it &c. that no perſon nor perſons, vſing the ſayde craftes of pewterers and haſiers, from henceforth Haſiers Pewterers Haſſe ſhal ſell or chaunge any pewter or haſſe, newe or olde, at any place or places

within this your realme, but onely in open fayres or markets, or in their owne dwelling houses, but if they be desired by the said buyers of such ware, vpon payne of forfaiture to our soueraygne Lord the king for euery such default tenne pound. Fayres Markets Forf.

Also that it may be &c. that no person nor persons, of what condition or degree soeuer he or they bee, from henceforth within the said cities of London & Yorke or without, either cast or worke any pewter, vessel, or hasse, at any place or places within this your realme, but that it be as good fine mettall, as is the pewter and hasse cast and wrought after the perfite goodnesse of the same within the Citie of London, and by the statutes of the same ought to be, vpō payne of forfaiture of al such pewter and hasse so cast & wrought, or worse pewter and hasse then ought to be wrought in the same cities: The one halfe of euery such forfaiture to be to the vse of your highnes, and thother halfe to the vse of the finders thereof. London Yorke Worke Goodnes Forf. Poitie

Prouided alway, that this forfaiture in no wise stretche ne extende to hasse or pewter being in the possession of any person, other then the workers of the same, or such as haue the same to sell, or being of the crafts or misteries.

Also that it may &c. that no maner of person or persons, of what degree or condition soeuer he or they bee, from henceforth make no hollowe wares of pewter, that is to say, saltes and potres, that are made of pewter called laymettal, but that it may bee after the assise of pewter laymettall, wrought within the citie of London. And that the makers of such wares, shal marke the same wares with seuerall markes of their owne, to the entent that the makers of such wares shal auowe the same wares by them, as is aboue sayd, to be wroughe. And that all and euery such wares not sufficiently made & wrought, & not marked in forme abouesaid, found in the possession of the same maker or seller, to be forfaited. And if the same ware be solde, the sayde maker to forfayte the value of the same ware so vnlawfully wrought and sold, the one halfe of the said Hollow wares Marke Forf. Forf. Poitie

ware, or the value therof, to be to ẏ vse of your highnes, & thother halfe to be to the vse of ẏ finder or finders or serchers therof. Also that it may &c. ẏ if any person or persons, hereafter vsing buying and selling of pewter or hasse, that hereafter occupy any deceyuable or false beames, or weyghtes of the sayd wares, that euery such person or persons, vsing or occupying such deceyuable or vntrue beames or weightes, to forfaite xx.s. thone halfe to the king, and thother halfe to the partie that therefore shall sue by action of debt, And that in the sayde action no protection, nor essoyne shall be allowed. And also the sayd partie so offending, shal forfayte his beame to him that shall sease it, and if the sayd offender or offenders be not sufficient to pay the sayd summe or summes by them so forfaited, that then it shall be lawfull to the Maiors, Baylifs, or other head officer of such place or places where any such offendours shall be founde, to put them in the stockes, and them so to keepe tyll the next market daye next ensuing, and in the market place to put them on the Pillory all the market time. False Weights Forf. Poitie Maiors Bailifes Stockes Pillory

And furthermore that it be lawfull by the sayde auctoritie, that the master and wardens of the sayd craft of pewterers, within euery Citie, and Borough of this Realme, where such wardens are, and where no such wardens are, the head officers or gouernours of the same Citie or Borough, to appoynt certaine persons most expert in knowledge of the same, to make search within the said Cities or Boroughs where they dwel. And ouer this, the Justices of Peace, within euery Shire, at the Generall Sessions, holden at Michaelmas, shall assigne and appoynt two certayne persons, hauing experience to make searche in the premisses, in euery part of that Shire, as well within the fraunchise as without, sauing in Cities or Boroughes where Searchers bee appoynted by the heades or gouernours of the same, and that of all such vnlawfull Pewter or Hasse, as the sayde Searchers shall finde, the one halfe to the vse Wardens Search Just. of p. Generall sessions at Michaelmas Poitis

of

of your grace, and the other halfe to the sayd Searcher, and that in the default of the sayde masters and wardens of the occupations not searching in forme as is aforesayde, and whereby that any such vnlawfull mettall is cast or made, or vnlawfull weyghtes vsed: That then it shall be lawfull to any person or persons, hauing sufficient cunning and knowledge in the said occupations by ouersight of the Maiors, bailifes, & head officers of the said cities and boroughs, to search all the sayd places, and to put the sayde auctoritie & act in execution in forme aforesayd.

Maiors Bailifes

Search

Prouided alway, that this present act continue and endure to the next Parliament, and no longer. An. 19. H. 7. cap. 6. This act is made perpetuall in An. 4. H. 8. cap. 7. as here followeth.

2 ¶ The said act (S. an. 19. H. 7. cap. 6. before 1.) may endure for euer. And ouer that be it &c. that if any vntrue or deceiuable mettall or workemanship of tynne or pewter be foūden either in platters, chargers, dishes, saucers, potēgers, trēchers, basons, flagons, bottels, pottes, saltsellers, goblets, spoones, cruetes, or candlesticks, or any other such wares of tynne or pewter, whatsoeuer it be, caste, made, or wrought within this Realme or without, and brought to be solde within the same realme, that then it shalbe lawful to the Maior of the citie of London, and the master & wardēs of ẏ craft of pewterers (of the said citie for ẏ time being) & their deputies, to haue search of ẏ same within ẏ citie of Lōdon & the suburbs of ẏ same. And that in al other cities, boroughs, and townes, where any wardens be or shalbe, ẏ maiors, bailifes, or head officers & wardens to haue like auctoritie. And where no wardēs be, then ẏ head officers or gouernors of the same cities, boroughs, and townes, to appoynt certaine persōs most expert & cūning in knowledge of ẏ same, to make search within the sayd cities, boroughs & townes, where they dwell. And if any such new wares wrought of tynne & pewter, as is aforesayd, be found defectiue, & being in ẏ possession of the seller, ẏ then ẏ same person or persons ẏ putteth any such newe wares of pewter to sale, shal forfaite ẏ same wares, thone halfe to ẏ vse of our soueraigne lord ẏ king, & thother halfe to the searchers & finders of the same. Prouided alway that this act cōcerning the forfaiture, be not prēiudicial nor hurtfull to any person or persons hauing graunt of our soueraygne lord the king, or of any of his noble progenitors by his letters patents of such forfaiture, but that they & euery of them shall haue & enioy ẏ same, according to their former graunts and liberties. An. 4. H. 8. cap. 7.

Vntrue mettall Tynne

Maior London Wardens

Search

Pewter

Forf. Partie

Letters p.

3 ¶ That no person or persons hereafter at any time now inhabiting, or which hereafter shal inhabit within this realme, shal buy, or otherwise take by exchāge for other wares, any maner wares made, or hereafter to be made out of this realme, of tynne or mixt with tynne, as platters, dishes, saucers, pots, basons, ewers, flagons, goblets, salts, saltsellers, spoones, or any other thing made of tynne or pewter, as is aforesaid, whatsoeuer it be, vpō payne of forfaiture of the same ware in whose hāds soeuer it may be found or taken, & also lawful money currant in this realme, to ẏ ful value thereof, thone halfe of ẏ same forfaiture to be to the vse of the kings highnes, & the other halfe to be to ẏ vse of the finders of ẏ same. And furthermore be it &c. that it shalbe lawfull to the master & wardēs of the said craft of pewterers, as wel within ẏ citie of Lōdon, as within euery other city, borough & towne of this realme, where such wardens be, & where no such wardens be, to ẏ head officer or gouernour, head officers or gouernors of the same citie, borough or towne for the time being, to appoint diuers persons most expert in knowledge of the same, to make search & seisure, & to take into their handes and possessions all such wares as hereafter shall be brought contrary to the true intent and effect of this present act, in whose soeuer hands or possessions any such shalbe found.

Tynne

Pewter

Forf.

Partie

Wardens

London Citie Borough

Officers

Search

And also be it &c. that no person nor persons occupying the said craft or occupation of pewterers within this realme, shal set on work, or retaine in his or their

Apprentice Journeyman Strauger Forf. Charged

ſeruice any perſon or perſons to be his or their apprẽtice or iorneymã, being a ſtrãger borne out of this realme, vpõ paine to forfaite for euery ſuch apprẽtice & iorneyman x.li. ſterling. And þ no ſtrãger borne out of this realme, ſhal occupy, exercile or vſe frõ þ feaſt of Pentecoſt next cõming, the ſaid craft of pewterers, ne worke any maner of veſſell or other ware afore ſayde to be made of tynne or pewter, within any place or places of this Realme, vpon payne of forfaiture of x.li. ſterling. And alſo vpon payne of forfaiture of the ſame pewter or tynne ſo wrought, in whoſe handes ſoeuer it ſhalbe found or taken.

Forf.

Borne in the realme

And alſo be it &c. that no perſõs being borne within this Realme, occupping or exerciſing the ſayde craft of Pewterers, ſhal at any time hereafter reſort into any ſtrange regions & countries, there to vſe, teach, or exercile the ſayd craft of pewterers, vpon payne to loſe the priuiledge & benefite of an Engliſhman. And if in caſe any of the kings ſubiectes, at this preſent time being dwelling in any ſtrange cõtrey or region, and other occupying the ſayd craft of pewterers, doe not repaire into this Realme within three monethes next after requeſt and warning to him to be giuen by writing, ſealed with the common ſeale of the wardens of the ſaid craft within the ſayd citie of London, and here in this realme continually from henceforth dwell and inhabit, that then, and frõ thenceforth he ſhall be reputed and taken as none Engliſhman, but ſhall ſtand and be from thenceforth out of the kings protection. And foraſmuch as ſundry euill diſpoſed perſons, which commonly bene called hawkers, by aucthoritie of the kings letters patents or Placard, do not onely go about from place to place within this realme, vſing buying and ſelling of hallé and pewter, and by colour and pretence of the ſame licences or placards, vſe vnlawfull and decepuable weyghtes and beames, but alſo doe vſe to ſell both hallé and pewter, which is not good, nor truely nor lawfully myxt nor wrought, to the great decrypt of the kinges liege people, contrary to the forme and effect of the ſayde good act and ſtatute made in the ſaid iiii. yere of the kings moſt noble raigne (S. cap. 7. before 2.)

3. moneths

Wardens London

No Engliſhman

Hawkers Letters p.

Hallé Pewter

Weights

Be it therefore &c. that all ſuch licences and placards heretofore had, made, or graunted to any ſuch perſon or perſons, contrary to the true meaning, forme, and effect of this ſtatute, ſhalbe frõ henceforth by aucthoritie of this preſent parliament, clerely voyde and of none effect.

Placard

Voyde

And whereas in the ſayde act of Parliament concerning the craft of pewterers, & hallers, made the ſaid iiii. yere (S. cap. 7. before 2.) for diuers cauſes and conſiderations in the ſame act contained, amongſt other things it is expreſſed, that no perſon or perſons vſing the ſayd craft of Pewterers or hallers, ſhoulde from thenceforth ſell or chaunge any pewter or hallé, new or olde, at any place or places within this realme, but onely in open fayres and markets, or in their owne dwelling houſes, but if they were deſired by the buyers of ſuch wares, vpon payne of forfaiture of euery ſuch default x.li.

Sell Chaunge

Faires Market

Forf.

Foraſmuch as the ſame forfaiture is to the onely vſe of the kings highneſſe, and that any partie ſearching or finding the ſame, is not intituled to haue any benefite thereby, it hath not bene knowen, that any perſon or perſons haue taken any payne, to ſearche or make any inquirie thereof, by reaſon wherof diuers and many euill diſpoſed perſons, vſing buying or ſelling both of hallé and pewter, and not regarding the ſayd good act, neither the ſayd penaltie, dayly go about frõ village to village, towne to towne, and from houſe to houſe, to ſell ſuch pewter and hallé, which is not good, & alſo vſe deceiuable weightes and beames, as they did before the making of the ſayd acte, to the great hurt and decepte of the kinges true liege people & ſubiects. Wherefore be it &c. that aſwell the moitie of the ſayd forfaiture of x.li. limitted in the ſayd ſtatute, made in the fourth yere (S. cap. 7. before 2.) as alſo the moitie of all other forfaitures before expreſſed, and euery of thẽ bee and ſhall be to the vſe of the kinges highneſſe, his heires and ſucceſſours, and

Weights Beames

Moitie

the

the other moitie of the same forfaitures, and euery of them, to the vse of him or them that shal seale, sinde or present ỳ said forfaitures or any of them, or that shal sue for the same &c. wherin ỳ defendãt shal in no wise be admitted to wage his law &c. shall be allowable. This act to endure to the last day of the next parliament. Anno 25. Hen. 8. cap. 9. This act is continued An. 28. H. 8. cap. 9. & An. 31. H. 8. ca. 9. And after An. 33. H. 8. cap. 7. It is made perpetual, as here following appeareth.

4 ¶ That all & euery of the sayd acts & statutes (S. An. 4. H. 8. cap. 7. before 2. & An. 25. H. 8. cap. 9. before 3.) and all & euery article, sentence and clause comprised in the same, may from hēceforth stand and abide in as ful strength and effect for euermore from henceforth to endure, according to the purport, tenour & effect of the same act and actes, as though the said articles, sentences, & clauses were especially limitted, recited, or declared in this present acte. And that no person ne persons from henceforth buy, or take by exchange, or otherwise take into or within this realme, to thentent to sell any such things or wares aboue rehersed, made or to be made out of this realme, vpon paine of like forfaiture & penalties, as are and were expressed in the said seueral acts, the same penalties and forfaitures to be leuied as is afore expressed. And that it may be &c. that if any person or persons doe vnlawfully withstand, interrupt, disturbe or let the master and wardens, or their deputies of the sayd craft of Pewterers for the time being, or the head officer or gouernour, head officers or gouernours of cities, townes, or boroughes within this realme, wherein no such master and wardens are or shalbe, or any of them, in searching, sealing, and taking into their hāds and possessions, such wares as shall happen to bee bought or brought into this Realme, contrary to the purport and effect of the sayd statute, made in the sayde xxv. yeere of the raygne of our sayd souerayne Lord (cap. 9. before 3.) that then euery such person and persons so offending in letting, disturbing, or withstanding the sayde seysure, or taking of such wares, as is afore sayd, shall lose and forfaite for euery time so doing, the summe of v. pound sterling, the one halfe whereof shalbe to the kings vse, and thother halfe to him or them that will or shal sue for the same, by action of debt, writ, bil, plaint or informatiō in any the kings courts of recorde. In which action or suite no protection &c. shall be allowed nor admitted. Anno 33. H. 8. cap. 4.

Disturbe Wardens

Brought into England

Forf.

Spoile

¶ Physitions & Surgeons.

NO person within the citie of Londō, nor within seuen miles of the same, take vpō him to exercise and occupy as a Phisition or Surgeon, except he be first examined, approued and admitted by the Bishop of London, or by the Deane of Poules for the time being, calling to him or them iiii. Doctours of Phisike, & for Surgery other expert persons in that faculte, & for the first examination such as they shal thinke conuenient, & afterward alway iiii. of them that haue bene so approued, vpon the paine of forfaiture for euery moneth that they do occupy as Phisitions or Surgeons, not admitted nor examined after the tenour of this acte, of fiue pounde, to bee imployed thone halfe thereof to the vse of our soueraigne Lord the king, and the other halfe thereof to any person that will sue for it by action of debt, in which no wager of lawe, nor protection shalbe allowed. And ouer this that no person out of the sayd citie & precinct of vii. miles of the same, except hee haue bene (as is afore said) approued in ỳ same, take vpon him to exercise and occupy as a Phisition or Surgeon, in any diocesse within this Realme, but if he be first examined and approued by the Bishop of the same diocesse, or be being out of the same diocesse by his vicar generall, either of them calling to them such expert persons in the sayd faculties, as their discretion shall thinke conuenient, and giuing their letters testimonials vnder their seale to him that they shall so approoue, vpon like paine to them that occupy con-

London 7. miles

Examined Bishop of London Deane of Poules 4. Doctors

Forf. Moneth

Spoile

Approued

Bishop

Letters testimoniall Forf.

tramp to this act (as is aboue layd) to be
letters and employed after the forme be-
fore expressed. Prouided alway, that this
act nor any thing therein contayned, be
prejudicial to the vniuersities of Oxford
and Cambridge, or either of them, or to
the priuileges graunted to them. Anno
3. Henrici octaui. cap. 11.

Oxford
Cambridge

¶ From henceforth your said sup-
pliantes, (S. the wardeines & fellowship
of surgeons in London) be discharged
& not chargeable of constableship, watch
and all maner of office bearing any ar-
mour, and also of all enquestes and iuri-
es within the Citie of London. And also
that this act in all things do extend to all
barbours surgeons, admitted and appoi-
ted to exercise the said misterie of Sur-
geons according to the forme of the stat.
lately made in that behalfe, so that they
exceed ne be at one time, aboue the num-
ber of twelue persons. An. 3. H. 8. cap. 6.

Wardens

London
Constable
Watch
Bearing
armour
Enquestes
London

Barbours
Appoynted

12. persons

¶ In their most humble wise sheweth
vnto your highnesse, your true & faithful
subiectes and liegemen John Chamber,
Thomas Linacre, Fernādes de victoria,
your physitions, & Nicholas Halliwell,
John Fraunces, and Robert Yarley,
& all other such of the same faculty with-
in the Citie of London, and seuen miles
about, that where your highnes by your
most gracious letters patentes bearing
date at Westminster the three and twen-
ty day of September the tenth yere of
your most noble raigne, for the common
wealth of this your Realme in due exer-
cising and practising of the faculties of
physicke, & the good ministration of me-
dicines to be had, haue incorporated and
made of vs and of our company aforesaid,
one body and perpetuall communal-
tie of fellowshippe of the faculties of phi-
sicke, and to haue perpetuall succession
and common seale, and to chose yerely a
President of the same fellowshippe and
communaltie, to ouersee, rule, and go-
uerne the said fellowship and cōmunaltie,
and all men of the same faculties, with di-
uers other liberties and priuiledges by
your highnesse to vs graunted for the
cōmon wealth of this your realme, as in

London
7. miles.

Letters p.

President

your said most gracious letters patents,
more at large is specified & contained, the
tenour whereof followeth in these wordes.

HEnricus Dei gratia, Rex Angliæ & Præciæ, & Dominus Hibernię, omnibus ad quos præsentes literæ peruenerint, salutē. Cum regii officii nostri munus arbitremur ditionis nostræ hominū felicitati omni ratione consulere: id autem vel imprimis fore, si improborū conatibus tempestiue occurramus, apprime necessarium duximus, improborum quoque hominum, qui medicinā magis auaritiæ suæ causa, quam vllius bonæ conscientiæ fiducia profitebuntur, vide rudi & credulæ plebi plurima incōmoda oriantur, audaciam compescere, itaque partim bene institutarū ciuitatum in Italia, & aliis multis nationibus exemplum imitati, partim grauium virorū, Doctorum Iohannis Chambre, Thomæ Linacre, Ferdinandi de victoria medicorum nostrorum, Nicholai Halliwel, Iohannis Fraūcisci, & Roberti Yarley medicorum, ac præcipue teuerēdissimi in Christo patris ac Domini Thomæ tituli sanctæ ecclesiæ, trans Tyberim, sacrosanctæ Romanæ ecclesiæ præsbiteri Cardinalis Eboracensis Archiepiscopi, & regni nostri Angliæ Cancellarii charissimi, precibus inclinati, collegium perpetuum dictorū & gratiosorum virorum, qui medicinam in vrbe nostra Londino & suburbibus, intraque septem millia passuum ab ea vrbe quaque versus publice exerceāt, instituī volumus atque imperamus. Quibus tū sui honoris, tum publicæ vtilitatis nomine, curæ, vt speramus, erit, malitiosorum quorum meminimus inscitiam temeritatemque, tam exēplo grauitateque sua deterrere, quam per leges nostras nuper editas, ac per constitutiones per idē collegium condendas punire. Quæ quo facilius rite peragi possint, memoratis doctoribus Iohanni Chambre, Thomæ Linacre, Ferdinando de victoria medicis nostris, Nicholao Halliwell, Iohanni Francisco, & Roberto Yarley medicis, concessimus, quod ipsi omnesque homines eiusdem facultatis de & in ciuitate prædicta, sint in re & in nomine vnum

The letters patents

corpus

çorpus & communitas perpetua, siue collegium perpetuum, & quod eadem communitas siue collegium singulis annis in perpetuum eligere possint, & facere de communitate illa aliquem prouidum virum, & in facultate medicinæ expertum, in Præsidẽtem eiusdem collegii siue communitatis, ad superuidendum, recognoscendum, & gubernandum pro illo anno collegium, siue cõmunitatem prædictam, & omnes homines eiusdem facultatis, & negotia eorundem. Et quod idem Præsidens & collegium, siue communitas habeãt successionem perpetuã, & commune sigillum, negotiis dictæ cõmunitatis & præsidẽtis in perpetuum seruiturum. Et quod ipsi & successores sui in perpetuum sint personæ habiles & capaces ad perquirendum & possidendum in feodo, & perpetuitate terras & tenemẽta, reddditus, & alias possessiones quascunque. Concessimus etiam eis & successoribus suis pro nobis & hæredibus nostris, quod ipsi & successores sui possint perquirere sibi & successoribus suis, tam in dicta vibe, quam extra terras & tenemẽta quæcunque ad annuum valorem duodecim librarum non excedẽda, statuto de alienatione ad manum mortuam non obstante. Et quod ipsi per nomina præsidentis collegii, seu cõmunitatis facultatis medicinæ London placitari & implacitari possint coram quibuscunque iudicibus in curiis & actionibus quibuscunque. Et quod prædictus præsidens & collegium siue cõmunitas, & eorum successores, congregationes licitas & honestas de seipsis, ac statuta & ordinationes pro salubri gubernatione superuisa & correctione collegii seu cõmunitatis prædictæ, & omnium hominũ eandem facultatem in dicta ciuitate, seu per septem milliaria in circuitu eiusdem ciuitatis exercend. secundum necessitatis exigentiam (quoties & quando opus fuerit) facere valeãt licite & impune, sine impedimento nostro, hæred. vel successorum nostrorum iusticiariorum escaetorum, vicecomitum, & aliorũ ballituorum, vel ministrorum nostrorũ, hæredũ vel successorũ nostrorũ quorumcunque. Concessimus etiam eiusdem præsidenti & collegio seu communitati & successoribus suis, quod nemo in dicta ciuitate, aut per septem milliaria in circuitu eiusdem, exerceat dictam facultatem, nisi ad hoc per dictum præsidentem & communitatem, seu successores eorum, qui pro tẽpore fuerint, admissus sit, per eiusdem præsidentis & collegii literas sigillo suo cõmuni sigillatas, sub pœna centum solidorum pro quolibet mense, quo non admissus eadem facultatem exercuit, dimidiũ inde nobis & hæredibus nostris, & dimidium dicto præsidẽti & collegio applicãdum. Præterea volumus & concedimus pro nobis & successoribus nostris (quantũ in nobis est) quod per præsidẽtem & collegium communitatis pro tempore existen. & eorum successores in perpetuum, quatuor singulis annis per ipsos eligantur, qui habeant superuisum & scrutinium, correctionem & gubernationem, omnium & singulorũ dictæ ciuitatis medicorum, vtentium facultate medicinæ in eadem ciuitate, ac aliorum medicorum forinsecorum quorumcunque, facultatem illam medicinæ aliquo modo frequentantium & vtentium infra eandem ciuitatem & suburbia eiusdem, siue infra septem milliaria in circuitu eiusdem ciuitatis, ac punitionem eorundem pro delictis suis in non bene exequendo, faciendo, & vtendo illa, necnõ superuisum & scrutinium omnimodo medicinarum, & eorum receptionẽ per dictos medicos, seu aliquem eorum, huiusmodi ligeis nostris pro eorum infirmitatibus curandis & sanandis, dandis, imponendis, & vtendis, quoties & quando opus fuerit pro commodo & vtilitate eorundẽ ligeorum nostrorum. Ita quod punitio huiusmodi medicorum, vtentium dicta facultate medicinæ, sic in præmissis delinquentium, per fines, amerciamenta, imprisonamenta corporum suorum, & per alias vias rationabiles, & cõgruas exequatur. Volumus etiam & cõcedimus pro nobis, hæredibus & successoribus nostris (quantum in nobis est) quod nec præsidẽs, nec aliquis de collegio prædicto medicorũ, nec successores sui,

Purchase

xii. H. 6. cap.

Implead

Imprison

ſui, nec eorum aliquis exercens facultatem illam quoquo modo in futurum infra ciuitatem noſtram prædictam, & ſuburbia eiuſdem, ſeu alibi ſummoneantur, aut ponantur, neque eorum aliquis ſummoneatur, aut ponatur in aliquibus aſſiſis, juratis, inqueſtis, inquiſitionibus, lattinctis & aliis recognitionibus infra dictam ciuitatem, & ſuburbia eiuſdem impoſterum coram maiore ac vicecom. ſeu coronatoribus dictæ ciuitatis noſtræ pro tempore exiſten. capiendum, aut per aliquē officiarium, ſeu miniſtrū ſuū, vel officiarios, ſiue miniſtros ſuos ſummonend. licet idem iurati inquiſitiones, ſeu recognitiones ſummonitæ fuerint ſuper breui, vel breuibus noſtris, vel hæredum noſtrorum de recto, ſed quod dicti magiſtri ſiue gubernatores, ac communitas facultatis antedictæ, & ſucceſſores ſui, & eorum quilibet dictam facultatem exercentes verſus nos, hæredes, & ſucceſſores noſtros, ac verſus maiorem & vicecomites ciuitatis noſtræ prædictæ, (pro tempore exiſtente) & quoſcunque officiarios & miniſtros ſuos ſint inde quieti, & penitus exonerati imperpetuum per præſentes. Prouiſo quod litteræ noſtræ, ſeu aliquid in eis contētum non cedent in præiudicium ciuitatis noſtræ London, ſeu libertat. eiuſdem. Et hoc abſque fine ſeu feodo pro præmiſſis, ſeu ſigillatione præſentium nobis facienda, ſoluenda vel aliqualiter reddenda, aliquo ſtatuto, ordinatione, vel actu in contrarium ante hæc tempora facto, ædito, ordinato, ſeu prouiſo in aliquo nō obſtāte. In cuius rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte me ipſo, apud Weſtmonaſterium xxiii. die Septemb. Anno regni noſtri decimo, Per ipſum regem, & data prædicta auctoritate Parliamenti. Tunſtall.

Enquest

London

And for ſo much that the making of the ſaid corporation is meritorious & very good for the common wealth of this your Realme, it is therefore expedient and neceſſary to prouide, that no perſon of the ſayd politike body & comminaltie aforeſaid, be ſuffered to exerciſe Phiſike,

Corporation

but onely thoſe perſons that be profound, ſad, and diſcrete, groundly learned, and deeply ſtudied in phyſicke. In conſideration whereof, and for the further auctheriſing of the ſame letters patents, and alſo enlarging of further articles for the ſaid common wealth to be had and made, pleaſeth it your highnes &c. to enact &c. that the ſaid corporation of the ſaid cōminalty and felowſhip of the faculty of phyſicke aforeſaid, and al and euery graunt, article & other thing contayned and ſpecified in the ſaide letters patentes be approued, graunted, ratified, and confirmed in this preſent parliament, and clerely auctheriſed & admitted by ỳ ſame, good, lawfull, and auailable to your ſayd body corporate, and their ſucceſſors for euer, in as ample and large manner as may be taken, thought and conſtrued by the ſame. And that it ſhall pleaſe your highnes &c. furtherly to enact &c. that the ſixe perſons aforeſaid, in your ſaid moſt gracious letters patentes named as principalles and firſt named of the ſaid comminaltie & felowſhip, choſing to them two or moe of the ſaide comminaltie from henceforward be called & cleped electes. And that the ſame electes yerely choſe one of them to be preſident of the ſaid cōminaltie, & as oft as any of the rowmes and place of the ſame electes ſhall fortune to be void by death or otherwiſe, that the ſuperuiſours of ỳ ſame electes within thirty or fourty dayes next after the death of them or any of them (ſhal choſe, name and admit one or moe as neede ſhall require, of the moſt cunning and expert men of and in the ſaide faculty in London, to ſupply the ſaid rowme and number of eight perſons, ſo that he or they that ſhalbe ſo choſen, be firſt bỳ ſaide ſuperuiſoures ſtraightly examined after a forme deuiſed by the ſayd electes, and alſo by the ſame ſuperuiſours approued.

Approued

6. Perſons

Electes

Preſident

Superuiſors

London

8. Perſons

And where that in the dioceſſe of England out of London it is not light to find alway men able ſufficiently to examine (after the ſtatute) ſuch as ſhall be admitted to exerciſe phyſicke in them, that it may

may be enacted in this pꝛeſẽt parliamẽt, that no perſon from hencefoꝛth be ſuffered to exerciſe oꝛ pꝛactiſe in phyſicke thꝛough England, vntill ſuch time, that he bee examined at London by the ſayde pꝛeſident and thꝛee of the ſayde electes, and to haue from the ſaid Pꝛeſident oꝛ electes, letters teſtimonials of their appꝛouing and examination, except he be a Graduat of Oxford oꝛ Cambꝛidge which hath accomplished al thing, foꝛ his foꝛme without any grace. Anno 14. Henrici 8. cap. 5.

Examin

Graduat Oxford Cambꝛidg

4 In moſt humble wiſe ſhewen vnto pour maieſty, pour true & faithfull ſubiectes and liege men, the Pꝛeſident of ỹ coꝛpoꝛation of the comminalty & felowſhip of the ſcience & faculty of Phyſicke in pour city of London, and the cõmons and fellowes of the ſame, that where as diuers of thẽ many times hauing in cure as well ſome of the lꝛds of pour moſt honoꝛable counſaile, and diuers times many of the nobilitie of this realme, as many other of pour faithfull and liege people, cannot giue their due attendance to them & other their pacients with ſuch diligence, as their dutie were & is to do, by reaſon they be many times compelled aſwel within the ſaide city of London & ſuburbes of the ſame, as in other townes and villages, to keepe watch and ward, & be choſen to thoffice of Conſtable and other offices within the ſaid city & ſuburbes of ỹ ſame, as in other places within this pour realme, to their great fatigatiõ & vnquieting, & to the peril of their pacients, by reaſon they cannot be conueniently attended: It may therefoꝛe pleaſe pour moſt excellẽt maieſty wt thaſſẽt &c. to enact &c. ỹ the pꝛeſidẽt of ỹ ſaide cõminalty & felowſhip foꝛ ỹ time being, & the cõmons & felowes of ỹ ſame, & euery felow therof ỹ now be oꝛ at any time hereafter ſhal by their ſucceſſoꝛs & the ſucceſſoꝛs of euery of thẽ, at al time & times after the making of this pꝛeſent act, ſhalbe diſcharged to keepe any watche oꝛ ward in pour ſaid citie of London, oꝛ ỹ ſuburbs of ỹ ſame oꝛ any part therof: And ỹ they oꝛ any of thẽ ſhalbe choſẽ cõſtable oꝛ any other officer in the ſaid city oꝛ ſuburbes. And that if at any time hereafter the ſaid pꝛeſident foꝛ the time being, oꝛ any of the ſaid cõmons oꝛ fellowes foꝛ the time being, by any wayes oꝛ meanes be appointed oꝛ elected to any watch oꝛ ward, office oꝛ conſtable, oꝛ any other office within the ſaide City oꝛ ſuburbes, the ſame appointement oꝛ election to bee vtterly void & of none effect, any oꝛder, cuſtome, oꝛ lawe to ỹ contrary befoꝛe this time hꝛed in ỹ ſaide city notwithſtanding. And that it may pleaſe pour moſt royall maieſtie &c. foꝛ the cõmon welth & ſuerty of pour louing ſubiects of this pour realme in and foꝛ thadminiſtration of medicines to ſuch of pour ſayde ſubiectes as ſhall haue neede of the ſame, that from hencefoꝛth the ſaid pꝛeſidẽt foꝛ the time being, commons and fellowes and their ſucceſſoꝛs, may perely at ſuch time as they ſhal thinke moſt mete and conuenient foꝛ the ſame, elect and choſe iiii. perſons of the ſaide commons and fellowes of the beſt learned, wiſeſt, and moſt diſcret, ſuch as they ſhall thinke conuenient, & haue experience in the ſaidẽ facultie of phyſike: And that the ſaid fower perſons ſo elected and choſen, after a coꝛpoꝛal oth to thẽ miniſtred by the ſaid pꝛeſident oꝛ his deputie, ſhal and may by vertue of this pꝛeſent act, haue full auethoꝛitie and power, as oftẽ as they ſhall thinke meete and conuemẽt to enter into the houſe oꝛ houſes of all and euery poticary, now oꝛ any time hereafter vſing the miſterie oꝛ craft of a poticarie within the ſaide Citie, only to ſearch, vieẅ and ſee ſuch poticary wares, dꝛugges and ſtuffe as the ſaide poticaries oꝛ any of them haue oꝛ at any time hereafter ſhall haue in their houſe oꝛ houſes. And all ſuch wares, dꝛugges and ſtuffes as the ſame fower perſons ſhall then find defectiue, coꝛrupted & not meete noꝛ cõuenient to be miniſtred in any medicines foꝛ ỹ health of mãs body, ỹ ſame fower perſons calling to them the wardens of ỹ ſaide miſtery of poticaries within ỹ ſaid city foꝛ ỹ time being, oꝛ one of thẽ, ſhall cauſe to be hꝛent oꝛ otherwiſe diſtroy the ſame as they ſhal think meete

Pꝛeſident

London

Watch Ward Conſtable

Pꝛeſident Felowſhip

Watch London

Conſtable

Officer

Wayes

4. Perſons

Oth

Poticary

Serch

Wardens

Deſtroy

by

by their discretion. And if the said poticaries or any of them at any time here
Refuse after do obstinatly or willingly refuse or deny the sayde fower persons perely elected and chosen as is beforesaid, to enter into their said house or houses for the causes, intent and purpose before rehearsed: That then they and euery of them so offending contrary to this act, for euery time that he or they do so offend, to forfaite C.s. the one half to your maiestie,
Forf. Pourtie and thother halfe to him that will sue for the same by accion of debt, bill, playnt, or information in any of the kings courtes wherein no wager of lawe, essoine, or protectiõ shalbe allowed. And if the said fower persons or any of them so elected
Refuse and chosen as before is said, do refuse to be sworne, or after his said othe to him or them administred, do obstinatly refuse to make the said search and view once in the yere, at such time as they shal thinke most conuenient by their discretions, hauing no lawful impediment by sickenes or otherwise to the contrary: That then for euery such wilful & obstinate default, euery of the said fower persons making
Forf. default, to forfait forty shillings. And forasmuch as the science of physicke doth comprehend, include & containe ẏ knowledge of surgery as a speciall member & part of the same, therefore be it enacted
Surgery that any of the saide companie or felowship of physytions being able, chosen and admitted by the said president and felowshippe of physitions may from time to time
London as well within the Citie of London as elsewhere within this realme, practise and exercise the saide science of physicke in al and euery his members and partes, any act, statute, or prouision made to the contrary notwithstanding, Anno 32. Henrici. 8. cap. 40.

5 ¶ The king our souereigne Lord by thaduise &c. duely pondering among other thinges necessary for the common welth of this realme, ẏ it is very expedient & needeful to prouide for men expert in ẏ science of physicke and surgery, for the healthy of mans body when infirmity and sickenesse shall happen, for the due exercise and maintenance whereof, good and necessary actes be already made and prouided: Yet neuertheless, forasmuch as
London within the Citie of London where men of great experience as well in speculation as in practise of the science and faculte of surgerie, be abyding and inhabiting, and haue more commonly the daylie exercise and experience of the same science of surgerie then is had or vsed within other partes of this Realme, and by occasion thereof many expert persõs be brought vp vnder them, as their seruantes, apprentices, and others, who by ẏ exercise & diligent informatiõ of their sayd masters, aswell now as hereafter shall exercise ẏ said sciẽce within diuers other parties of this Realme, to ẏ great reliefe, comfort, and succour of much people, and to the sure safegard of their bodily health, their limmes and liues: And forasmuch as within the saide Citie
ii. Companies of London, there be now two seuerall and distinct companies of surgeons occupping and exercising the saide science and faculte of surgerie, the one company being commonly called the barbors
Barbours of London, and the other company called the surgeons of London: Which
Surgeons company of barbors be incorporated to sue and to be sued by the name of masters or gouernors of the mistery and communaltie of the barbors of Londõ by vertue and auctoritie of the letters patents vnder the great seale of the late king of famous memory King Edward the fowerth dated at Westm. the 24 day. of Fe. in the first yere of his raigne, which afterward aswell by our now most dread soueraigne Lorde, as by the right noble and vertuous prince king H. 7. father vnto the kinges most excellent highnesse nowe being, were and be confirmed, as by sundry letters patentes thereof made, among other things in the same contayned more at large may appeare: And the other company called ẏ surgeons, be not incorporate, nor haue any maner of corporation, which two seuerall and distinct companies of surgeons were necessary to be vnited & made one body incorporat

to

to theintent that by their vnion and often assemble togethers, the good & due order, exercise and knowledg of the said science or faculties of surgerie should be aswel in speculation as in practise, both to them selues, & al other their said seruants and apprentices nowe and hereafter to bee brought vp vnder them, and by their learninges & diligent and ripe informations, more perfect, spedy, & effectuall remedy should be, then it hath beene or should be, if the saide two companies of barbors & surgeons should continue seuered a sunder, & not ioyned together as they before this time haue bene and vsed them selues not medling together, wherefore in consideration of the premisses be it &c. that the said two seuerall and distinct companies of surgeons, that is to say both the barbors and the surgeons, and euery person of them being a free man of either of the saide companies after the custome of the said Citie of Londō and their successors from henceforth immediatly be vnited and made one entyre and whole body corporate, and one communaltie perpetual, which at al times hereafter shalbe called by the name of masters or gouernors of the mistery & comminalty of barbors and surgeons of London for euermore & by none other name. And by the same name to implead & be impleaded, before al maner of Justices, in al courtes, in al maner of accions and suites. And also to purchase, enioy & take to them & to their successors al maner of lands, tenements, rēts, & other possessiōs whatsoeuer they be, & also shal haue a cōmon seale to serue for ỳ busines of ỳ said cōpany & corporation for euer. And by ỳ same name peaceably, quietly, and indifferently, haue possession and enioy to them and to their successours for euer, all such landes and tenementes, and other hereditamentes, whatsoeuer, which the saide company or comminalty of barbors haue and enioy to the vse of the said mistery and comminalty of barbours of London. And also shal peaceably & quietly haue & enioy all & singuler benefits, grants, liberties, priuiledges, fraunchises and free customes, and also all maner of other things at any time giuen & granted vnto the said cōpanies of barbours or surgeons, by whatsoeuer name or names they, or any of them were called, & which they or any of them nowe haue, or any of their predecessours haue had by acts of parliamēt, letters patents of the kings highnesse, or other his most noble progenitours, or otherwise by any lawfull meanes haue had at any time afore this present act, in as large & ample maner & forme, as they or any of thē haue had, might or should enioy the same, this vnion or cōiunction of the same cōpanies together notwithstāding. And as largely to haue & enioy ỳ premisses, as if the same were & had bene specially & particularly expressed & declared with the best & most clearest words & termes in the law, to all intents & purposes. And that al persōs of the said cōpany nowe incorporate by this present act, & their successors, that shalbe lawfully admitted & approued to occupy surgery, after the forme of the statute in ỳ case ordeyned & prouided, shalbe exempt for bearing of armour, or to be put in any watches or inquestes. And that they and their successors shal haue the search, ouersight, punishment & correction, as wel of free men as of forreines, for such offences as they or any of them shal cōmit or do against the good order of barbery or surgery, as afore this time amōg the said mistery & company of barbours of London, hath bin vsed & accustomed, according to ỳ good & politike rules & ordinances by thē made, & approued by ỳ lord Chaūcellor, Treasorer, & ii. chiefe Justices of eyther bench, or any iii. of thē, after ỳ forme of ỳ statute in ỳ case ordeined & prouided. And further be it &c. that the said masters or gouernors of the sayd mistery & cōminalty of barbors & surgeons of Lōdon, & their successors yerely for euer, after their sayd discretions, at their free libertie and pleasure, shall & may haue & take without cōtradiction, iiii. persons cōdemned, adiudged & put to death for felony, by the due order of ỳ kīgs lawes of this realme, for anatomies, without any further suite or labour to be made to ỳ kings highnes, his

Barbours & surgeons

Purchase

Common seale

Wearing of armour Watches

Punish

Chaunceler Treasorer Chiefe Just.

4. Persons yerely for anatomies

his heirs or successours for the same, And to make incision of the same dead bodies or otherwise to order the same after their saide discretions at their pleasures for their further & better knowledg, instruction, insight, learning & experience in ỳ said sciẽce or faculty of surgery: Saving vnto al persõs their heires, & successors, Right al such right, title, interest and demaund, which they or any of thẽ might lawfully claime or haue, in, or to any of ỳ lãds & tenements with the appurtenãces belonging vnto the said cõpany of barbors and surgeons or any of thẽ, at any time afore the making of this act, in as ample maner & forme as they or any of them had or ought to haue had heretofore: Any thing in this present act cõprised to ỳ contrary hereof in any wise notwithstanding. And for asmuch as such persons vsing ỳ mistery or faculty of surgery, often times meddle & tooke into their cures & houses such sicke & diseased persõs as beene infected with ỳ pestilence, great pockes, & Pestilence Pockes such other contagious infirmities, do vse or exercise barbery, as washing or shauing & other feates thereũto belonging, which is very perilous for infecting the kings liege people resorting to their shoppes & houses, there being washed or shauē: Wherefore it is now enacted & c. ỳ no maner of persõ within ỳ city of Lõdõ, London suburbes of ỳ same, & one mile compasse of ỳ saide city of Londõ, after ỳ feast of ỳ natiuity of our lord god next cõming, vsing any barbery or shauing, or ỳ hereafter shal vse any barbary or shauing within ỳ said city of London, suburbes or one mile circuit of ỳ same city of London, he nor they, nor none other for thẽ, to his or their vse shal occupy any surgery, letting of blood, or any other thing belõging to surgery, drawing of teeth only except. And furthermore in like maner whatsoeuer ỳ vseth ỳ mistery or craft of surgery within the circuite afore said as long as he shal fortune to vse ỳ said mistery or craft of surgery shal in no wise occupy nor exercise the seat or craft of barbery or shauing, neither by him selfe nor by none other for him, to his or their vse. And moreouer that all maner of persons vsing surgery for the time being, as well free men as forreines, aliens & straungers within ỳ said city of Lõdon, the suburbes thereof, & one mile cõpasse of ỳ same city of Lõdõ, before ỳ feast of S. ỳ. tharchãgel next cõming, shal haue an open signe Signe on the streete side, where they shal fortune to dwel, that al ỳ kings liege people there passing by, may knowe at all times whither to resort for their remedies in time of necessity. And further be it &c. that no maner of person after ỳ said feast of saint ỳ. tharchangel next cõming, presume to keepe any shoppe of barbery or shauing within ỳ citie of Lõdõ, except he be a free- Freeman man of the same corporation & company. And furthermore at such times heretofore accustomed, there shalbe chosen by ỳ same cõpany iiii. masters or gouernors of 4. Gouernors the same corporatiõ or cõpany, of ỳ which foure, ii. of thẽ shalbe expert in surgery, & thother two in barbary, which iiii. masters & euery of thẽ, shal haue ful power & authoritie frõ time to time, during their said office, to haue ỳ ouersight, search, pu- Search nishment & correction of al such defaults & inconueniences as shalbe found among ỳ sayd cõpany vsing barbary or surgery, as well of free men as forreines, aliens & Aliens Straungers straungers within ỳ citie of London & the circuite afore said, after their said discretions. And if any person or persons vsing any barbary or surgery, at any time hereafter, offend in any of these articles afore said, thẽ for euery moneth ỳ said persons so offending, shal lose, forfaite & pay v. li. Fine. the one mottie therof to ỳ king our soueraigne lord, & ỳ other moity to any persõ ỳ wil or shal sue therfore by actiõ of debt, bil, plaint, or informatiõ in any the kings courts, wherein no wager of law, essoine or protection shalbe admitted or allowed in the same. Prouided that the sayd barbours & surgeons, & euery of them, shall beare & pay lot & scot, & such other char- Lot & scot ges as they and their predecessours haue bene accustomed to pay within this citie of London: This act or any thing therein contayned, to the contrary hereof in any wise notwithstanding.

Prouided

Seruant

Licence

Practisers

President

Search

Prouided alwaye be it ꝑ. that it shalbe lawfull to any of the kinges subiects, not being a barboy nor surgeō, to retaine haue & keepe in his house as seruant, any person being a barboy or surgeon, which shall and may vse & exercise those artes & faculties of barbery & surgery or either of the in his maisters house, or els where by his maisters licence or cōmaundement, any thing in this act aboue written to the contrary being notwithstanding. Anno 32. Henrici 8. cap. 2.

¶ At all times from henceforth it shal be lawfull to euery person being the kinges subiect, hauing knowledg & experience of ꝑ nature of herbs, roots & waters, or of the operation of the same, by speculatiō or practice within any part of the realme of England, or without any other ꝑ kinges dominiōs, to practise, vse & minister in & to any outward sore, vlcere, wounde, apostematiōs, cuthewes swelling or disease, any herbe or herbes, ointment, baths, pulces, & emplaisters, according to their cunning, experience & knowledge in any of ꝑ diseases, sores, infirmities before sain, & all other diseases ꝑ same, or sinkes for the stone, stragury or agues, without sute, vexatiō, trouble, penalty, or losse of their goods, ꝑ statute made in the foresaid xxxii. yere of ꝑ kinges most gracious reigne, or any other act, ordinance or statute to ꝑ contrary hereof heretofore made in any wise notwithstanding. An. 32. H. 8. cap. 8.

¶ The said statute or act of parliament & (34. H. 8. c. 8. before.) inquery article, & clause therein cōtained, shall stand & remaine for euer such stand & continue full in full strength, force & effect: any act, statute, law, custō, or any other thing, made, had or vsed to ꝑ contrary in any wise notwithstanding.

Be it ꝑ. ꝑ whensoeuer ꝑ president of the colledge, or cōmunalty of the faculty of phisick of London, for ꝑ time being, or such as ꝑ said president & colledge shall yerely accordyng to the tenor & meaning of ꝑ said act, authorise to search, examine, correct, & punish all offenders & transgressors in ꝑ said faculty, within ꝑ same citie & precinct, in ꝑ said act expressed, shal send or cōmit any such offendor or offenders, for his or their offences or disobedience contrary to any article or clause, contained in ꝑ said grāt or act, to any ward, gaol, or prison within ꝑ same citie & precinct (ꝑ Tower of London except) ꝑ then, from time to time ꝑ warden, gaylor or keeper, wardens, gaylors or keepers, of the wardes, gayles & prison within the Citie or precinct aforesaid, except before excepted, shall receiue into his or their prisons all and euery such person and persons so offending as shalbe so sent or committed to him or them, as is aforesaid, & there shall safely kepe the person or persons so committed in any of their prison, at ꝑ proper costes & charges of ꝑ saide person or persons so committed without bail or mainepryse, vntill such time as such offendor or offendors, or disobedience, be discharged of the said imprisonment by the saide president, or such persons as by the saide colledge shalbe thereunto authorised, vpon paine ꝑ that all & euery such warden, gailor or keeper, doing the contrary, shall lose and forfait the double of such fines & amerciaments as such offender & offenders, or disobedients, shalbe assessed to pay, by such as the said president & colledge shall vnderstand, as aforesaide, so ꝑ the same fine and amerciament be not at one time aboue the summe of xx. li. The moity thereof to be employed to the vse of our soueraigne Lady the Queene her heirs, and successors, & ther moity vnto ꝑ said president and colledge. All which forfaitures to be recouered by action &c. against any such wardeine, gaylor, or keeper so offending. In which suit no &c. Ad hec &c. for the better execution of the search, and view of the potinary wares, drugges and compositiō, according to the tenor of a statute made in the xxxii. yere of the raigne of the late king H. 8. ther[e] shall be lawfull for the wardens of the Grocers, or one of them, to goe with ꝑ said physitions in their view and search, whē if ꝑ said warden or wardens doe refuse, or delay his or their comming thereunto forthwith & immediatly when ꝑ said president, or iij. of his colledge elect as is aforesaid, do call vpon him or them,

that

Imprison

Gaylor

Mainepryse

Gaylor

Forf.

Moitie

Warders Grocers

Refuse

that then the said physitions may & shall execute þ search & view, & þ due punishment of the poticaries for any their euill and faulty stuffe, according to þ statute last before mencioned, without thassistãce of any of the said wardens: Any clause in þ afore named statute, to þ contrary hereof notwithstanding. And euery such person or persons as will, or shal resist such search, shall forfait for euery such resistance x.li. The same penalty to be recouered in forme aforesaid, without any of the delates aforesaide to be had to suche thereof, & further be it ex. þ all the Justices, maiors, shrifes, bailiffes, constables, & other ministers & officers within the citie & precincts about written, upon request to them made, shall helpe, ayd, & assist the Presidents of the said colleage, & all persons by them from time to time auctorised, for the due execution of the said actes or statutes, upon paine for not giuing of such ayd, helpe, & assistance, to runne in contempt of the Queenes maiestie, her heires & successors. An. 1. M. 1. Parliamento. cap. 9.

Resist Forf.

Justices Maiors Shirifes Bailiffes Constables

Assist

Contempt

¶ Pillory.

A Pillory of conuenient strength which may be vsed without bodely perill either of man or woman, shalbe had in euery liberty. Anno. 51. H. 3.

Repealed

¶ Pynnes.

AN. 54. Henrici octaui capitulo sexto an act was made for pynnes but it is repealed by 37. H. 8. cap. 13.

Repealed

¶ Plaies and games.

AN. 12. R. 2. cap. 6. An. 11. H. 4. cap. 4. An. 17. Ed. 4 cap 3. Ann. 11. H. 7. cap. 2. & Anno 19. H. 7. capit. 12. be acts made against vnlawfull games, but all those be repealed by 33. Henrici octaui capitulo nono by a general repeale of al statutes made against vnlawfull games vt patet hic. 2.

For as much as the former lawes haue bene defrauded by inuenting of new vnlawful games, wher by deuine seruice is still neglected, and archery also decayed, & therupon many bowyers & fletchers haue left the realme, & practised their sciences in forraine contries, and many of them are come to dwell about London and do forsake the countrey, and so the feat of archery, whereby great victories haue bene heretofore atchiued, is little vsed, and the lesse, by reason that þ poore people be not able to buy long bowes of xxvi. We it ex. That euery man being þ kinges subiect, not lame, decrepit not maimed, nor hauing any other lawfull or reasonable cause or impediment, being within the age of lx. yeres, except spirituall men, Justices of the one bench and of the other, Justices of the assise, and barons of the Eschequer, shall from the feast of Pentecost next comming, vse and exercise shooting in long bowes, & also haue bowe & arrowes ready continually in his house to vse himselfe, & do vse himselfe in shooting. And also þ father, gouernors, & rulers of such as be of tender age, do teach & bring vp them in knowledge of the same shooting. And that euery man hauing a man child or men children to his house, shall prouide, or baine & haue in his house for euery man childe being of the age of vii. yeres & aboue, til hee shall come to the age of xvii. yeres a bowe & two shaftes to enduce and learne them & bring them vp in shooting, & shal deliuer all the same bowes & arrowes to the same yong men to vse & occupy. And if the same yong men be seruaunts, þ then their master shall abate the money þ they shall pay for the same bow and arrowes of their wages. And after all such yong men shall come to the age of xvii. yeres, euery of them shall prouide & haue a bowe and fower arrowes continually for himselfe at his proper costes and charges, or else of þ gift and prouision of his friends, and vse and occupy the same in shooting as is afore rehearsed.

Spiritual men

Just. of both B.

Just of all Barons of the eschequr

Shooting

Long bowes

Bowe and arrowes

Fathers Maisters

Yong children

A bowe and ii. arrowes

Seruauntes

wages

A bowe and 4. arrowes

And if the master suffer any of his seruauntes taking wages, being in his household, and vnder the age of seuenteene yeres, or þ father suffer any of his sonnes, being in his household and vnder the age of seuenteene yere to lacke a bowe and two arrowes, contrary to the forme of this statute, by the space of one moneth together

Master

Father

Lacke

One moneth

together, then the Maister or Father in whom such negligence shabe, shall for euery such default forfait vi.s. viii.d. And that euery seruant passing the age of seuentene yeres, and vnder the age of three score yeres, and taking wages, which can or is able to shoote, and shall lacke a bowe and fower Arrowes by the space of one month together, shall for euery such default forfait and lose vi.s.viii.d. Be it also &c. that no man vnder the age of fower and twentie yeres, shal shoote at any standing Pricke, except it be for a Rouer, where at he shall change at euery shoote his marke, vpō paine for euery shoote doing the contrarie iiii.d. And that no other person aboue the sayde age of fower and twentie yeres shal shoote at any marke of a leuen score yardes or vnder, with any pricke shaft or slighe vnder the paine to forfait for euery shote vi.s.viii.d. And that no person vnder the age of seuentene yeres, except he or his Father or Mother haue Lands or Tenements, to the yerely value of ten pound, or be worth in moueables the summe of fourtie markes sterling, shal shoote in any bow of ewe, which shall bee bought for him after the feast of the Purification of our Lady next comming, vnder the paine to lose and forfait vi.s.viii.d. And also that Buttes be made on this side the feast of saint Michael the archangel next comming in euery Citie, Towne and places, by the inhabitants of euerie such Citie, Towne and place, according to the law of auncient time vsed. And that the inhabitants and dwellers in euery of them, be compelled to make and continue such Buttes, vpon paine to forfaite for euery three moneths so lacking xx.s. And that the said inhabitant shall exercise them selfe with long bowes in shooting at the same, and els where in holy daies, and other times conuenient. And to the intent that euery person may haue bowes of meane price: Be it &c. that euery bowyer dwelling out of the Citie and Suburbes of London, shall after the said feast of the Purification of our Lady next comming, for euery bowe that he maketh of ewe, make fower other bowes meete to shoote in, of Elme, Witchhasel, Ashe, or other wood apt for the same, vnder the payne to lose and forfait for euery such Bowe so lacking iii.s. iiii. d. And euery Bowyer dwelling within the saide citie or suburbes of London, shall after the saide feast of the Purification of our Lady next comming, for euery Bowe of Ewe that he shall make, shall also make two other bowes apt for shoting of Ashe, Elme, whitchhasel, or other wood meete for the same, vnder like payne and forfaiture. And be it &c. that no bowyer shal sel any bowe of Ewe, for any person being betweene the age of seuen yeres, and xiiii. yeres, aboue the price of xii.d. And that the same Bowiers shall haue Bowes of Ewe of all prices frō sixe pence the piece to xii.d. the piece, for youth betweene the saide ages of seuen yeres and fowerteene yeres. And likewise haue bowes of Ewe for youth betweene the age of xiiii. yeres and xxi. yeres, and shal sel the same at reasonable prices. And moreouer, that no bowier shal sel or put to sale to any ỹ kings subiects, any bowe of ewe of the tare called elke, aboue the price of three shillings fower pence, vnder the paine to forfaite xx.s. for euery bowe solde to the contrary aboue the same price of three shillinges fower pence, as appeareth by a Statute made in the xxii. yere of ỹ raigne of king Ed. the 4. (which see in bowes 2. but see there. 7. this clause, and certaine of the other former branches also changed in some part.) And that bowstaues of Ewe hereafter to be brought into this Realme, shall be sold open and not in bundels nor close, to the intent that buyers of them may haue perfit knowledge of the goodnes of them, and giue the better price for them, if they be so worth. (See bowes. 3.) And furthermore be it &c. That fletchers of London, & the suburbs of ỹ same, may at their libertie sell seasonable timber to euery Fletcher of the countrey, without falling into any penalty or danger to any of the wardēs for so doing, & that al ordinances and other Lawes made or to be made, by their wardens or otherwise to ỹ contrary, shalbe from henceforth clerely

Forf. Seruant

Forf.

Prickes Rouers Forf.

Pricke shaft Flight Forf. xxii. yeres

Lands Goods

Ewe bowe

Forf. Butts

Forf. 3. Moneths

Bowes Bowier

Elme bowes Witchhasell Ashe Forf.

London

Forf.

xii.d.

Prices

iii.s.iiii.d. Forf.

Bowstaues

Sold open.

Fletchers of London

Ordinances

Wardens

Woyd Stringers Arrowheadmakers

frustrate and voide. And also be it &c. that the bowyers, fletchers, stringers, and arrowheadmakers, repairing and resorting vnto the sayde citie or the suburbes of the same, and there making their dwelling, or abyding, not free men of the sayde Citty, bearing neither scotte nor lotte within the saide Citie, shall at all times, by the appoyntment of your graces most honorable Counsaile, the Lorde Chauncellour of Englande for the time being, Lord Treasorer, or the Lord priuie seale, or one of them, goe and inhabite in such cities, borroughs & townes as be destitute of such artificers, and there to exercise, occupy and practise their said crafts and faculties, for the maintenance of Artillery and Archerie. And if any such person to whome warning shalbe so giuen by the kings most honorable counsell, the lorde Chauncellour, the Lord Treasourer, or the Lord priuie Seale, as is aforesayd, to depart vnto other townes or places of the said Realme of England from the sayde Citie of London, the suburbes, streetes, lanes, and places neere to the same, refuse to accomplish the same, that then hee or they so refusing, shall forfayt for euery day that he shall make his abode contrary to this act. xl.s. Be it also &c. That no stranger borne out of ỳ kings obeisance, not being denizen, shal conuey or do to be conueied, giue, sell or exchange into any parties out of the kings obeysance any long bowes, arrowes or shaftes without the kings speciall licence, vpon paine of forfaiture of the same whersoeuer they shall be taken, or the value thereof, within the kings power, and vpon paine of imprisonmẽt without baile or mainprise, vnto such time hee or they so beeing in ward, haue made a reasonable fine to the king for his or their offences afore the Justices of Peace, or two of them in their sessions in the same countie where he or they shalbe committed to ward, or finde sufficient suertie for the payment of the same fine: And that no maner person not being borne within the kings obeysance not made denizen, vse within the kings obeysance shooting with long Bowes, without the kings licence, vpon paine of forfaiture of such bowes, arrowes, and shafts, as they shalbe founden so shooting with, and euery of the kings Subiects, may haue authoritie to take and seise the same forfaitures to his owne vse. And the Justices of Assise of goale deliuery, Justices of peace, and stewards of fraunchises, leetes and lawdaies, haue power to enquire of all the premisses in their sessions, leetes, and lawdaies, and heare and determine the same, and also by their discretion, examine all persons lacking and not hauing bowes, shaftes and arrowes according to the forme aforesaid. Be it also &c. that no maner of person or persons of what degree, qualitie or condition soeuer he or they be, from the feast of the Natiuitie of saint John Baptist nowe next comming by him selfe, factour, deputie, seruant or other person, shall for his or their gaine, lucre or liuing, keepe, haue, hold, occupy, exercise, or maintaine any common house, alley or place of bouling, coyting, cloth, cailes, halfe boule, tennis, dising, tables or carding or any other maner of game prohibited by any Statute heretofore made, or any vnlawfull newe game now inuẽted or made, or any other new vnlawfull game hereafter to be inuented, found, had or made vpon paine to forfait and pay for euery day keeping, hauing, or maintaining, or suffring any such game to be had, kept, executed, plaied or maintained, within any such house, gardeine, alley or other place contrary to the forme and effect of this estatute. xl.s. And also euery person vsing and hasiting any of the said houses and places, & there playing, to forfaite for euery time so doing vi.s. viii.d. And if any person hereafter sue for any placard to haue common gaming in his house cõtrary to this estatut, that then it shalbe contained in the same placard what game shalbe vsed in ỳ same house, & what persons shall play thereat, & euery placard graunted to the cõtrary, to be void: And also ỳ the party obtaining any such placard, before he put the same in execution, shalbe bounde with sufficient suerties with him by recognisance in the chauncerie

Licence Forf.

Seise

Just. of all. Just. of g. Just. of p. Stewards Enquire

Oier and ter

Examine

Bouling alley

Vnlawfull games

Forf.

Yamming

Forf.

Placard

Voyd

Suerties Recog.

Artillerie

Refuse

Forf.

Stranger Denizen

Long bowes Arrowes Licence Forf.

Imprison Mainprise

Fine

Just. of p.

Suertie

Stranger Shoote

chauncerie in a certaine summe, to be appointed by ỳ discretion of the lord Chancellour of England, that he shall not vse the saide Placard contrary to the forme thereof. Be it further &c. That it shalbe lawfull to all and euery the Iustices of peace, in euery shire, Maiors, shirifes, bailifes, and other hed officers, within euery Citie, Towne and Borough within this realme from time to time as well within liberties as without, as neede & cause shal require, to come, enter and resort into all and euery house, places and alleis, where such games shalbe suspected to be holden, exercised, vsed or occupied contrarie to ỳ forme of this statute, & aswell ỳ keepers of the same, as also the personsthere haunting, resorting & playing, to take, arrest, and imprison, & them so taken & arrested to keepe in prison vnto such time as the keepers & maintainers of ỳ sayd playes & games haue found suerties to the kings vse, to be bound by recognisance or otherwise, no lõger to vse, keepe, or occupy any such house, play, game, alley, or place, and also ỳ the persons there so found be in like case bounden by themselues, or els with suerties by ỳ discretiõ of ỳ Iustices, Maiors, shirifes, bailiffes or other head officers, no more to play, haunt or exercise frõ thenceforth, in, at or to any of ỳ said places, or at any of the said games. Also be it, &c. That the Maiors, shirifes, baylifes, constables and other head officers within euery citie, borough and towne within this realme where any such officers shall fortune to be, aswel within the franchises as without, shall make due search weekely, or at the furthest at all times hereafter once euery moneth in all places where any such houses, alleis, plaies or places shalbe suspected to be had, kept and maintained. And if the sayd Maiors, shirifes, bailifes, constables or other head officers, within their cities, boroughes & townes, as well within franchises as without, doe not make due search at the furthest once euery month, if the case so require, according to the tenour of this acte, and do not execute the same in al things, according to the purport and force of the same, that then euery such Maior, shirifes, bailifes, constable or other head officer, to pay and forfaite for euery moneth, not making such search nor executing the same, fortie shillings. Be it also &c. that no maner of artificer or crafts man, of any handy craft or occupation, husbandman, apprentice, labourer, seruant at husbandry, tourney man or seruant of artificer, mariners, fishermen, watermen or any seruing man, shal from the said feast of the Natiuity of Saint Iohn Baptist, play at the Tables, tenis, dice, cardes, bowles, clash, coyting, logating, or any other vnlawfull game out of Christmas, vnder ỳ paine of xx.s. to be forfaite for euery time, and in Christmas to play at any of the saide games in their masters houses, or in their masters presence. And also that no maner of person shall at any time play at any boule or bowles, in open places out of his garden or orchard, vnder the paine for euery time so offending to forfaite vi.s. viii.d. And that al Iustices of peace, maiors, bailifes, shirifes and all other head officers, and euery of them, finding or knowing any maner person or persons vsing or exercysing any vnlawfull games contrarie to this present statute, shal haue full power and authority to commit euery such offendour to warde, there to remaine without baile or mainprise, vntill such time that they so offending, be bounden by obligation to the kings vse, in such summes of money as by the discretion of the said Iustices, Maiors, bailiffes, or other head officers shalbe thought reasonable, that they or any of them shall not from thenceforth vse such vnlawfull games. Be it &c. that all other statutes made for the restraint of vnlawfull games, or for the maintenance of artillery as touching the penalties, or forfeitures of the same, shalbe from henceforth vtterly voyd. And that al informations, plaints, actions or suites that shall be taken or sued vpõ any part of this statute, shalbe commenced within the yeere after the offence committed and done, or otherwise no aduantage or suite thereof to be taken. And where any such forfeitures shall happen to be found within the pre-

Chauncelour

Euery Iust. of p. Maior Shirife Bailife

Enter

Arrest Imprison

Suerties Recog.

Discretion Maiors Shirifes Baylifes Constables

Search

Euery moneth

Foyt.

Crafts men Artificers Husbandmen Seruants

Tables Tennis Dice Boules Cardes Foyt. Christmas

Bowles Garden

Foyt. Iust of p. Maiors Bailifes Shirifes

Imprison Mainprise Obligation

Repeal of statute.

Information

One yere

tinct of any franchise, leete, or lawe day, then the lord of the same frãchise, leete or lawday, to haue the one moity therof, and the other moity thereof to any of ꝑ kings subiects that will sue for the same in any of the kings courts, by action, information, bill or otherwise, in which action or suit, the defendant shal not be admitted to wage his law &c. And where such forfaiture shalbe founden out of the precinct of any franchise, leete, or law day, that the moity of all such forfaitures shalbe to the king our soueraigne lorde, and the other moity thereof to any the kings Subiects that will sue &c. in which suit &c. And to the intent that euery person may haue knowledge of this act, and auoid the dangers and penalties of the same, Be it &c. that all Maiors, bailifes, shirifes, and all other head officers, shall foure times in the yere, that is to say, euery quarter once make open proclamation of this present act, in euery market to be holden within their seuerall iurisdictions & authorities. And also that the Justices of gaole deliuerie, assises, and Justices of peace, doe cause the same to be proclaimed in their seuerall circuites and sessions before them holden, and that this statute shall begin to take his effect, concerning the penalties of the same, from the said feast of S. John Baptist now next comming, and to continue and endure for euer. Prouided alway and be it &c. that if any person or persons, haue taken by Lease, whether it be by worde, writing or otherwise, any house, alley or place wherein any such vnlawfull game now is, and at the time of such lease made was vsed: that then euery such lease shall at the liberte of him or them, to whom such lease is made, their executors, administrators or assignes, frõ the said feast of the Natiuitie of S. John Baptist, be vtterly voyde, except it be for breach of couenãts or agreements or payment of rent due, or to be due at the said feast, or any time before, so that then at the same feast, or within one moneth next after the same, the sayde lessee giue knowledge to such lessor or lessors, their heires or assignes, that he will no longer occupy the same, and that then it shall be lawfull to the inheritoure, lessoure or owner therof, or to his heires or assignes, in the same house, alley or place to reenter. Prouided also and be it &c. that it shalbe lawfull for euery master to licence his or their seruants to play at Cardes, Dice, or tables with their said master, or with any other gentleman repairing to their said master openly in his or their house, or in his or their presence according to his or their discretiõ. And ꝑ it shal be lawful to euery such seruãt, for euery time so being commanded or licensed by his said master, as is aforesaid, to play at cardes, dice or tables, with his said master or other gentleman, so to him repairing, any thing in this act to the contrary notwithstanding. Prouided also and be it &c. that it shalbe lawfull to euery noble man and other hauing manors, lands, tenements, or other yerely profit, for terme of life in his owne right, or in his wiues right, to the yerely value of a hundred pound or aboue, to commaund, appoint, or licence by his or their discretion, his or their seruants, or familie of his or their house or houses, for to play within the precinct of his or their houses, gardeins or orchards, or els where, dice, tables, bowles, or tennis, as well amongst themselues, as other repairing to the same house or houses. And that they so playing by commaundement, appointment, or licence as is aforesaid, shall not incurre any damager or penalty contayned in this act for the same, this act or any thing therein contained to the contrarie therof in any wise notwithstanding. Prouided alway and be it &c. that all informations, actions and suits, nowe depending in any of the kings courts, for or concerning any penaltie or forfeiture contained in any of the sayd statutes, by this act repealed, and no iudgement therein yet giuen, the same information, actions, and suites shal be, remaine, and stand as good and effectuall in the lawe, to all intentes, constructiõs & purposes, as if this act had neuer bene had ne made, any thing in this act contained to ꝑ contrary therof in any wise notwithstanding. An. 33. H. 8. ca. 9.

Lord of franchise Moity

Moity

Maiors Bailifes Shirifes

Proclamation Market

Iust. of g. Iust. of ass. Iust. of p.

Sessions

Prouided

Lease

Voyd

Reenter

Master Licence Seruants Cardes Dice Tables Gentleman

Noble man

100. li. land Licence

Cardes Dice Tables Bowles Tennis

3 ¶That from and after the feaſt of the birth of our Lorde God next comming, euery licence, placard or graunt, made to any perſon or perſons, for the hauing, maintenance or keeping of any bowling Alleis, Dicing houſes, or any other vnlawfull games, prohibited by the Lawes and eſtatutes of this realme, ſhal be from the ſayde feaſt vtterly voyde and of none effect. Anno 2. & 3. Philip and Mary capitulo 9.

Licence
Placard
Bowling alleys
Dicing houſes
Voyd

¶Pleading and Pleaders.

AL pleas, which be to be pleaded in any of his courtes before any of his Juſtices, or in his other places, or before any of his other miniſters, or in ꝑ courtes & places of any other lords within the realme, ſhalbe pleaded, ſhewed, and defended, anſwered, debated and iudged, in the engliſh tongue, and that they be entred and enrolled in Latine. And that the lawes and cuſtomes of the ſame realme, termes and proceſſes be holden and kept, as they be and haue bene before this time, and that by the auncient termes and formes of the declarations, no man be preiudiced, ſo that the matter of the action be fully ſhewed in the demonſtration and in the writ. And it is accorded by the aſſent aforeſayd, that this ordinance and ſtatutes of pleading, begin and hold place at the xv. day of Saint Hillary next comming. An. 36. E. 3. cap. 15.

Pleading in
Engliſh
Latine

¶Pleas of the Crowne.

NO Shiriffe, Conſtable, Eſchetour, Cozoner, nor any other bailiffes ſhal hold pleas of our Crowne. Magna charta capitulo 17.

Shirife
Conſtable
Eſchetor
Cozoners
Bailifes

¶Plumſted marſh.

ANno 22. H. 8. ca. 3. an act was made for the Inning and ſauing of Plumſted marſh, and for the paiment and leuying the taxes and ſcottes for the ſame. And 14. El. the like, but not in print. And An. 23. Eli. ca. 13. a newe act made which is printed.

Taxe

¶Poole.

ANno 34. H. 8. cap. 25. an act is made that the inhabitantes of the towne of Poole in Doꝛſet ſhire may erect a windmill and a Conduit in a waſt grounde of the kinges.

Windmill
Conduit

¶Poore people.

EVerie poore perſon or perſons which haue and hereafter ſhall haue cauſe of action or actions againſt any perſon or perſons within this Realme, ſhall haue by the diſcretion of the Chauncellour of this Realme for the time being, writte or writtes originall, and writtes of the Subpœna according vnto the nature of their cauſes, therefore nothing paying to your highneſſe for the ſeales of the ſame, nor to any perſon for the writing of the ſame writte or writtes to be hereafter ſued, and that the ſayd Chauncellour for the ſame time being, ſhal aſſigne ſuch of ꝑ clerkes which ſhall doe and vſe the making and writing of the ſame writtes, to write the ſame ready to be ſealed. And alſo learned counſell, and attorneis for the ſame without any reward taking thereof. And after the ſayd writ or writtes be returned, if it be afore the king in his bench, the Juſtices there ſhall aſſigne to the ſame poore perſon or perſons councell learned by their diſcretions, which ſhall giue their coũſels, nothing taking for the ſame, and in like wiſe the Juſtices ſhall appoint attourney & attourneis for the ſame poore perſon and perſons, and all other officers requiſite and neceſſary to be had, for the ſpeede of the ſayde ſuites to bee had and made, which ſhall do their dueties without any rewards, for their counſels, helpe and buſineſſe in the ſame, and the ſame law and order ſhalbe obſerued and kept in al ſuch ſuites to be made afore ꝑ kings Juſtices of his common place, and Barons of his Eſchequer, and all other Juſtices in Courtes of Record where any ſuch ſuites ſhalbe. Anno 11. H. 7. ca. 12.

Action
Chaunceloꝛ
Writtes
Without payment
Clerkes
Counſel
Attourneis
Juſtices
Counſel
Attourneis
Officers
Without rewards
Common place
Eſchequer.

¶Prærogatiua regis.

FOꝛaſmuch as the King hath ordayned theſe things, that is to ſay, (ſtatute of

Westminster 1.) vnto the honor of God and holy Church, and for the common wealth, and for the remedy of such as be greeued, he would not that any other time it should turne in preiudice of him selfe, or of his crowne, but that such rights as appertaine to him should be saued in all points. Westm. 1. cap. 48.

¶ Presentment to benefices.

ANno 21. R. 2. capitulo 8. it was enacted, that the king should haue the presentments of the aduowsons which were of certaine attainted, but this parliament was repealed by 1. H. 4. cap. 3.

Aduowsons Parliament repealed

¶ President of the councel.

SEe of authoritie giuen to the president of the Counsell. Anno 3. H. 7. cap. 1.

2 ¶ The president of the kings sayde most honorable counsell for the time being, if he be then present, may be at all times hereafter associat with the Chauncelour, Treasorer of England, and keeper of the kings priuie seale, for the time being, aswell at the naming of Shirifes and setting of prices of wines, as at all other acts limitted and appointed by any Statute to be done by the sayde Chauncellour and Treasourer, or keeper of the Kings priuie Seale for the time being: Any act, Statute, or vse heretofore made or vsed to the contrarie notwithstanding. Anno 21. H. 8. cap. 20.

Chaūcellor Treasorer Keeper of the priuie Seale Shirifes Wines

¶ Primer seison.

ALso the king shall haue prymer seyson after the death of such as held of him in chiefe of al landes and tenements, whereof they were seysed in their demeane, as of fee, of what age that their heires be, taking the issues of the same lands and tenements, vntill inquisition be made (as the maner is) and vntill hee hath taken homage of such heires. Prerogatiua regis cap. 3. Anno 17. E. 2.

Chiefe

Homage

¶ Prison, prisoners, imprisonment, Gaole and gaylours.

TO eschewe the dāmage and destruction that often doth happen by shiriffes, Jailours, and keepers of prisons within fraunchises and without, which hath pained their prisoners, and by such euill meanes compell and procure them to become appealors, and to appeale harmeles and guiltles people, to the intent to haue raunsome of such appealed persons, for feare of imprisonmēt of other cause: The Justices of either bench, and Justices of assise and gaole deliuery, shall by force of this statute enquire of such compulsions, punishments and torments, and heare the complaintes of all them that will complaine by Bill. And to heare and determine such plaints aswell at the suit of the partie, as at ꝑ kings suit. An. 1. E. 3. ca. 7.

Shirifes

Gaylours

Appealours

Just. of either bench

Just. of ass. Enquirie

Diers & ter.

2 ¶ Where as persons endicted of felonies, robberies, and theftes, in times past haue remoued the same endictment before the king, and there yelded themselfe: And by the marshalles of the kings bench haue bene incōtinently let to baile: And afterwarde haue done many euill deedes, and lyen in a wayt to slea and euil intreat their indictors: And also persons appealed of felony, after the exigend awarded, haue yelded themselfe before the king, and haue bene let to baile by the said marshals. It is accorded and established, that such endictees and appealees shalbe safely and surely kept in prison, as belongeth after the charge, as the sayde marshalles shall haue of the Justices. And if any marshall doe otherwise, at the complaint of euery man that will complaine, the Justice shal doe him right during the terme. And that in the ende of the terme, the sayde marshals shall choose before the said Justices, before they depart the places, in what Towne they will keepe such prisoners at their perill. And in the same towne they shall allowe to them houses to keepe such Prisoners at their owne costes and charges, as there they shall keepe them in prison, and shall not suffer them to goe wandering abroad, nor by baile nor without baile. And if any such prisoner be found wandering out of prison, by baile or without baile, and that be found at the kings suit, or at the suit of the party: The marshals which shalbe found thereof

Indictment

Marshall

Baile

Prisons

Imprifon Raunſomed

thereof guilty, ſhal haue halfe a yeres imprifonment, And beſides that, to be raunſomed at the kings wil: And the Juſtices ſhall thereof make inquirie when they ſee time. And as to the marſhals it ſhall bee done within the vierge that that reaſon will. And in caſe that the marſhals ſuffer by their aſſent ſuch priſoners to eſcape, they ſhalbe at the lawe as before this time they haue bene. And the king entendeth not by this Statute to loſe the eſcape where he ought to haue the ſame. An. 5. E. 3. cap. 8.

Vierge

Eſcape

☞ Shirifes

3 ¶ Item in the right of the gayles, which were wont to be in ward of the ſhirifes, and annexed to their Baylywikes: It is aſſented and accorded, that they ſhalbe reioyned to the ſhirifes, and the ſhirifes ſhall haue the cuſtodie of the ſame Gaoles, as before this tyme they were wont to haue: And they ſhall put in ſuch keepers for whom they wil anſwere. And if it happen, that the keeper of the priſon, or vnder keeper, by too great dures of imprifonment, and by payne, make any priſoner, that he hath in his ward, to become an appealour againſt his will, and thereof be attainted, he ſhall haue iudgement of life and of member. And that the kings Juſtices before whom ſuch caſe ſhal happen, ſhall enquire vpon the trouth: And if they find by enqueſt therupon taken, that any keeper or vnderkeeper hath done the ſame, he ſhalbe thereof arraigned, and if he be found guiltie, he ſhall haue iudgement of life and member, as afore is ſayd. Anno 14. E. 3. cap. 10.

Keeper

Appealour Iudgement

Enqueſt

Arraigned

Caſtels

4 ¶ That the kings caſtels and gayles, which were wont to be ioyned to the bodies of the counties, and be now ſeuered, ſhalbe reioyned to the ſame Counties. Anno 13. R. 2. cap. 15.

Iuſt. of p.

5 ¶ Becauſe diuers Conſtables of Caſtels beeing aſſigned Juſtices of the Peace, haue by colour thereof taken perſons, to whom they beare euill will, and haue imprifoned them in ſuch Caſtels, til they haue made Fine and raunſome with them for their deliuerance: Be it &c. that none bee imprifoned by any Juſtice of peace, but only in ỳ comyn̄ Jaile, ſauing to lords and other which haue iailes their franchiſes in this caſe. An. 34. H. 4. ca. 10.

6 ¶ Where diuers felones and murderers vpon vntrue ſurmiſes, haue oftentimes remoued their bodies and enditements by writte or otherwiſe, before the king in his bench, and cannot by the order of the common law be ſent downe to the Juſtices of Gaole deliuery, or of ỳ peace, nor to other Juſtice or Commiſſioner, to proceede vpon them, after the courſe of the common law: Be it &c. That the Juſtices of the kings bench (for the time being) haue full power and authoritie by their diſcretions to remaund and ſende downe as well the bodies of all felones and murderers, brought or remoued, or that ſhalbe remoued or brought before the king in his bench, as their endictments into the Counties, where as the ſame murders or felonies haue bene committed and done. And to commaund all Juſtices of gaole deliuery, iuſtices of peace, and all other Juſtices and Commiſſioners, and euery of them, to proceede and determine vpon al the foreſaid bodies and indictments ſo remoued, after the courſe of the common law, in ſuch maner as the ſame Juſtices of gaole deliuery, Juſtices of peace, and other commiſſioners, or any of them mought or ſhould haue done, if the ſayde priſoners or indictments had neuer bene brought into the ſayd Kings bench, Anno 6. H. 8. cap. 6. *

Iuſt. of k. bench

Commaund Iuſt. of g. Iuſt. of p. Commiſſioners

Shirif.

7 ¶ That euery Shirife within euery countie within this Realme of England haue the cuſtody, rule, keeping & charge, from the quindecem of Paſc. next comming, of euery of ỳ kings cōmon gaoles, priſons and priſoners in the ſame, in euery of the ſaid counties, where he is ſhirife during the time of his office. Except all gaoles whereof any perſon or perſons ſpirituall or temporall, or body corporat, haue the keeping of eſtate of inheritance or by ſucceſſion. An. 19. H. 7. cap. 16.

Priſon

Patents

Voyd

And by that ſtatute, all patents before made for life or yeres, of the keeping of any Gaoles or Caſtels, wherein is ſuch common Gaoles, be made voyd and repealed, & euery ſuch ſhirife to be charged

ged with the ſayde gaoles and priſoners therin. And in the ſaid ſtatute be certain ſeuerall fines ſette for eſcapes, to endure to the next Parliament. And that letters patents before made for life, of keeping of Caſtels, Fortreſſes and places, and of other offices there recyted, bee made voyde and repealed.

Eſcapes

Caſtels Fortreſſes

Voyd.

Prouided that the ſhirife of Surrey or any other ſhirife, ſhal not haue the gailes of the kings Bench and Marſhalſie, and diuers perſons that had letters patents to be keepers &c. be excepted. And in the ſaid ſtatute be certaine ſeuerall fines ſet for eſcapes, but they were made to endure but to the end of the next Parliament.

Shirife of Surrey K. bench gaole Marſhalſey

8 For aſmuch as it is meete, that cõmõ gaoles ſhould be ſubſtantially edified in ſuch townes as ſtand indifferently for euery part of the Shire, and ſpecially in townes where the aſſiſes and ſeſſions be vſually kept, that by the more reſort thither, fewer offenders ſhould eſcape, and charity the better miniſtred: Be it &c. that the Juſtices of peace of euery of ỹ ſhires of Eſſex, Suffolke, Dorſ. Suſſex, Surrey, Nottingham, Glouceſter: Bedford, Bucke, Huntingdon, Wilteſ. Kent, Warwike, Stafford, Oxon, Barkſhire, Leiceſter, Rutland, Lincolne, Hereford, Northampton, Salope, Norfolke and Cornewall, or the moſt part of the ſayde Juſtices of peace, in euery of the ſayde ſhires within the limites of their commiſſion, ſhall haue full power and authoritie to limit & appoint at any time within the terme of one yere from the ende of this preſent parliament the Townes and places wherein they ſhall thinke moſt neceſſary to haue a common Gaile newely edified and made.

Juſt. of p.

Appoint

Towne

Gaole

And that alſo the ſayd Juſtices of peace in euery of the ſaid ſhires, or the moſt part of the ſaid Juſtices of peace within the limits of their commiſſion, ſhall haue full power and authoritie to call before them at times and places by them to be appointed, al the high conſtables, tythingman, or borough holders of euery hundreth, lath or wapentake in the ſhire, whereof they be Juſtices, and in their preſence and by their aſſents & agreements, or in the preſence and by the aſſent of the moſt part of them, ſhall conclude and agree vpon ſuch conuenient and certaine ſummes of money, as ſhalbe thought good by their diſcretions, and by examination of workemen to ſuffice for the making & perfect finiſhing of a newe Gaile in the ſhire, whereof they be Juſtices of peace, and thereupon ſhall forthwith by their aſſents, agreements, & diſcretion, taxe and ſet euery ſuch perſon and perſons, as then ſhalbe reſiant in the ſame Shire, aſwell within liberties as without, hauing lands, tenements, rents, or annuities, of eſtate of inheritance, or for terme of life, to the cleare yerely value of xl.s. or aboue, or being worth in moueable ſubſtance the cleare value of twentie poſid or aboue, to ſuch reaſonable ayde and ſummes of money as ſhall bee thought conuenient by their diſcretions, to and for the full building, making and finiſhing of the ſaid common gayle of the ſhire, where ſuch aſſeſſement ſhalbe made. And after ſuch taxation, to name and appoint ſuch number of Collectors for the leuying therof, as ſhal ſeeme beſt by their diſcretions. And that the ſaid collectours and euery of them, ſhall haue power and authoritie to diſtraine euery ſuch perſon, as ſhalbe ſet or taxed by the ſayd Juſtices of peace as is afore ſayde in their lands or goods aſwel within liberties as without, and to ſell the diſtreſſes by them taken, by the appriſement of foure honeſt perſons, for the paiment of the ſaide ſummes to be taxed, if the perſon or perſons taxed, refuſe to pay the ſame within x. daies next after ſuch diſtreſſe taken, taking vpon euery ſuch ſale but only the money taxed, with reaſonable coſtes for taking of the diſtreſſe: and the ouerplus of ſuch ſales to be deliuered to ỹ owner of ỹ ſaid diſtreſſe. And that alſo the ſaid Juſtices of peace in euery of ỹ ſaide ſhires, or the moſt part of them within ỹ limites of their commiſſion, ſhal haue power & authority to name and appoynt two honeſt perſons inhabited in the ſaide ſhire wherein they be Juſtices, which two perſons ſhal ſuruey, ſee & pro-

Money

Diſcretion

Taxe

Lands

Goods

Name Collectours

Diſtreine

Appriſement

Refuſe

Ouerpins

Juſt. of p.

Appoint

Ouerſeers

uide

Call

High Conſtables Tythingmen

uide, that the ſaid gaoles ſhall be ſurely & ſubſtancially made and finiſhed: to whoſe handes the ſaid collectours ſhall pay and deliuer the money by them collected of the kinges ſubiectes, by the appointmēt and aſſignement of the ſayde Juſtices of peace, or ſix of them at the leaſt. And that as well euery of the ſayde collectours, as euery of the ſayde two perſons to be named, their heires, executours and adminiſtratours ſhal declare a true and a iuſt accompte to the ſaid Juſtices of peace in euery of the ſaid ſhires, or to ſixe of them at the leaſt from time to time when they ſhal be required. And in caſe any of them refuſe to make accompte, or refuſe to paye and employe ſuch ſummes of money as ſhal come to their handes, in ſuch wiſe as ſhal be limitted and appointed by the ſaid Juſtices of peace, or vi. of them (as is aforeſayde) that then the ſame Juſtices of peace or vi. of them in euery ſhire, where ſuch gaoles ſhal be newe made, ſhal haue full power and authoritie, if the ſayde offendours be preſent, to commit them to warde, and if they be abſent, to make attachmentes vnder their ſeales by their diſcretions, againſt euery ſuch collectour and perſon to whoſe hands any of the ſaid ſummes of money taxed ſhall happen to come, their heires, executours and adminiſtratours, and euery of them, into euery ſhire and parte of this Realme, as well within libertie as without, to be returnable afore the ſaid iuſtices of peace, at ſuch day and places as by them ſhalbe appointed, and to be directed to the ſherife or ſherifes of the ſhire, wherein the partie or parties, againſt whome ſuch attachment ſhall be directed, ſhall be reſident and abiding, if it bee within the Bailiwicke of the Sherife, and if it be without, then to be directed to the baylife of the libertie wherein ſuch partie ſhall abide. And that euery Shirife and Baylife of libertie to whoſe handes ſuch attachmentes ſhall come, without fauour or corruption, ſhall attach the ſaid offenders, and perſonally bring them before the ſaid iuſtices according to the tenour of attachment to them directed, or elſe declare by this returne of the ſayde attachment, ſome reaſonable cauſe why he cannot ſo doe, vpon payne for euery default by them or any of them committed contrary to this acte to loſe & forfaite C. ſ. to the King our ſoueraigne Lorde. And vpon the apparance of euery ſuch perſon ſo attached, the ſaid Juſtices or vi. of them, ſhall haue full power and authoritie to commit thē to priſon, there to remaine without bayle or mainpriſe, till they haue truely accompted and paid all ſuch ſūmes of money as come to their handes by the aſſignement of the ſayde Juſtices by authoritie of this acte. And in caſe there happen to remayne any ouerplus of money after the gaoles fully and wholy finiſhed, then it is ordered that the ſame ouerplus ſhall be imploied and beſtowed in almes to the priſoners, to be committed to the ſayde gaole, by the diſcretions of the ſaide Juſtices of peace or ỳ more part of thē, as long as it will laſt.

Prouided alway that this acte extend not to charge any perſons inhabited within any Cities, townes or boroughes corporate, which haue common gaoles for felons taken in the ſame, and haue iuſtices of peace for deliuerance of ſuch felons, for any taxes or lots to the making of the ſaide common gaoles of any the Shires aboue named, but that euery ſuch inhabitaunt in any ſuch citie, towne, or borough corporate, ſhall bee vtterly diſcharged thereof. And be it further enacted ỳ ſeueral cōmiſſions vnder ỳ kings great ſeale, with this preſent act therto affixed, ſhalbe directed to the iuſtices of peace of the ſhires afore named, authoriſing them to accompliſh & execute this preſent act according to ỳ tenour there of in euery behalfe.

And that the ſayd Juſtices of peace in euery of the Shires afore named, haue power and authoritie to limit to euery of the ſaid collectours and perſons by them to be named, that ſhall take paines for leuying of the money taxed, or for the ſurueying of the making of the ſaid gaoles, ſuch reaſonable ſummes for their paines and labours for the collection of the ſaid money & ſurueying the making of ỳ ſaid gaoles. And be it further enacted by the authoritie

6. Juſt. of p.
Accompt
Refuſe
Impriſon Attach.
Shirife
Baylife
Shirife
Attach
Default
Forf.
Impriſon Mainprife
Ouerplus
Almes
Prouiſo
Cities Boroughes
Cōmiſſions
Juſt. of p.
Collectours
Allowance

Murderers Felons Impriſon

authoritie &c. that all murderers and felons ſhal be impriſoned in the ſaide common gaoles, and not elſe where.

Shirife

And that the ſhiriſes ſhal haue the keping and charge of the ſame new gaoles. And that euery ſherife be allowed vpon

Eſchequer

his accompt in the Eſchequer for all and euery ſuch ſummes of money as he ſhall hereafter happen to expend in and about

Reparatiõs

the neceſſary reparations or amendment of ꝑ ſaide gaoles, after they be once made, from time to time as often as neede ſhall

Barons of the eſchequer

require. And that the barons of the kings Eſchequer haue power to allowe euery ſherife in euery ſuch caſe by their diſcretions without any bil or warrant to be ſhewed from the Kinges highneſſe in that

Warrant

behalfe. Prouided alwayes that this act be not in any wiſe hurtfull or preiudicial to any perſon or perſons hauing any cõ-

Inheritãce

mon gaoles by inheritaunce for terme of life or for yeeres, but that they ſhall haue and enioy their ſaid gaoles, and the profites, fees, and commodities of the ſame, as they had or might lawefully haue had before the making of this, and as if this acte had neuer bin had ne made. Be it &c. that like prouiſion in euerie behalfe bee had for a newe gaole to be made within ꝑ

Derbie

Countye of Derby, in like forme as is prouided for other ſhires aforeſaid. Anno 23. H. 8. cap. 2. This acte was by diuers Parliamentes continued till Anno 5. Eliz. And there cap. 24. continued and enlarged, And alſo after Anno 13. Eliz. cap. 11. continued and further enlarged as you may ſee here, 10. and 11.

9 ¶ Where in the laſt parliament holden at Weſtm. (S. Anno 1. and 2. P. and M. cap. 13. See this ſtat. in Mainprile. 7.) Amongſt other thinges it was enacted,

Juſt. of p. Baile Manſlaughter Felonie Examine

that ſuch Juſtices of the peace as haue authoritie to bayle any priſoner brought before them for any manſlaughter or felonie, before any bailement or mainprile, ſhould take ꝑ examination of the ſaid priſoner, & informacion of them ꝑ bring him of the facte and circumſtaunces thereof, and the ſame or as much thereof as ſhall be material to the felony, ſhal put in writing before they make the ſame bailment, which ſayde examination together with the ſaid bailment, the ſaid Juſtices ſhould certifie at the next generall gaole deliuerie, to be holden within the limittes of their commiſſiõ, as by the ſame act more plainly is contained and may appeare. And for as much as the ſaid acte doth not extende to ſuch priſoners, as ſhall be brought before any Juſtice of peace for manſlaughter or felonie, and by ſuch Juſtice ſhall be committed to warde for the ſuſpition of ſuch mãſlaughter or felonie, and not bayled, in which caſe the examination of ſuch priſoner, and of ſuch as ſhall bring him, is as neceſſary or rather more thẽ where ſuch priſoner ſhalbe let to baile or mainprile: Be it therefore enacted by the authoritie of this preſent parliament, that from henceforth ſuch Juſtices or Juſtice before whome any perſon ſhall be brought for manſlaughter or felonie, or for ſuſpition thereof, before he or they ſhal commit or ſend ſuch priſoner to warde, ſhall take the examination of ſuch priſoner, and informacion of thoſe that bring him, of the fact and circumſtance thereof, and the ſame or as much thereof as ſhall bee materiall to proue the felonie, ſhall put in writting within two daies after the ſaid examination, and the ſame ſhall certifie in ſuch maner and forme, and at ſuch time as they ſhoulde and ought to doe if ſuch priſoner ſo committed or ſent to ward, had bene bailed or let to mainprile, vpon ſuch paine as in ꝑ ſaid former act is limitted and appointed for not taking or not certifying ſuch examinations as in the ſaid former act is expreſſed. And be it further enacted, that the ſaid iuſtices ſhal haue authoritie by this act to bind al ſuch by recognizaunce or obligation, as do declare any thing materiall to proue the ſaid manſlaughter or felonie againſt ſuch priſoner as ſhalbe ſo committed to ward, to appeare at the next generall gaole deliuery to be holden within the countie, citie or towne corporate, where the trial of the ſaid manſlaughter or felonie ſhall be, thẽ and there to giue euidence againſt ꝑ partie, and that the ſaide iuſtice ſhall certifie the ſaid bondes taken before them in like

Examination. Certifie

Juſt. of p. Manſlaughter Felonie Suſpition Examine

Certifie

Paine

Recog. Obligation

Euidence

manor,

maner, as they shoulde and ought to certifie the bondes mencioned in the said former act vpon the paine as in the said former acte is mencioned for not certifying such bondes as by the said former acte is limitted & appointed to be certified. An. 2. and 3. P. and M. cap. 10.

10 ¶ Forasmuch as the sayd act for the making of gaoles, made in the sayd xxiii. yeere of the raigne of the said late King Henry the eight (before 8.) is very good and profitable for the common wealth of this realme: Be it therefore enacted and established by the authoritie of this present parliament, that the said acte for making of gaoles, and al clauses, articles and prouisions in the same conteined, shal continue and endure in full force and effecte, and be obserued and kept in all thinges, vnto the end and terme of ten yeeres next ensuing the last day of this present parliament. And be it further enacted by thauthority aforesaid, that ỹ Justices of peace in euery of the shires named and expressed in the said acte, or the most part of the said Justices of peace in euery of the said shires, within the limittes of their commission, shall haue full power and authoritie by vertue of this acte, at all time and times within the said terme of ten yeres, to doe, make and execute, and cause to be done, made and executed, all and euery such acte and actes, thing and thinges requisite for ỹ making and building of the said gaoles, as they or any of them might or ought at any time haue done by vertue of the sayde acte made in the sayde xxiii. yere of ỹ saide late king Henry the eight.

Gaoles

r. Peeres

Just. of p.

Prouided alwayes, and be it enacted by the authoritie aforesaid, that the Justices of peace of ỹ counties of Penbrocke, Glamorgan, Cardigan, Radnor, and Mountgomery in Wales, or the most part of thē resiant within euery of ỹ said counties, and all such surueyours, collectours, and other persons to whom the execution of the sayde first recited estatutes doth, or may apperteine, shall haue such and like power and authoritie to doe and execute al and euery such thing & things for and concerning the building and new making of gaoles as the iustices of peace and other persons before mencioned of any of the counties contained in the sayde first recited statute haue in that behalfe. And that also the most part of the iustices of peace, resiant within any the counties specified in the said first recited Estatute, shall and may doe and execute all and euery thing and thinges mencioned in the sayde first recyted Estatute, touching or concerning the sayde Gaoles: Any doubt or ambiguitie heretofore had or moued, or hereafter to be had or moued notwithstanding.

Just. of p.

Wales

Surueiours Collectors

Prouided also that the inhabitaunts of any of the counties specified in the sayde first recited acte, or in any of the counties of Wales, shall not be charged by force hereof, or of the sayde first recited acte, to beare and sustayne any costes or charges for the building, repayring or newe making of any gaole or gaoles where any other person or persons, bodie politike or corporate ought by lawe, prescription, or by any other good or lawefull wayes or meanes, to buylde, make or repayre the same. Anno. 5. Eliz. cap. 24.

11 ¶ Be it enacted that the sayde actes (S. 23. H. 8. before. 8. and 5. El. cap. 24. before 10.) shall extende to the said cōtie of Cambridge, and to and for the making and repairing of gaoles in the same Countie, in all and euery thing and article, as fully and in as ample maner and forme as the same Actes and eyther of them do extende to the counties & gaoles in them, and either of thē specially mencioned, and as though the saide countie of Cambridge, and the gaole in the same countie, had bene in the same actes, and eyther of them specially mencioned: and that the saide actes, and euery clause, sentence and prouision in them and eyther of them contayned, shall continue & endure and be obserued in al things as wel within the said countie of Cambridge, as in other the counties or shires in ỹ same acts, & in either of thē specified, for ten whole yeeres next ensuing the end and determination of ỹ ten yeeres mencioned in the said act made in the said fifth yeere of the raigne

Cambridge

r. Peeres

raygne of our Soueraygne Ladie the Queenes maiestie that nowe is. An. 13. Eliz. cap. 25.

* ¶ Probate of testaments

Where as the ministers of Bishops and other ordinaries of holy church take of the people grieuous and outragious fines for the probate of testamentes, and for the acquitance thereof to be made to the king, hath charged the archbishop of Caunterburie and the other Bishops, that they thereof make amendement, and if they doe not, it is accorded, that ꝑ king shall doe to be inquired by his Justices, of such oppressions & extorcions, to heare them and determine as well at the kings suite, as at the suit of the partie, as in olde time hath bene vsed. Anno 31. E. 3. cap. 7. 2 ¶ Anno 3. H. 5. cap. 8. it was enacted to endure to the next parliament, what ordinaries shoulde take for probate of testamentes.

Archdishop Bishops

Justices Extorcions Oper & ter.

3 ¶ From the first day of Aprill, in the yeere of our Lorde, M.D.xxx. that nothing shall be demaunded, receyued, nor taken by any Bishop, Ordinarie, Archdeacon, Chauncellour, Commissary, Officiall, nor any other maner of person or persons whatsoeuer they be, which nowe haue or which at any time hereafter shall haue authoritie or power to take, or receiue probation, insinuation or probation of testament or testamentes, by him selfe or themselfe, nor by his or their registers, scribes, paysers, summoners, apparatours, or by any other of their ministers, for the probation, insinuation and approbation of any testament or testaments, or for writing, sealing, paysing, registring fines, making of inuentories, and giuing of acquitances, or for any other maner of cause concerning ꝑ same, where ꝑ goods of the testator of the said testament or person so dying, doe not amount clearely ouer and aboue the value of C.s. sterling, except onely to the scribe, to haue for writing of the probate of testamẽt of him deceased, whose goodes shall not be aboue the same cleare value of C.s. vi.d. and for the cõmission of ministration of ꝑ goods of any man deceasing intestate not being aboue like value of C.s. cleare vi.d. And that neuertheless the Bishop, Ordinarie or other person or persons, hauing power or authoritie to take or receiue the probation or approbation of testaments, refuse not to approue any such testament being lawefully tendred or offered to them to be proued or approued, whereof the goods of the testator or person so dying amount not aboue the value of C.s. sterling, so that the same testamẽt be exhibited to him or them in writing, with ware thereunto affixed ready to bee sealed, & that the same testament be lawfully proued before the same Ordinarie, (before the sealing) to be true, whole and last testament of the same testator, in such forme as hath bene cõmonly accustomed in that behalfe. And when the goodes of the testatour doe amount ouer and aboue the cleare value of C.s. and do not exceed the summe of xl.li. sterling, that then no Bishop, ordinarie, or other maner of person or persons whatsoeuer he or they be, now hauing or which hereafter shal haue authoritie to take probate or approbation of any testament or testamentes, as is aforesayde, by them selfe or any of their sayde registers, scribes, paysers, summoners, apparatours, nor to any other their ministers for the probation, insinuation and approbation of any testament or testaments, or for the registring, sealing, writing, paysing, making of inuentories, giuing of acquitances, fines, or any other thing concerning the same, shall take or cause to be taken of any person or persons, but onely iii.s. vi.d. & not aboue, whereof to be to the said bishop or ordinarie, or to other person or persons, hauing power and authoritie to take the probation or approbation of any testamẽt or testamentes for him or his ministers ii.s. vi.d. and not aboue, and xii.d. residue of the said iii.s. vi.d. to be to the scribe for the registring of the same. And where the goodes of the testatour or person or persons so dying, do amount ouer and aboue the cleare value of fourty pound sterling, that then the bishop nor ordinarie, nor other

Bishop Ordinarie Archdeacon Chauncellor Cõmissarie Officiall

Fees

Registers Scribes Apparators

C.s.

Refuse

vi.d.

xl.li.

iii.s. vi.d

ii.s. vi.d. xii.d.

xl.li

ther person or persons, nowe hauing or which hereafter shall haue authoritie or power to take probate of testament as is afore sayde, by him or themselfe, nor any of his or their said registers, scribes, paisers, summouers, apparators, or any other their ministers, for the probation, insinuation, and approbation of any testament or testaments, or for the registring, sealing, writing, mayling, making of inuentories, fines, giuing of acquittances or any thing concerning the same probate of testament, shall from the said first day of April, take, or cause to be taken of any person or persons, but onely v.s. and not aboue, whereof to be to the sayde bishop, ordinarie, or other person, hauing power to take the probation of such testament or testaments, for him and his ministers ii.s. bi.d. and not aboue, & ii.s. bi.d. residue of ỳ said v.s. to be to ỳ scribe for registring of the same, or els the same scribe to be at his libertie to refuse those ii.s. bi.d. & to demaund and haue for writing of euery x. lines of ỳ same testament whereof euery line to conteine in length x. pinches. i.d. And ỳ euery such bishop or ordinarie, and other person or persons so hauing, or which hereafter shall haue authoritie or power to take or receyue the probation or approbation of any testament or testaments, as is aboue said, their registers, scribes and ministers shall approue, insinuate, seale, and register from time to time the saide testamentes and deliuer the same, sealed with ỳ seale of their office, to the executour or executours named in any such testaments, for the sayde summe or summes aboue said, and in maner and forme as is aboue rehearsed, to deliuer it with conuenient speede, without any frustratorie delay. And in case any person die intestate or that the executours named in any such testamentes refuse to proue the sayde testament: Then the sayde ordinary or other person or persons, hauing authority to take probate of testaments as is aboue said, shal graunt ỳ administrations of the goods of the testatour or persons deceased to the widow of the same person deceased, or to the nexte of his kinne, or to both, as by the discretion of the same ordinarie shall be thought good, taking suerty of him or them, to whom shall be made such commission, for true administration of the goods, cattels and debts, which he or they shalbe so authorised to minister. And in case where diuers persons claime the administration as next of kin which be egall in degree of kinred to ỳ testator or person deceased, & where any person onely desireth ỳ administratiõ as next of kin, where in deed diuers persons be in equalitie of kinred as is afore said: then in euery such case the ordinarie to be at his electiõ & liberty to accept any one or mo, making request where diuers do require the administration. Or where but one or moze of thẽ, & not al being in equalitie of degree doe make request, thẽ the ordinarie to admit ỳ widow & him or them only making request, or any one of them at his pleasure, taking nothing for ỳ same, vnles ỳ goods of ỳ persõ so deceased, amount aboue ỳ value or summe of C.s. And in case the goods of the person so deceased amount aboue the value of C.s. and not aboue ỳ value or summe of xl.li. then ỳ saide bishop, ordinarie or other person or persons so hauing authoritie to take probate of testamentes, as is afore said, their ministers and officers shal take onely ii.s. bi.d. sterling and not aboue, and that the executor and executors named by ỳ testator or persõ so deceased, or such other person or persons to whom such administratiõ shalbe cõmitted where any person dieth intestate or by way of intestate, calling or taking to him or them of such person or persons ii. at the least, to whom the said person so dying was indebted, or made any legacy, & vpon their refusall or absence, two other honest persons being next of kin to the persõ so dying, and in their default or absence two other honest persons & in their presence, and by their discretions shall make or cause to be made a true and perfite inuentory of al the goods, cattels, wares, marchandises, as wel moueable & not moueable, whatsoeuer, that were of ỳ said person so deceased, and the same shal cause to

be

Next of kin

Duerus

Diuers of equalitie in kindred

Ordinarie

Widow

C.s.

xl.li.

ii.s bi.d Executor. Administration

ii. creditors

Inuentorie

b.s.

Bishop

Scribe

v. Acres

d.

Executor

Intestate

Refuse

Administration Widow

Indent

be indented, whereof the one parte shall be by the sayde executour or executours, administratour or administratours, vpon

Othe

his or their othe or othes to be taken before the said bishops, ordinaries, their officials, or commissaries or other persons, hauing power to take probate of testaments, vpon the holy Euangelist, to be good and true, and the same one parte indented shall present and deliuer into the keeping of the said Bishop, ordinarie or ordinaries, or other person hauing power to take probate of testamentes, and the other part thereof to remaine with the said executour or executours, administratour or administratours, and that no Bishop, ordinarie or other whatsoeuer person, hauing authoritie to take probate of testament or testamentes, as is aboue said, vpon the paine in this statute hereafter conteined, refuse to take any such inuentorie

Refuse

or inuentories to him or them presented or tendred to be deliuered as is aforesayd. Prouided alwayes that if the person so deceased, will by his testament or last will any landes, tenementes, or hereditamentes, to be sold, that the money thereof comming, nor the profites of the saide landes, for any time to be taken, shall not be accompted as any of the goodes or catelles of the sayde person so deceased, and

Lands sold Money

that the same Bishop, ordinarie, or other person or persons hauing authoritie to take probate of testament or testamentes, as is aforesaid, vpon the deliuerie of the seale and signe of the testator do cause the same seale to be defaced, and thereupon incontinent redeliuer the same seale vnto the said executour or executours without delaye or challenge thereunto to be made. And in case any person or persons at any time hereafter require a copie or

Deface the seale

Copies

copies of the said testamentes so proued, or of the said inuentorie so made, that the the said ordinarie or ordinaries, and the other persons, hauing authoritie to take probate of testamentes, or their ministers, shall from time to time with conuenient speede without any fruitratorie delay, deliuer or cause to be deliuered a true copie or copies of the same, to the said person or

Inuentorie

persons so demanding the or any of the, taking for the search, and for the making of the copie or either of the said testamente or inuentorie, but onely such fee as is before rehearsed for ỹ registring of the said testament, or else the scribe or register to be at his election & liberty to demaund, haue & take for euery ten lines thereof, being of ỹ proportion before reheatsed. i.d.

Search

Fee

x. lines

i.d.

Prouided alwayes that where any person or persons hauing power or authoritie to take probate of testamentes haue vsed to take lesse summes of money then is aboue said for the probate of testaments or commissions or administrations or other cause concerning the same, shall take & receiue such summe or summes of money for the probate of testamẽts and commissions of the administrations, & other causes concerning the same, as they before the making of this acte haue vsed to take and not aboue. And it is enacted that euery bishop, ordinarie, archdeacon, chancellor, commissarie, official, & other person & persons, hauing or they which hereafter shal haue authoritie to take probate of testaments, their registers, scribes, apparitors, sommoners, apparators, & all other their ministers whatsoeuer they be, ỹ shal do or attempt, or cause to be done & attempted against this acte or ordinaunce in any thing, shall forfaite and lose for euery time so offending to the party grieued in that behalfe so much money as any such person aboue said, shall take contrary to this present acte. And ouer that shall lose and forfaite tenne pound sterling, whereof ỹ one moitie shalbe to the king, and the other moytie to the partie grieued in that behalfe, ỹ will sue &c. in any of the kinges courtes for the recouerie of the same, in which action no essoine shalbe admitted or allowed. And that euery of the same bishops and other persons, which shal hereafter incurre or fal into ỹ daunger of such penaltie or forfeiture shalbe charged only for himself, & none of the to be chargeable to ỹ penalty for others offence. Prouided alway that this acte be not preiudiciall to any ordinarie or other person which now haue, or hereafter shall haue authoritie for

Archdeacons Chancelor Commissary Officiall

Forf.

Forf. Moytie

Bishops

Ordinaries

for probate of testaments, but that euery
Coment of them shall and may coment before thē al and euery person or persons made and namd executour or executours of any testament, to the intent to proue or refuse the testament or testaments of their testatour or testatours, and to bring in inuentories, and to doe euery other thing concerning the same, as they might doe before the making of this acte, so that all wayes any such ordinarie or other person or persons hauing such authoritie by thē selfe, their cōmissaries, scribes, registers or other ministers aforesaid, shall not in any wise take for the same aboue the fees limitted by this acte, ne in any wise attempt any thing contrary to any part of the same act. Anno 21.H.8.cap.5.

¶ Proces.

Summons Attachmēts IN summons and attachements in plea of lande, the writs from henceforth shal conteine xv. dayes ful at the least after the common lawe, if it be not in attachment of assises taken in the kings presence, or of pleas before Justices in eyre, during
Pleas Iust. in eire the eyre, Articuli super chartas, cap. 15. Anno 28.E.1.

2 ¶ Such proces shall be made of tres-
Tresp. passe done in the time of king E. father to the king that nowe is, as in tresp. passe done in the time of the king that nowe is. Anno 2.E.3.cap.14.

3 ¶ Where in times past some persons
Felons Countie appealed or indicted of diuers felonies in one countie, or outlawed in the same countie, haue bene dwelling or receiued in any other countie, whereby such felonous persons endicted and outlawed, haue bene encouraged in their mischiefe, because they may not be attached in an other countie: It is enacted that the Justi-
Justices ces assigned to heare and determine such felonies, shall direct their writ to all the counties of England where need shal be, to take such persons endicted. An. 5. Ed. * 3.cap.11.

4 ¶ Such proces shalbe made in a writ
Debt Detinue of debt and detinue of cattels and taking of beastes by writ of Capias, and by proces of exigent by the sherife as is nowe vsed in a writ of accompt. Anno 25.E.3. capitulo 17.
Exigent Shirife

5 ¶ In writs to be purchased agaynst
Forgerie those that forge or make vntrue charters or minumentes, and them proclayme or cause to be read, like proces shal be made by capias & exigend as in writs of trespasse. Anno 7.H.5.cap.1.

6 ¶ Because that diuerse of the Kings faithfull Subiects by false imagination, couin and conspiracie of certeyne offendours, be indicted before our soueraigne
Endictment Lorde the king in his bench, of diuers felonies and treasons, by suspect iurours, hired and procured to the same by confe-
Conspiracie deracy and couin of the said conspirators, by force of which indictments a capias is awarded to the Sherife of the Countye, where the said bench is, returnable within two or foure dayes: at which day if the partie so indicted come not, an exigende is awarded, whereby the goodes and cattels of such persons indited be forfaite to our soueraigne Lorde the King, to the finall destruction of diuerse of the Kinges faithfulll subiectes, as the same our soueraigne Lorde the king hath conceiued by the grieuous complaint of the commons made to him in this Parliament: Therefore he hath ordeined that before that any exigend be awarded against such persons indited before the king in his said Bench, writs of capias shall be directed, as well to the sherife or sherifes of the countie, whereof they be named in ỳ indictments, the same capias hauing the space of sixe
Capias vi. weekes weekes at the least, or longer time by the discretion of the Justices, if the case that require, before the returne of the same, which writs so returned, ỳ Justices shall proceede in the maner as they haue done before this time, and if any exigend be awarded, or any outlagarie pronounced
Outlagaris hereafter against such persons indicted, before the returne of the said writtes, the same exigende so awarded with the outlagarie thereof pronounced, shall be void
Void and holden for none. And this ordinaunce shall endure so long as shall please the King. Anno 6.H.6.cap.1.

7 ¶ Foral-

7 Forasmuch as diuers persons haue bene by subtill imaginations indited of treasons, felonies and trespasses before Justices of peace & other commissioners in forreine Counties and Liberties, in which the said persons be not, nor at any time were conuersant, and thereby haue bene outlawed, and haue forfaited their goodes and landes, and bene in ieopardy of their liues, for ỳ they neuer had knowledge of such indictmẽts, appeales or outlagaries: Be it &c. that vpon euery indictment or appeale by the which any of the said lieges, dwelling in other counties then there, where such indictment or appeale is or shall be taken of treason, felonie and trespasse, to be taken hereafter before Justices of ỳ peace, or before any other hauing power to take such indictements or appeales, or other commissioners or iustices in any county, franchise or libertie of Englande, before any exigend awarded vpon any indictmẽt or appeale in the fourme aforesaid to be taken, that forthwith after the first writ of capias, vpon euery such indictmẽt or appeale awarded and returned, an other writte of capias shalbe awarded, directed to the shirife of the countie, whereof he which is so indicted, is or was supposed to be conuersant in the same indictment, returnable before the same iustices or cõmissioners, before whome he is indicted or appealed at a certayne day, conteining the space of three monethes from the date of the sayd last writ, where the Counties be holden from moneth to moneth, and where the counties be holden from sixe weekes to sixe weekes, he shall haue the space of iiii. monethes vntill the day of the returne of the same writte, by which writ of seconde capias, be it conteined and commaunded to the same Shirife, to take him which is so indicted or appealed by his bodie, if he may be found within his bayliwicke: and if he may not be found within his bailiwicke, that the said Shirife shall make proclamation in two counties before the returne of the same writ, that he which is so indicted or appealed, shall appeare before the said Justices or Commissioners in the Countye, libertie and fraunchise, where he is indicted or appealed at the day contained in the said last writ of Capias, to answere to our soueraigne Lorde the king, or to the partie of the felonie, treason or trespasse, whereof he is so indicted or appealed, after which second writ of Capias, so serued and returned, if he which is so indicted or appealed come not at the day of the same writ of Capias returned, the exigende shall be awarded against such persons indicted or appealed, and euery of them. And if any exigende hereafter be awarded in any such indictment or appeale, agaynst the fourme aforesaide, or any outlagarie be vpon that pronounced, as wel the exigend so awarded, as the outlagarie vpon that pronounced, and euery of them, shall be holden for none and void, and that the partie, vpon whome such exigend against the fourme aforesaid is awarded, or outlagarie pronounced, be not indammaged nor put to losse of his goods or cattels, landes or tenementes, nor of his life. Prouided alwayes, that the statute made in the last parliament (before 6) of processes to be made in such case before the king in his Bench, stand in his force. And moreouer the same our soueraygne Lord the king, hath graunted by authority aforesaid, that euery person indicted or appealed in the fourme aforesaide, from henceforth after that he be duely acquit by verdict, that he shall haue a writ & action vpon his case against euery procurour of such indictments or appeales. And like proces shall be vpon and in the same writte, as in a writ of trespas done with force & armes. And if such procuror be attainted in this behalfe, that the plaintife shal recouer his treble dãmages. Prouided alwayes that this ordinaunce shall not extende to indictments or appeales taken or to be taken within the countie of Chester. Prouided also, that if any of the said lieges, or any of their heires, be or shall be appealed or indicted of felonie or treason, and at the time of the same felonie or treason supposed, he is and was cõuersant within the countie, whereof the indictment or appeale

Indictment Appeale Countie

Treason Felonie Trespasse Iust. of p.

Capias

Shirife Countie

iii. Moneths

Countie 4. monethes

Proclamation.

Appeare Iustices

Void

Acquited

Action of the case

Procurour

3. dãmages

Chester

2. Capias

Exigend

Outlagary

appeale maketh mention, the like proces bee made against such indicted person or appealed, as hath bene vsed alwayes before this time. An. 8. H. 6. cap. 10.

8 ¶ The said statute, that is to say, (8. H. 6. cap. 10. before 7.) be holden & kept, and put in due execution in all poyntes. Joyned to the same, that if any such indictmentes, taken or to be taken before any Justices of peace, or before any other, hauing power to take such indictementes or appeales, or other Justices or commissioners in any Countie, fraunchise, or libertie of England, shalbe remoued before ỳ king in his bench, or els where by Certiorare or otherwise, that then after such remouing before any exigend awarded vpon any such indictment or appeale, in the forme aforesayd taken or to be taken, that forthwith after the first writte of Capias vpon euery such endictment or appeale awarded and returned, that another writ of Capias be awarded, directed to the sherife of the countie, whereof he that is so endited or appealed is, or was supposed to be conuersant by the same endictment or appeale returnable before ỳ king in his bench at a certaine day, conteining the space of iii. moneths or iiii. of the date of the sayd last writ of Capias, according to the maner & forme that the Justices of peace, & other in the said first statute conteined, ought to haue done, before such remouing after the making of the sayd first statute. And if any such exigend be hereafter awarded vpō any such endictment or appeale after such remouing against the forme aforesayd, or any outlagary thereupon pronounced, aswell the same exigend so awarded, as the outlagary thereupon to be pronounced, & euery of them shall be holden for none and voyde, according as in the sayde first statute is more fully conteyned. An. 10. H. 6. cap. 6.

Indictments
Just. of p.
Remoue
Certiorare
3. moneths
Just. of p.
Exigend
Outlagarie
Voyde

9 ¶ Like proces to be had hereafter in actions vpon the case aswell sued as to be vsed in any of ỳ said courts, (S. the kings bench and common place) as in actions of trespasse or debtes. An. 19. H. 7. cap. 9.

Action on the case

10 ¶ Like processe be had hereafter in euery action from henceforth to bee brought vpon the sayd estatute, (S. An. 5. R. 2. ca. 7. which is in Forcible entries.) as in a common action of trespasse of the common lawe, and the like processe to be had in euery writ of annuitie & couenant hereafter to bee sued, as in an action of debt. An. 23. H. 8. cap. 14.

Estatuts
Forcible entrie
Annuitie
Couenant

11 ¶ Be it &c. that when and as often as any person or persons, after the first day of January next comming, shall sue forth, or by any meanes cause or procure to be sued forth of the sayd court, cōmonly called the kinges Benche, any of the writs or processe before mentioned (Latitat, Alias and Plureis, Capias) against any person or persons, which vpon the same writte or writtes shall happen to be arrested, or which shall appeare vpon the returne of any the sayd writtes or proces, and shal put in his or their baile or bailes, to answere such suite as shall be obiected against him, according to the common order of the Court: that then in euery such case, if the party or parties, at whose suit, meanes or procurement, the same writte or writs, or processe, was obtained or sued forth, do not within three dayes next after such baile had & taken, put into the same court his or their declaration against the same partie or parties, against whome such writtes or processe hath bene or shall be sued, or if after declaration had & put into the same court, the playntife in such case shall not prosecute the same with effect, but shal willingly and apparantly to the same Court, suffer his or their sayde suite to be delayed, or shal after declaration so had, suffer the same suit to be discontinued, or otherwise shalbe nonsuit in the same: That then in euery such case, the Judges of the said Court for the time being, shall by their discretions frō time to time, as they shal see or perceiue any such default to bee in the partie or parties, at whose suite, meanes, or procuremēt, such writtes or processe was sued forth, award & iudge to euery such person or persons, so arrested, vexed, molested, & troubled, by such writtes or suite, his & their costs, dammages, and charges, by any meanes susteined by occasion of any such writtes,

B. bench
Latitat
Alias
Plureis
Baile
3. dayes
Declaration
Prosecute
Delay
Discontinued
Nonsuite
Judges
Def.
Cost
Dammages
Charges

proceſſe, arreſtes, or ſuites taken, ſued, or had againſt him, to be payed by ſuch perſon or perſons that ſo doeth, or ſhall cauſe or procure any ſuch writtes or proceſſe to be ſued forth, as is aforeſayd.

And bee it further enacted by auctho-
ritie aforeſayd, that if any perſon or per-
ſons, ſhall after the firſt day of January,
cauſe or procure any other perſon or per- Procure Arreſt
ſons to be attached, or arreſted to anſwere
to any bill, playnt, action, or ſuite, in the
ſaid court of Marſhallſey, or in any court Marſhalle London Cittie Boroughe
within the ſayd citie of London, or in any
citie, boroughe, towne corporate, or other
place or places, where any libertie or pri-
uiledge is vſed to hold plea, in any action
or actions perſonall, and doe not in all
courtes, hauing their continuance De die
in diem, within iii. dayes next after ſuch 3. dayes
time as the partie defendant or defendãts
ſhall be bayled, or otherwiſe appeare in
court, by force of any arreſt or attache- All courts
ment had & returned, & in al other courts
at the next Seſſion or court to be holden,
after ſuch arreſts or attachementes & ap-
pearance of the partie defendaunt or de- Def.
fendants, where as the ſayd partie defen-
dant or defendantes ſhalbe compelled, or
ought to appeare, vnleſſe a further daye Day
ſhalbe eſpecially giuen by the diſcretiõ of
the court, from whence any precept, pro-
ceſſe, or attachement ſhalbe awarded, put Bill Declaration
& exhibite his bill, or declaration againſt
ſuch perſon or perſons, as ſo by his ſuite
& meanes ſhalbe attached or arreſted into
ſuch Court, where the partie by ſuch at-
tachements or arreſt, is cõpelled or ought
to appeare, or if any ſuch perſon or per-
ſons, at whoſe ſuite or meanes any ſuch
attachemẽt or arreſt of any perſon or per-
ſons, ſhall be ſo had or made, after his de-
claration, bill, or plaint exhibited, do not Proſecute
from thenceforth proſecute the ſame his
ſuite with effect, or ſhal ſuffer the ſame to Diſcontinued Nonſuit
be diſcõtinued, or ſhall after be nonſuit in
the ſame, or willingly & apparãtly to the
ſame court, ſhal for vexation of the defen- Delay Judges
dant in ſuch ſuite, delay ẏ ſame ſuit: That
then in euery ſuch caſe, ẏ Iudge or Iud-
ges of euery ſuch court, before whom any
perſon or perſons ſhall ſo be ſued, moleſ-
ted, or trubled, by occaſion or meane of
any ſuch attachement or arreſt, or by ſuch
ſuite or ſuites, ſhall forthwith, by his or
their diſcretion, frõ time to time, as he or
they ſhall ſee or perceiue any ſuch default
or delay, in the party that cauſed or procu-
red any ſuch attachement or arreſt to bee
had, awarde & iudge to euery ſuch perſon
or perſons, which after ẏ ſayd firſt day of
January ſhal ſo be attached, arreſted, mo- Coſt Dãmages Charges
leſted, vexed, or troubled, his coſts, dãma-
ges, & charges by any meanes ſuſtained,
by occaſion of any ſuch attachemẽt, arreſt,
& ſuite ſo had & taken againſt him, to bee
payed by ſuch perſon or perſons, that ſo
doth, or ſhall cauſe or procure any ſuch at-
tachement or arreſt to be ſo had or made.

And if any perſon or perſons, at any
time after the firſt day of January, ſhall
by any way or meane, maliciouſly, or for
vexation and trouble, cauſe or procure a- Veration Arreſt
ny other perſon or perſons, to be arreſted
or attached, to anſwere in any the courts
or places aforeſayd, at the ſuite, or in the
name of any perſon or perſons, where in
deede there is no ſuch perſon or perſons Vnknowen names
knowen, or without the aſſent, conſent,
or agreement, of ſuch perſon or perſons,
at whoſe ſuite, or in whoſe name ſuch ar-
reſt, or attachement is or ſhall be ſo had,
and procured: that then euery ſuch per-
ſon or perſons, that ſhall ſo cauſe or pro-
cure any ſuch arreſt or attachment of any
other perſon or perſons, to bee had or
made, for vexation or trouble, as is afore-
ſayd, & ſhall thereof be conuicted, or law- Conuict Indictmẽt Preſentmẽt 12. witneſſes
fully accuſed, by indictmẽt, preſentmẽt,
or by the teſtimony of two ſufficient wit-
neſſes, or mo, or other due proofe, ſhal for
euery ſuch offence by him or them cõmit-
ted, done, or procured, haue & ſuffer impri- Impriſon
ſonment of his or their body or bodies, by
the ſpace of ſixe moneths, without bayle
or mainpriſe: And before he or they ſhalbe Mainpriſe
deliuered out of priſon, ſhall pay vnto the
party or parties ſo arreſted or attached,
by his or their meanes or procurement, 3. dãmages
treble the coſts, charges, dammages, and
expences, that he or they ſhall be put vn-
to, by reaſon or occaſion of ſuch attache-
ment ſo had, and ſhall alſo forfaite & pay Forf.

vnto

vnto such person or persons, in whose name, or at whose suite he or they shall so procure such arrest or attachement to bee had or made, if then there shalbe any such person knowen, the summe of x. pounds for euery such offence. x.li.

And bee it further enacted by the authoritie aforesayd, that euery person and persons, to whome any costes, charges, dammages, forfaiture, or paiment of any summe or summes of money, by authoritie of this act shalbe awarded, iudged, or forfaited, shal and may at al times hereafter haue his or their remedy for the recouery therof, by actiõ of debt, bil, or plaint, in any court of recorde, against such person or persons, their heires, executors, or administrators, as should or ought to pay the same by vertue or force of this act. In which action, bill, or playnt, no essoyne, protection, or wager of law shalbe admitted or allowed to any the defendant or defendants in the same. An. 8. El. cap. 2. Action of debt Bill Plaint Heires Executors Administrators

¶ Procheine amy.

IF a wardeine or a chiefe Lord enfeffe any man of land, that is the inheritance of a childe within age, and in his ward, to the disheritance of the heire: It is prouided, that the heire shall forthwith haue his recouery by assise of nouell disseisin, against his warden, & against the tenant, and the seisin shalbe deliuered by the Iusticers (if it be recouered) to ỳ next friend of the heire, (to whome the inheritaunce can not discend) for to imploye to the vse of the heire, and to answere for the issues vnto the heire, when he shall come to full age, and the warden during his life, shal leese the custody of the thing recouered, and all the inheritance that he holdeth by reason of the heire. And if an other wardeine then the chiefe Lord doe it, he shall leese ỳ wardship of altogether, & be grieuously punished by the king. And if ỳ infant be caryed away, or disturbed by the wardeine, or by the feffer, or by other, by reason whereof he can not sue his assise, then may one of his next friendes, (that wil) sue for him, which shalbe thereto admitted. W. 1. cap. 48. An. 3. Ed. 1. Ward Heire Recouery Nouel dill. Wardian Punish Infant

2 ¶ In euery case where such as bee within age may sue, it is ordeined, that if such be eloigned, so that they can not sue personally, their next friends shall be admitted to sue for them. W. 2. cap. 15. An. 13. Ed. 1.

¶ Proclamations.

AND forasmuch as there is more encreasse of malefactors in the realme, then is expedient for the cõmon wealth, & that robberies, murders, and manslaughters are committed out of measure, & the peace little obserued, by reason that the statute which the king not lõg past made at Winchester, is not obserued: The king will that the same statute be sent againe into euery Countie, to be read and published iiii. times in the yere, & kept in euery poynt as straitly, as the two great chartours, vpõ the paines therin limited. And for the obseruing & mayntenance of ỳ statute, the knights that be assigned in ỳ shires for to redresse things done against the said great chartours, shalbe charged, and shal haue their warrant therfore. Articuli super cartas. cap. 17. An. 28. E. 1. Statute of Winchester Knights

2 ¶ For the grieuous mischiefes and complaynts that do dayly happen of robberies, theftes, manslaughters, brenning of houses, and ridings in routes & great companies in euery part of the Realme: It is ordeyned & assented, that the statute of Winchester (the tenour whereof is sent by our souerayngne Lorde the king this yere last past, into euery Countie of England to be proclaimed) be holden and kept in all poyntes, and put in good and hastie execution, at the complaynt & pursuite of euery man that feeleth him grieued against the tenour of the same. And to the intent that no man shall excuse himselfe by ignorance of the same statute, it is also assented, that euery sherife of England, shall be bounde from henceforth in proper person to make proclamation of the same statute iiii. times in a yere, in euery hundred of his bailiwike, and by his bailifes in euery market, as well within liberties as without. An. 7. R. 2. cap. 6. Statute of Winchester Sherifs Bailifes

Iust. of p.

3 ¶ Euery Iustice of peace within euery shire within this his sayde Realme, within the shire where hee is Iustice of peace, do cause openly and solemnly to be proclaimed yerely foure times in a yere, in foure principall sessions, the tenour of this proclamation to this bill annexed, & that euery Iustice of peace being present at any of the said sessions, if they cause not the sayd proclamatiō to be made in foyme abouesayd, shall forfaite to our sayd soueraygne Lord at euery time xx.s.

Sessions

Forf.

¶ The proclamation.

HEnricus Dei gratia &c. The king our Soueraygne Lorde considereth how dayly within this realme, his coyne is traiterously counterfayted: murders, robberies, felonies, bene grieuously committed & done, also vnlawfull retayners, idlenesse, vnlawfull playes, extortions, misdemeanings of Sheriffes, escheatours, and many other enormities and vnlawfull demeanings dayly groweth more & more within this his realme, to the great displeasure of God, hurt and impouerishing of his subiectes, and to the subuersion of the policie and good gouernaunce of this his Realme: and by these sayde enormities and mischiefs his peace is broken, his subiects troubled, inquieted, and impouerished, the husbandry of this land decayed, whereby the Church of England is vpholden, the seruice of God continued, euery man thereby hath sustenance, euery inheritour his rent for his land: For repressing and auoyding of the sayd mischiefes, sufficient lawes & ordinances be made by auctoritie of many and diuers Parliaments holden within this realme, to the great costs of the king, his lordes & commons of the same, & lacketh nothing, but that the sayde lawes be not put in due execution, which lawes ought to bee put in due execution by the Iustice of peace in euery shire of this realme, to whom his grace hath put and giuen full auctoritie so to do, sith the beginning of his raigne. And now it is cōmen to his knowledge, that his subiects be litle eased of the sayd mischiefe, by the said Iustices, but by many of them rather hurt then helped. And if his subiects complayne to these Iustices of peace, of any wronga done to them, they haue thereby no remedy, and the said mischiefes doe encrease and not subdued. The Kinges grace considereth, that a great part of the wealth and prosperitie of this lande standeth in that, that his subiects may liue in suertie, vnder his peace in their bodies and goods, and that the husbandry of this land may encrease and be vpholden, which must bee had by due execution of the sayd lawes and ordinances: chargeth & commaundeth the Iustices of peace of this his shire, to endeuour them to doe and execute the tenor of their commission, the sayd lawes and ordinances ordeyned for subduing of the premisses, as they will stand in loue and fauour of his grace, & in auoyding of the paynes that be ordayned if they doe the contrary. And ouer that, he chargeth and commandeth, that euery man, what degree or condition that he be of, that let them, in woorde or deede, to execute their sayd auctoritie in any maner or fourme abouesayd, that they shewe it to his grace. And if they doe it not, and it come to his knowledge by other then by them, they shall not stande in his fauour, but bee taken as men out of credence, and be put out of Commission for euer. And ouer this, hee chargeth and commaundeth all maner of men, as well the poore as the riche, which bee to him all one in due ministration of Iustice, that is hurt or grieued in any thing, that the sayde Iustice of peace may heare, determine, or execute in any wise, that he so grieued make his complaint to the Iustice of the peace, that next dwelleth vnto him, or to any of his fellowes, and desire a remedie, And if he then haue no remedy, if it be nygh such time as his Iustices of assises come into that Shire, that then he so grieued shewe his complaynt to the same Iustices. And if he then haue no remedy, or if the complaynt be made long before the comming of the Iustices of Assise, then he so grieued come to the Kinges highnesse, or

Coyne
Murders
Felonies
Retaynors
Vnlawfull games
Sheriffes
Escheators

Iust. of p.

Put out of commission

Oyer & ter.

Complaint Iust. of p.

Iust. of ass.

King

to

Chauncelor

to his chauncellor for the time being, and shewe his griefe, and his sayde highnesse then shall sende for the sayd Justices, to knowe the cause why his sayd subiects be not eased, and his lawes executed, whereupon if he finde any of them in default of executing of his lawes, in the premisses, according to his highnesse commaundement, he shall doe him so offending, to be put out of the commission, & furthermore to be punished according to his demerits. And ouer that his sayd highnesse shal not let for any fauour, affection, cost, charge, nor any other cause, but that he shall see his lawes to haue playne and true execution, and his subiects to liue in suertie of their lands, bodies, and goods, according to his said lawes, & the said mischieues to be auoyded, that his subiectes may encrease in wealth & prosperitie to the pleasure of God. An. 4. H. 7. cap. 12.

Put out of commission

Punish

Execution of lawes

4 ¶ Anno 13. H. 6. cap. 2. an act was made to endure for vii. yeeres, that writs with proclamatiō should be made against them, that disobey the kinges writtes or priuie seales, and certaine forfaiture and punishment against them.

Writtes

Priuie Seales

Fine.

5 ¶ Anno 31. H. 8. cap. 8. an act was made, that Proclamations made by the king, with the aduise of certayne of his Counsell named in that act, should be obeyed & kept as though they were made by act of Parliament. And after An. 34. H. 8. cap. 23. an other act was made concerning the offenders of the sayd former act, but both these actes were repealed by 1. Ed. 6. cap. 12.

Act of parliament

Repealed

¶ Procurements.

Lords Courtes Stewards

FOrasmuch as lordes of courtes, and other that keepe courts, & stewards, intending to grieue their tenaunts, (where they haue no lawful meane so to do) procure other to moue matters against thē, & to put in suertie & other pledges, or to purchase writtes, and at the suite of such plaintifes cōpel them to follow the countie, hundred, wapentake, & other like, vntil they haue made fine with them at their will: It is ordayned, that it shall not be so vsed hereafter. And if any be attached vpō such false cōplaintes, he shall repleuy his distresse so taken, & shall cause the matter to bee brought afore the Justicers, before whom if the sherife, baylife, or other lord, (after that the partie distreigned, hath formed his playnt) will aduowe the distresse lawfully takē by reason of such cōplaints made vnto them, & it be replied, that such plaints were moued maliciously against the partie, by the solicitation or procurement of the sherife, baylife, or lorde, the same replication shall be admitted, and if they be conuict hereupon, they shal make fine to the king, and neuertheless restore treble dammages to the partie grieued. Westm. 2. cap. 36.

Suertie

Repleuy

Sherife

Malice

Baylife

Lord

3. dāmages

¶ Prohibition & consultation.

IN tythes, oblations, obuentions, mortuaries (sithence they are purposed vnder these names) the kinges prohibition shal holde no place, although for the long withholding of the same, the money may be esteemed at a summe certaine. But if a clerke or a religious man, doe sell his tithes being in the barne, or other where, to any man for money, if the money be demaunded before a spirituall Judge, the kings prohibitions shal lie, for by the sale the spirituall goods are made temporall, and the tythes turned into cattels.

Tithes

Oblations

Mortuaries

Spiritual Judge

Sale

Temporall

Tythes

Also if the debate doe arise vpon the right of tithes, hauing his original of the right of the patronage, & the quantitie of the same tithes do passe the iiii. part of the goods of the Church, the kinges prohibition shal holde place, if the cause come before a Judge spirituall. Also if a prelate enioyne a penance pecuniary to any man for his offence, and it bee demaunded, the kings prohibition shall holde place. Notwithstāding if prelates enioyne a penāce corporall, and the partie wil remedy such penaunces by money, if money bee demaunded before a Judge spirituall, the kings prohibition shall holde no place.

Penance Pecuniary

Corporall

Moreouer if any lay violent handes on a clearke, the amendes for the violence done, shall be made in the kinges court.

Clarke

Excommunication Penance

Money

Spell

Tythe

Bishop of Norwich

Court Christian

Penance Fornication Aduowtry

Churchyard Church

Pecuniary

Oblations Tythes

Mortuary

Pencion

And for excōmunication before a prelate, where penaunce coppozall is enioyned, if the defendour will reuerse his penaunce by giuing money to the prelate, or to the partie grieued, it shall be required before the prelate, and the kings prohibition shal not lie. Articuli cleri cap. 1. 2. & 3.

2 ¶ Also if any do areare in his gross a mille of newe, and after the parson of the same prelate demandeth tythe for the same, the kings prohibition doeth issue in this forme.

The answere. Quia de tali molendino hactenus decimæ non fuerunt solutæ, prohibemus &c. Et sententiam excommunicationis, si quam hac occasione promulgaueritis, reuocetis omnino. In such case the kings writte of prohibition was neuer yet graunted by the kings assent, nor neuer shall, which hath decreed, that it shal not hereafter lie in such cases. Articuli cleri cap. 5. An. 9. E. 2.

3 ¶ The king to his Iudges sendeth greeting. Vse your selfe circumspectly in all matters concerning the Bishop of Norwich and his clergy, not punishing them, if they holde plea in Court Christian, of such things as be merely spirituall, that is to witte, of penaunce enioyned for deadly sinne, as fornication, aduoutrie, & such like, for the which many times coppozal penance or pecuniaris is enioyned, specially if a free man bee conuict of such things. Also if prelates do punish for leauing churchyards vnclosed, or for that the Church is vncouered, or not conueniently decked, in which cases none other penāce can be enioyned, but pecuniarie.

Item if a parson demaunde of his parishens, oblations and tythes due and accustomed, or if any parson plende against another for tythes more or lesse, so that the iiii. part of the value of the benefice be not demaunded.

Item if a parson demaund mortuaries in places where a mortuary hath vsed to be giuen.

Item if a prelate of a Church or of a patron, demaund a pencion due to themselues, all such demaunds are to be made in a spirituall court. And for laying violent handes on a priest, and in cause of defamation, it hath bene granted already, that it shalbe tryed in a spirituall court, when money is not demanded, but a thing done for punishment of sinne, and likewise for breaking an othe. In all cases afore rehearsed, the spirituall Iudge shall haue power to take knowledge, notwithstanding the kings prohibition. An. 13. E. 1.

Defamation

Othe

Spirituall Iudge

4 ¶ Whereas ecclesiastical Iudges haue often times surceased to proceede in cases moued before them, by force of the kings writ of prohibition, in cases where as remedy could not be giuen to the complainers in the kings court, by any writ out of the Chauncery, because that such complainers were differred of their right & remedy in both courtes, as wel temporall as spirituall, to their great dāmage, like as the king hath bene aduertised by the grieuous complaint of his subiectes, Our soueraigne Lord the king commandeth, that where ecclesiastical Iudges do surcease in the forsaid cases, by ꝑ kinges proclamatiō directed vnto them, that the Chauncelour, or the chiefe Iusticer of ꝑ king for the time being, vpon sight of the libel of the same matter at the instance of the pl. if they could that the case cannot be redressed by any writte out of the chauncerie, but that the spirituall court ought to determine the matters, shall write to the Iudges, before whome the case was first moued, that they proceede therin, notwithstanding the kings proclamation to them directed before, stat. de consultatione edito. An. 24. Eli. 1.

Spirituall Iudges

Chauncelor Chiefe Iust. Libell

5 ¶ Edward &c. To the prelates, officers of Archdeacons, & other ministers spirituall through the Diocesse of Norwich, greeting, whereas cognisances of pleas vpon feodals, & liberties of feodals, vttreles, offices of minisiers, executiōs done against our peace, denials of felons, customes seculer, attachements, bilaies, thiefes, robbers arraigned, arrestes, manours, aduowsons of Churches, confessions sufficient, assises sworne, recognisaunces, touching lay fee, and other matters & causes of money, and of other cattels and debts, which not of testament or matrimony,

Norwich

Pleas

Money

matrimony, pertaine to our Crowne and dignitie, approued, and hitherunto obserued in the same Realme, by custome of the same Realme. And the high or noble men, or other of the same Realme in the time of our auncestors, or our, kinges of England, by any auctoritie haue not vsed against such custome vpon such matters in cause to be drawen, or compelled to appeare before any spirituall Iudge. And wee and our predecessours the custome aforesayd, for vs and others of the same realme, haue alwayes vsed such liberties as pertaine to our regal dignitie. And you, & your ministers of the communaltie of our Counties of Norff. & Suff. which for such thinges at sundry times, at your pleasures draw before you in the spiritual court, as by relation of our welbeloued we haue for certeintie heard say, we prohibite you, that you holde no such plea in the spiritual court, chiefely seeing such pleas appertayne vnto vs, and not to any other in the same Realme. And we vpon these and other, whose cognisaunce pertayneth vnto vs, are ready by vs and our ministers in our court, to giue full & speedy Iustice to any whatsoeuer. But we command our welbeloued and faithfull R. and our Sherifes of our foresayd Counties, and taking vnto you others in those parties, that they straytly forbid on our behalfe the premisses and other such like, in preiudice of our regal honor. And that if any of you holde such pleas, or if any prosecute the same before you in the spiritual court against our prohibition aforesayd, our said Sherife bring you and others holding & following such pleas, by suerties & sale pledges, that you or they bee before our Iustices at Westminster at a certaine day, to answere before them vpō the premisses, & to do further, which hitherunto in such cases and the like hath bene accustomed to bee done. And that they suffer not, that any lay men in their bailiwicke, come together in any places to make any recognisāces by their oths, except in causes of matrimony and testamentary: And that they presume not to enterprise vpon such fees, debtes and cattelles before you, and other spirituall Iudges belonging to our Crowne and honour, in preiudice of our princely iurisdiction: And that which you shall doe of those matters in this behalfe, you doe fully giue vs to vnderstande. In witnesse whereof &c. witnesse &c. A prohibition made vpon the Articles of the clergie.

Spiritual court

6 ¶ They that purchase a prohibitiō and attachement against the ordinaries, of a thing that belongeth not to the laye Court, shall yelde dammages to the Ordinaries by the award of the Iustices &c. In nouis ordinationibus. An. 5. E. 2. But it is repealed An. 15. E. 2. I finde not this but in the abridgement. Repealed

7 ¶ The commons doeth grieuously complayne, that when diuers persons as well clerkes as lay people, haue bene endicted before the Sherifes in their turnes, & afterwarde be deliuered by enquestes procured before the Iustices: after their deliuerance they doe sue in the spirituall court, against such endictors, surmising against them, that they haue defamed them, to the great dammage of the endictors, wherefore many of the people in the shires be in feare to indict such offendours. The king will, that in such case euery mā that feeleth himselfe grieued thereby, shall haue a prohibition formed in the Chauncery vpon his case. An. 1. Ed. 3. cap. 11. Clearkes Indict Sherifes Enquest

8 ¶ That no prohibition go out of the Chauncerie, but in case where we haue the cognisaunce & of right ought to haue. Anno 18. E. 3. cap. 5.

9 ¶ Item at the complaint of the said great men & commons, shewing by their petition, that whereas they sel their great wood, of the age of xx. yeres, or of greater age, to marchāts to their owne profite, or in ayde of the king in his warres, parsons & vicars of holy church, do implead and draw the sayd marchants in the spirituall court, for the tythes of the said wood in ꝑ name of this worde called Sylua cædua, whereby they can not sell their woods to the very valour, to the great dammage of them and of the Realme: It is ordayned and stablished, that a prohibition in this Great wood Marchants Warres Tithes Sylua cædua

Attachemnt

case shalbe graunted, & vpon the same an attachement, as it hath bene vsed before this time. An. 45. Ed. 3. cap. 3.

Spiritnall Judge

10 ¶ Where as a Consultation is once ducly graunted vpon a prohibition made to the Judge of holy Church, that the same Judge may proceede in ỹ cause, by vertue of the same consultation, notwithstanding any other prohibition therupō to him delyuered. Prouided alwayes that the matter in the libell of the saide cause, be not augmented, enlarged, nor otherwise changed. An. 50. E. 3. cap. 4.

¶ Prophecies.

ANno 3. E. 6. cap. 15. was an act made against fantasticall prophecies, to endure to the ende of the next parliament, & after An. 7. E. 6. cap. 11. it was continued to endure to the last day of the next parliament, and then it expired.

10 ¶ For as much as since the expiration of the statute 3. Ed. 6. cap. 15. (before 1.) against fantasticall prophecies, diuers factious and rebellious persons haue bene the bolder to imagine and publish such prophecies, as wel concerning the Queenes Maiestie, as others of the Realme, to the great perill of the same: Bee it ordayned &c. that if any person or persons, after the first daye of May next comming, doe aduisedly and directly auaunce, publish, and set forth by writing, printing, singing, or any other open speach or deede, to any person or persons, any fonde, fantasticall or false prophecy, vpon or by the occasion of any armes, fieldes, beasts, badges, or such like things accustomed in armes, cognisaunces, or signes, or vpon or by reason of any time, yere, or day, name, bloodshed, or warre, to thintent thereby to make any rebellion, insurrection, dissension, losse of life, or other disturbance within this realme, & other the Queenes dominions, that then euery such person being thereof lawfully conuicted, according to the due course of ỹ lawes of this realme, for euery such offence shall suffer imprisonmēt of his body by the space of one yere, without baple or mainprise, and shal forfaite for euery such offence, the summe of tenne pounds. And if any such offender do after such conuiction eftsones offend in any of the premisses, & be thereof lawfully conuicted as is aforesayd, ỹ then euery such offender shal for his second offence & cōuiction, as is aforesaid, suffer imprisonment of his body without bayle or mainprise, during his life, & shal forfaite all his goods & catels reals & personals. The moities of euery which forfaitures shalbe to the Queenes highnesse, her heires and successors, & the other moitie thereof, to him that shall or will sue for the same in any of ỹ Queenes courts of record, by action, bill, plaint, or information, in which case no essoyne, wager of lawe, or protection shall be allowed or admitted.

Wryting Printing Singing

Armes Badges

Rebellion Insurrection

Comiter

First offence Imprison

Mainprise Forf.

ii. offence

Imprison Mainprise

Forf.

Moitie

And bee it further enacted by the authoritie aforesaid, that all & euery Justice of assise, Justice of Oyer & determiner, Justice of Peace, shall haue full power & authoritie by vertue hereof, to enquire, heare and determine, all and euery offence or offences aboue sayde, committed or done within the limittes of their commission, contrary to the tenour and meaning of this act. Prouided alwayes, and be it enacted by the authoritie aforesayd, that no person or persons, shall at any time hereafter be impeached for any offence here after to be committed or done, contrary to this Act, vnlesse hee be therefore impeached or accused, within sixe monethes next ensuyng any such offence by him or them committed or done. Anno 5. Eli. cap. 15.

Just. of ass.
Just. of oyer
Just. of p.

Oyer & ter.

Prouiso

6. moneths

¶ Protection.

EDwards by the grace of God &c. To all his true & faithful subiectes greeting. Forasmuch as many doe purchase ỹ protection of our soueraigne lord ỹ king, affirming that they were out of ỹ realme in the kings seruice: It is prouided, that if their aduersary will challenge the protection, & immediatly when it is shewed in the court, will averre that they were within the foure Seas, and out of the kinges

Ouer sea

Challenge

Averre

kinges seruice in a place certaine, so that they might haue conueniently appeared, their challeng shalbe entred, and the matter shall remaine without day according to the nature of ỳ protections. And when it shalbe resomoned, and the party cõmeth into ỳ court, he shal demaund iudgement & hearing of the processe, & offer to auerre his challeng, if his aduersary will attend. And if the countrey do passe against him that cast it, the protection shall turne as a default to him that cast it, if he be tenaunt. And if he be demaundaunt, he shall lose his writ, & shalbe amerced vnto the king. Given at westminster the eighteenth day of Nouember, ỳ xxx iii. yere of king Edward, sõne of king Henry. Anno 33. E. 1.

Default Tenant Demandaunt

2 ¶ The king to all &c. Reciting the statute of Anno 3. E. 1. &c. Wee graunt and cõmand for vs and our heires, that no Shirifes, or other our ministers, or of our heires, or other whatsoeuer, presume to thresh any corne, & the same, or any other victuales, or goods, or elle Horses, Oxen, waines, Cartes, shippes, or Battels of Prelates, Religious men, Parsons of churches, or others of the clergy, vnder colour of buying or other meanes in market Townes, or elle where against the willes of the owners thereof, or the custody of them, do take, carry or lead away, or by such meanes do extorcion to any man, vnder all and singuler the paynes aboueslaid, And that all and singuler persons comming against the premisses, with out excuse whatsoeuer shall suffer the paines aforesaid, And that all & singuler our ministers & our heires, vz. euery of them, as much as to him by reason shal appertaine, cõming contrary to this act, shall suffer ỳ paines aforesaid, And that they which shall happen to be committed to prison by such meanes, shall not be deliuered out of the same, without the especial commaundement of vs and our heires, In witnesse whereof &c. witnesse my selfe at Yorke ỳ 24. day of Nouember in ỳ 10 yeer of our raigne, A letter patent vpon the taking of goods of ỳ clergy. See purueiors. 6.

Shirifle

Clergy Church

Take Extorcion

Imprison

3 ¶ Forasmuch as our soueraygne Lord the king hath made before this time diuers protectiõs of diuers people, which were bounden to him in any maner of debt, that they should not be impleaded of the debtes which they owed to other, till they had made gree to our soueraygne lord the king of that that to him was due by them, by reason of his prerogatiue, & so during such protections, no man durst implead such debtors: It is accorded and assented, that notwithstanding such protectiõs, the parties which haue actions to their debtors, shalbe answered in ỳ kings court by their debtours. And if iudgement be therupon giuen for the plaintife or demaundant, the execution of the same iudgement shall be put in suspence, till gree be made to the king of his debt. And further, they shall haue execution against the debtours of the debt due to them, and also shall recouer against them as much as they shal pay to the king for them. An. 25. Ed. 3. cap. 19.

Answere Judgement Execution Suspence

4 ¶ From henceforth no protection with the clause of Volumus, be allowed before any Judge, for vitailes taken or brought vpõ the voyage or seruice whereof the protection maketh mention, nor also in pleas of trespas, or of other contract made or perpetrate after the date of the same protection. An. 1. R. 2. cap. 8.

Vitailes

5 ¶ No protection with clause De profecturis, bee allowed in any plea, whereof the suite is commenced before the date of the protection, if it bee not in the voyage that the king himselfe goeth, or other voyages royall, or in the kinges messages, for business of the realme, but they that be impleaded, shall make their atturneys for to answere for them in such pleas, or elle they shal tary themselues, if they will: howbeit it is not the intent of the making of this statute, but that the protection with clause Quia moratur, be allowed in al cases, as they haue bene before this time. And if any tary in the countrey, without going to their seruice, for the which he is reteyned, ouer a conuenient time after that hee hath any protection, or repaire from the same seruice, if the

Atturneys

Chauncellor

Chauncellor Chancellor be thereof duely informed, he shal repeale such protection, as it hath beene vsed before this time. Anno 13. R. 2. capitulo. 16.

6 ¶ Because that when people being debtours, be condemned to their creditours by due proces of the law, and committed to prison, that is to say, to the Jayles of the marshalsie, kinges bench, fleete and other prisons in diuers Cities, Boroughes, & townes within ꝑ Realme: the wardens of the Jayles and prisons aforesaid, of their owne auctoritie do let the saide debtours to go at large at their will, and where as by a statute Anno 12. R. 2. capitulo. 12. which is in debt. 4. It was ordayned, that if any jayler doe let such prisoner to goe at large, by maine prise or in bayle, ꝑ then ꝑ person to whom the prisoner is condemned, shall haue his actiõ & recouerie against the said jayler. Wardens Gaylours The same wardens do purchase to them selfe ꝑ kings protections whereby ꝑsaid creditors by the same protections be delayed and deferred from their duety and rightfull recouery, as well against the said wardens of the said jayles, as against the said prisoners, to ꝑ great damnage and preiudice of the common people, and derogation of the common lawe: It is ordayned and stablished, that no protection bee auayleable nor allowed in such case. Anno 7. H. 4. cap. 4.

7 ¶ Anno. 9. Henrici. 5. capitulo. 3. & Anno 4. Henrici. 6. capitulo. 2. & An. 8. Henrici 6. capitulo. 13. & Anno 14. Edwardi. 4. cap. 1. fower actes were made to endure for certaine yeres concerning protections of them that shoulde go ouer the sea with the king.

8 ¶ No protection hereafter allowable ne allowed in the court before the Maior, Constables and felowshippe Staple of marchants of the Staple of Calleys, ne in the Court before the lieutenant, Constable & felowship of marchants of the same staple, ne in the court before the Maior Calleis Maior & his brethren of the same towne of Calleys, nor in any court or courtes within the same towne or marches there in any accion sued or hereafter to be sued, by any of the sayde marchantes, their factors, seruants or atturneys, against any of the sayd marchantes, their factors, seruants or atturneis. Anno 1. H. 7. cap. 3.

9 ¶ Anno 4. H. 7. cap. 4. protections of profecture & moratore were granted to all them that were, or shoulde be in the kings wages in Britaine.

10 ¶ Anno 7. H. 7. cap. 12. protections of profecture and moratore were graunted to all them that shoulde serue the king in his warres (beyond the Sea Warres or on the sea) which the king then entended to make.

11 ¶ An. 3. H. 8. cap. 4. protections of profecture & moratore were graunted to all them that should serue the king in his warres (beyond the sea or on this side) Warres which the king then intended to make.

12 ¶ See purueiours. 12. that al goods & things of Bishops & monasteries were Bishops taken into the kings protection, that they Monasteries should not be taken for the king &c.

13 ¶ Where protection is put out in any action, see in euery such title, as any such action is spoken of.

¶ Prouision & Premunire.

BEcause that some do purchase in the court of Rome prouisions, to haue Rome abbeys and priories in England, in destruction of the realme, and holy religiõ: It is accorded, that euery man that purchaseth such prouisions of abbeis or prio- Abbeis ries, that he and his executours and pro- Priories curatours, which do sue and make execution of such prouisions, shall be out of the kings protection. And what a man may Protection do with them, as of enemies of our souerayne Lord the king and his Realme. And he that offendeth against such prouisours in body or in goods, or in other possessions, shall be excused against all peo- Excused ple, & shall neuer be impeached nor grieued for the same at any mans suit. Anno 25. E. 3. cap. 22.

2 ¶ Where as late in the Parliament of good memory of Edward king of England, graundfather of our souerayne lord the king that nowe is, the xxv. yeere

of

of his raigne, holden at Karlile, the petition heard, put before the said graundfather and his counsaile by the communalty of his said realme contayned, ꝓ whereas ꝓ holy church of England was founded in the estate of prelacie within the realme of England by the said graundfather and his progenitoures, & the Earles, Barons, and other nobles of his saide realme and their auncestors, for them to enioyne the people of the lawe of God, and for to make hospitalities, almes and other woykes of charitie in the places where the churches were founded, for the soules of the founders, their heires, and of all christen, & certaine possessions, as much in fees, lands, rents, as in aduowsons, which do extend to a great value, were assigned by the said founders to the Prelats & other people of ꝓ holy Church of the said Realme, to sustaine the same charge, and especially of the possessions which were assigned to Archbishopps, Bishoppes, abbots, priors, religious and al other people of holy church, by the kings of the saide Realme, Earles, Barrons & other great men of his Realme, the same kinges, Earles, Barrons, and other nobles, as lords, aduowees, haue had and ought to haue the custodie of such voydaunces and the presentmentes and the collations of the benefices being of such prelacies. And the said kinges in tymes past were wont to haue ꝓ greatest part of their counsaile, for the sauegard of the Realme, when they had neede of such prelacies and clerkes so aduaunced: The Bishop of Rome vsurping the seigniories of such possessions and benefices, do giue and grant the same benefices to alyens which did neuer dwel in Englād, and to Cardinals which might not dwell here, and to other as well aliens as denizens, as if he had bene patrone, or aduowee of the saide dignities & benefices, as he was not of right after the lawe of England, whereby if they should be suffred, there should vneth be any benefice within a short time in the saide Realme, but that it should be in ꝓ handes of aliens & denizens by vertue of such prouisions, against the good will and disposition of the founders of the same benefices. And so ꝓ elections of archbishops, Bishops, & other religious should faile, & ꝓ almes, hospitales, and other woykes of charitie, which should be done in the saide places should be withdrawen, the said graundfather, and other lay patrons, in the time of such voidances shoulde lose their presentmentes, ꝓ said counsell should perish, and goods without number should be caried out of the realme, in annullation of the estate of ꝓ holy Church of England, and vtterlon of the said graundfather, and the Earles, barrons, & other nobles of the said realme, and in offence and destruction of the lawes and rightes of his realme, and against the good disposition and will of the first founders: By the assent of the Earles, Barrons and other nobles, and of all the said comminalty, at their instances & requestes, the dammage and grieuances aforesaide considered in the said ful parliament, it was ordained, that the said oppressions, grieuances, and dammage in ꝓ same realme from henceforth shoulde not be suffered in any maner. And now it is shewed to our Soueraigne lord the king in this present parliament holden at Westminster, at the vtas of the Purification of our Lady the xxv. yere of his raigne of England, and of France the xii. by the grieuous complaintes of al the cōmons of this realme, that the greeuances & mischiefes aforesaid do daily abound, to more greater dāmage and destruction of all this Realme, more then euer were before. ℣. ꝓ now late Bishop of Rome, by procurement of Clerkes & otherwise, hath reserued and doth daily reserue to his collation generally and specially, as well archbishopriks, Abdies, and priories, as all other dignities & other benefices of England, which be of the aduowry of people of holy church, and giue the same as well to aliens as to denizens, and taketh of all such benefices the first fruites, and many other profites, and a great part of the treasure of the Realme is caried away & dispended out of the realme by the purchasours

Pope
Benefices
Aliens
Cardinals
Pope
Archbishops
Aliens
Fruit frutes

vsours of such graces, and also by such priuy reseruations many clerks auanced in this Realme, by their true patrones which haue peaceably holden their auãcements by long time, be sodenly put out: wherevpon the said cõmons haue prayed our said Soueraigne lord the king, that sith the right of the crowne of England, and the lawe of the saide realme is such, that vpon the mischieuus & dammage, which happeneth to his realme, he ought and is bounden of the accord of his saide people in his parliamẽt thereof to make remedy, and lawe of voyding the mischieues & dammage, which therof commeth, that it may please him thereupon to ordaine remedy: Our soueraigne lord the king, seeing the mischieues and dammage before named, and having regard to the said statute, made in the time of his said graundfather, and to the causes contained in the same, which statute holdeth alwaies his force, and was neuer defeated nor annulled in any point, and by so much he is bounden by his othe to doe the same to be kept as the lawe of his Realme, though that by sufferance and negligence it hath bene sithence attempted to the contrary, also hauing regard to ỳ grieuous cõplaints made to him by his people in diuers his parliaments holden heretofore, willing to ordaine remedy for the great dammage & mischieues, which haue happened & daily do happen to ỳ church of England by ỳ saide cause, By the assent of al the great men, & the comminalty of the saide Realme, to the honour of God & profit of the said church of England, and of al his Realme, hath ordered and stablished, that the free elections of archbishops, bishops and al other dignities and benefices electifie in England, shall holde from henceforth in the maner as they were grãted by the kings progenitours, & founded by the auncesters of other lords: And that all prelates and other people of holy church, which haue aduousons of any benefices of the kings gift, or of any of his progenitors, or of other lords and honours, to doe deuine seruices and other charges thereof ordained, shall haue their collations and presentments freely in the maner as they were enfeoffed by their donours. And in case that reseruation, collation, or prouision be made by the court of Rome, of any archbishoppicke, bishoppicke, dignity or other benefice, in disturbance of the election, collations, or presentations afore named, that at the time of the voydounce that such reseruations, collatiõs, and prouisions, ought to take effect, our soueraigne lord the king and his heires, shall haue and enioy for the same time the collations to the archebishoppickes and other dignities electifie, which be of his auowry, such as his progenitors had before ỳ free electiõ was granted, sithence that the elections were first granted by the kinges progenitors vpon a certaine forme and condition, as to demaund licence of the king to choose, and after the election to haue his royall assent, and not in other maner. Which conditions not kept, the king ought by reason to resort to his first nature. And if any such reseruation, prouision, or collation be made of any house of religion of the kinges auowry in disturbance of the free election, our soueraigne lord the king and his heires shall haue for that time the collation to giue this dignity to a conuenient person, and in case that collation, reseruation, or prouision be made to ỳ Court of Rome of any church, prebend or other benefices, which bee of the auowry of people of holy church, whereof the king is auowee paramount immediat, that at the same time of the voydance, at which time the collation, reseruation, or prouision ought to take effect as afore is saide, the king and his heires thereof shall haue the presentmẽt or collation for that time. And so from time to time whensoeuer such people of holy church shalbe disturbed of their presentments, or collations by such reseruations, collations, or prouisions, as afore is said. Sauing to them the right of their auowsons and their presentments, when no collation or prouision of the court of Rome is thereof made, where that the said people of holy church

Othe

Election Archbishops Bishops

Auowson K. gift

Presentment

Condition Licence

Royall assent

Presentment

Disturbe

church shal or will to the same benefices present or make collation. And that their presentees may enioy the effect of their collations or presentments: And in the same maner euery other Lorde, of what condicion that he be, shall haue the collations or presentmentes to the houses of religion which be of his aduowry, and other benefices of holy Church, which be pertaining to the same houses. And if such aduowees do not present to such benefices within the halfe yere after such voydances, nor the Bishop of the place do not giue ỳ same by lapse of time within a moneth after halfe a yere: that then the king shall haue thereof the presentments and collations as he hath of other of his owne aduowry. And in case that the presentees of the king, or the presentees of other patrons of holy church, or of their aduowees, or they to whom the king or such patrons or aduowees aforesaid haue giuen benefices, pertaining to their presentments or collations be disturbed by such prouisors: so that they may not haue possessiō of such benefices by vertue of the presentments or collatiō so to them made, or that they which be in possession of such benefices, be impeched vpon their said possessions by such prouisours, then the said prouisors, their procuratours, executors, and notaries shal be attached by their body, and brought in to answere. And if they be conuict, they shall abide in prison without being let to mainprise or bayle, or otherwise deliuered, till ỳ they haue made fine & ransome to ỳ king at his wil, & gree to ỳ partie ỳ shal feele him self grieued. And neuertheles before that they be deliuered, they shal make full renunciation & find sufficient suerty, that they shall not attempt such things in times to cōe, nor sue no proces by them nor by other against any man in the court of Rome, nor in no part elsewhere, for any such imprisonmentes or renunciations, nor any other thing depending of them. And in case that such prouisors, procurators, executors, & notaries be not found, that the exigend shal renne against thē by due proces, & that writtes shal go forth to take their bodies, in what partes that they be founde, as well at the kinges suite, as at the suite of the partie. And that in the meane time the king haue ỳ profits of such benefices so occupied by such prouisors, except abbeys, priories, & other houses, which haue colledges or couents. And in such houses the colledges & couents, shall haue the profits. Sauing alwaies to our soueraigne lord the king, and to all other lordes, their olde right. And this statute shall haue place, as well of reseruations, collations, and prouisions made and graunted in times past against all them, which haue not yet obteined corporall possessions of the benefices graunted to them by the same reseruations, collations, and prouisions, as against al other in time to come. And this statute dooeth to hold place and to beginne at the sayde yeas. Anno 25. Ed. 3. Statute de prouisoribus.

Lord

Religious houses

6. monethes

Lapse

King

Disturbe

Attached Answere

Imprison Mainepryse

Suertie

Exigend Writtes

3 ¶ Because that it is shewed to our soueraygne Lorde the king by the grieuous and clamorous complaynes of the great men and commons aforesayd, how that diuers of the people bee and haue bene drawen out of the Realme, to answere of things, whereof the cognisance pertayneth to the kings court: And also that the iudgementes giuen in the same court, be impeached in another court, in preiudice and disherison of our Soueraigne Lord the king, and of his crowne, and of all the people of his sayd Realme, and in the vndoing and destruction of the common lawe of the same Realme at all times vsed: Whereupon good deliberation had with the great men, and other of his sayde Counsell, it is assented and accorded by our Soueraygne Lorde the king, and the great men and commons aforesayd, that all the people of the kings ligeance, of what condition that they be, which drayeth any out of the realme in plea, whereof the cognysance pertayneth to the kinges Court, or of thinges whereof iudgementes bee giuen in the kinges Court, or which doe sue in any other Court, to defeate or impeache the iudgementes giuen in the kings Court, shall

Court

Sus

shall haue day, contayning the space of
2. moneths two moneths, by warning to be made to
them in the place where the possessions
bee, which be in debate, or else where,
where they haue landes or other possessi-
Shirife ons, by the Shiriffes or other the kings
ministers, to be before the king and his
counsaile, or in his chauncery, or before
the kinges Justices in his places of the
one bench or the other, or before other
Answere the kinges Justices, which to the same
shalbe deputed to answere in their pro-
per persons to the king of the contempt
done in this behalfe. And if they come
not at the saide day in their proper per-
son to be at the lawe, they, their procura-
Attourneis tors, attourneis, executors, notaries, and
Executors maintenours, shall from this day forth
Protection be put out of the kinges protection, and
Forf. their lands, goods, & cattels forfait to ỳ
king. And their bodies, wheresoeuer
Imprison they may be found, shalbe taken & impri-
soned, and raunsomed at the kings will,
and vpon ỳ same a writt shall be made to
take them by their bodies, and to seaze
their landes, goods and possessions in to
Exigend the kinges hands. And if it be returned,
that they be not found, they shall be put
in exigend and outlawed.

Prouided alwayes, that at what
time they come before that they be out-
lawed, and will yelde them to the kinges
prison, to be iustified by the lawe, and to
receiue that, that the court shall award in
this behalfe, that they shalbe thereto re-
ceiued. The forfaiture of ỳ lands, goods
and cattels abiding in their force, if they
do not yelde them within ỳ said two mo-
nethes as afore is said. An. 27. E. 3. ca. 1.

4 ¶ To norish loue, peace and con-
cord, betwene holy Church & ỳ Realme,
and to appease & ceasse the great hurt &
perils, and importable losses & grieuan-
ces that haue bene done and happened in
times past, & that shall happen hereafter,
if the thing from henceforth be suffered to
passe, because of personall citations and
other that be past before this time, and
cõmonly doth passe from day to day out
Rome of the court of Rome, by feigned & false
suggestions, and propositions against al
maner of persons of the Realme, vpon
causes, whose cognisance and finall dis-
cussing perteyneth to our Soueraygne
Lord the king, and his royall Court, and
also of impetrations and prouisions of
benefices and offices of holy Church,
pertayning to the gift, presentation, do-
nation, and disposition of our sayde sou-
eraygne Lord the king, and that other lay
patrones of his realme, as of Churches,
chappels, and other benefices appropried
to Cathedrall Churches, Abbeys, pio- Churches
ries, Chanteries, Hospitals, and other Hospitals
poore houses, and of other dignities, offi-
ces & benefices occupyed in ỳ times past,
and presented by diuers and notable per-
sons of ỳ said Realme, for which causes,
and dispensing thereof, the good aunci-
ent lawes, vsages, customes, and fraun-
chises of the sayd Realme haue bene, and
be greatly appayred, blemished, and con-
founded, the Crowne of our soueraygne
Lorde the king minished, and his person
falsely defamed, the treasure and riches
of his Realme carped away, the inhabi-
tantes and subiectes of the Realme im-
poueriſhed and troubled, the benefices
of holy Church wasted and destroyed,
Diuine seruice, hospitalities, almes
deede, and workes of charitie withdraw-
en and set a part, the commons and sub-
iectes of the Realme in body and goods
trauayled.

Our soueraigne Lorde the king at
his Parliament holden at Westminster,
in the vtas of Saint Hyllary, the xxxviii.
yeere of his raigne, hauing regard to the
quietnes of his people, which he chiefely
desireth to susteyne in tranquillitie and
peace, to gouerne according to the lawes,
vsages, and fraunchises of his land, as he
is bounde by his othe made at his coro-
nation, folowing the wayes of his progen-
tours, which for their time made certaine
good ordinances and prouisions against
the sayde grieuaunces and perils: which
ordinaunces and prouisions, and all the
other made in his time, and especially in
the xxv. and xxvii. yeere of his raygne:
Our soueraigne Lord the king, by the al-
sent and expresse will and concord of the
dukes,

dukes, earles, barones, and the commōs of his realme, & of all other whom these things toucheth, by good and meere deliberation & assesment, hath approued, accepted, & confirmed: sauing the estate of the prelates & other lords of ꝑ realme, touching the liberty of their bodies, so ꝑ by force of this statute their bodies be not taken. Ioyning to the same, hath prouided and ordained, that al they which haue obtayned, purchased, or pursued such personall citations or other in any times past, or hereafter shall obtaine, purchase or pursue such like, against him or any of his subiectes, and also al they that haue obtayned, or shal obtaine in ꝑ said Court, Deanries, Archdeaconries, Prouostries, and other dignities, offices, chappels, or benefices of holy church, pertaining to the collation, gift, presentation, or disposition of our said soueraigne Lorde the king, or of other lay patron of his said Realme, & also al like persons, obteyners of Churches, chappels, offices, or benefices of holy Church, pencions, or rents amortised, & appropried to churches cathedrall, or collegiall, abbeys, priories, chaunteries, hospitals, or other pome houses, before that such appropriations, amortisementes be void & annulled by due processe, also all they which haue obtained in the same court, dignities, offices, hospitals, & any benefices of churches which be occupyed at this present season by reasonable tytle, by any persōs of the said Realme, if such impetrations be not fully executed, or shall obtaine hereafter like benefice, whereby preiudice, dammage, or impeichment hath bin or may be done hereafter to him or to his saide subiects in persons, heritages, possessions, rights or any goods, or to the lawes, vsages, customes, fraunchises, & liberties of his saide Realme, and of his crowne, also al their maintainours, cossellers, abbettours, & other ayders and fautours wittingly aswell at the suite of the king as of the party, or other whatsoeuer he be of the realme, finding pledges & surety to pursue against them: in this case all the saide persons defamed & violently suspected of such impetratiōs, pursuites or greeuances by suspection, shal be arrested and taken by the shirifes, of the places & iustices in their sessions, deputies, bayliffes and other the kings ministers, by good & sufficient mainepryse, repleuin, bayle, or other suerty, (the shortest that may be,) & shalbe presented to the king & his councell, there to remaine & stand to right, to receiue what the lawe will giue them. And if they be attainted or conuict of any of ꝑ said things, they shal haue ꝑ paine compiled in ꝑ statute made in the xxii. yere of the raigne of our saide soueraigne Lord the king, which beginneth, Where as late in ꝑ parliamēt &c. If any person defamed or suspect of the said impetrations, prosecutions, or greeuances, or enterprises, be they out of the realme, or within, & may not be attached nor arrested in their proper persons, & do not present them before ꝑ king or his councel within two monethes next after ꝑ they be therupon warned in their places (if they haue any) in any of the kings Courtes, or in the counties, or before the kings Iustices in their sessions, or otherwise sufficiently to answere to the king & to the party, to stand, & be at the lawe in this case before the king and his councel, shalbe punished by the forme & manor compiled in the statute made in the saide xxvii. yere of this kings raigne, which beginneth, Our soueraigne lord the king of the assent &c. & otherwise as to ꝑ king and his councell, shal seeme to be done, without any grace, pardon, or remission, to be made by the king, without the will and assent of the party which shall proue him to be greeued, & without making to him due satisfaction in this case. Anno 38. Eliz. stat. 2. cap. 1. & 2.

¶ It is accorded ꝑ none other subiect of ꝑ said realme, keeping & sustayning these ordinances, shall incurre any forfeiture of life & mēber, of lands, of heritage, nor of goods against the king, nor none other person, nor lose estate nor fauour because of ꝑ said things ordeined, nor his heirs may not nor ought not to be reproued, defamed, nor impeched by any

Citations

Dignities

Dutie

Naturalliers

Arrest Shirife

Mainepryse

Defamed

2. Monethes

Iustices Answere

Pardon

of

of the saide causes at any time hereafter. Anno 38. Ed. 3. cap. 3.

6 ¶ And if any person of what estate or condicion that he be, by any maner attempte or do a thing, against the said ordinances, or any thing compyled in them, þ same person shal be brought to answere in the maner as afore is said, and if he be thereupon attainted or convicte, he shal be put out of the kinges protection, and punished after þ forme of the said statute made the saide xxvii. yere. Anno 38. E. 3. cap. 3. stat. 2.

Attaint
Protection

7 ¶ If any person maliciously or falsly make any pursuite against any person of the said realme, for cause compyled in thyse present ordinances, and therof be duely attainted, such plaintife shalbe duely punished at the ordinance of the king & his counsell, and neuertheles he shall make gree & amends to the party grieued by his pursuite. And to þ intent that the said ordinances & euery of the same, for the ease, quietnes, and welth of the commons be the better sustayned, executed and kept, and that all those that haue offended, or shal offend against these ordinances, by prosecutions, accusations, denunciations, cytations, or other processe made or to be made out of þ saide realme or within, or otherwise against any maner person of the said realme, be the more conenably & spedely brought to answere, to receiue right according to their deserte. The king, the prelats, Dukes, Earles, Barons, Nobles, & other comms, clerkes and lay people, be bound by this present ordinance to ayde, comfort, and to counceil the one and the other, and as often as shal neede, & by all the best menes that may be made of worde & of deede, to impeach such offendors and resist their dedes and enterprises, and without suffering them to inhabite, abide, or passe by their seignories, possessions, lands, iurisdictions, or places, & be bound to kepe & defend þ one & the other from all damage, villany & repryse, as they do their own persons, & for their deede & busines & by such maner & as farforth as such prosecutions or processe were made or attempted against the in especiall, general or in comon. Anno 38. E. 3. cap. 4. statute. 2.

8 ¶ An. 2. R. 2. cap. 7. it was agreed that Vrban was duely elected Pope & ought to be obeied as head of the church, & that al benefices & possessioners of cardinals, rebels & other the kings enemies, should be seised. And it was enacted that if any purchased by prouision any benefice or grace, by any other named Pope then of Pope Vrban, or be obedient to any other person as Pope, he shoulde be out of the kings protection and his goods seysed.

Pope
Enemie
Protection

9 ¶ None of the kings liege people nor other person, of what soeuer estate or condicion that he be, shal not take nor receiue within þ said Realme of England, procuracy, letter of attorney, nor ferme, nor other administration by indenture, nor in none other maner of any person of the world, of any benefice within the said realme, but onely of the kinges liege people of the same realme, without the speciall grace and expresse lycence of our said soueraigne lord the king, by the aduise of his counsaile. And if any before this time haue accepted of any alyens such procuracies, fermes or administration, þ they shal vtterly leaue them within xl. dayes after publication of this ordinance. And þ none of þ said liege people, nor other that may be found in the saide realme, shall enioy by vertue of such procuracy, ferme, or administratiō, gold, siluer, nor other treasor nor cōmodity out of þ said realme by writ of exchange, by marchandise, nor in other maner to the profite of the said aliens without like licence of the king by the aduise of his said counsell. And if any do the contrary in any point contayned in this ordinance, he shall incurre the paine & punishment contained in þ statute of prouisors, made in the time of the kings graundfather, þ xxviii. yere of his raigne, by þ same proces compyled in the said statute, and by warning to be made to them in their benefices or other their possessions within the realme. And if they be out of the said realme, & not benefited, nor hauing possessiō within þ same Realme where they may

Ferme
Benefice
Licence
Aliens
Gold
Siluer
Exchang
Licence

Chauncery Shirife

may be warned, then a writ shall be made in the Chauncerie, grounded upon this ordinance to the Shirife of London, or to the Shirife of the countie, in which they were or shalbe borne, at the kings suit, returnable in the one Bench or the other, by which writte it shall be commanded, that

Proclamation Justices

proclamation be made openly, that they be before the Justices in the bench, where the writte is returnable at a certaine day compriſed in the ſame writte, containing the ſpace of halfe a yere, to answere upon the matters compriſed in the ſayd writte, and after this writ returned, the Justices ſhall proceede against them, according to the forme above ordained. And it is aſſented by the king in the ſame Parliament,

Bishop

by the aſſent aforeſaid, that no biſhop nor other perſon of holy Church, through the realme, ſhall meddle by way of ſequeſtration, nor in any other maner, of the fruites of ſuch benefices, giuen or to bee giuen to the ſaide aliens, to the profite of

Sequeſter

Aliens

the ſame aliens upon the perill that belongeth. Dated, &c. An. 3. R. 2. cap. 3.

16 ¶ The ſame ſtatute (S. of Anno 3. R. 2. cap. 3. before 9.) ſhal keepe his force and effect in all pointes. And moreouer it

Alien

is alſo aſſented, that if any alien haue purchaſed, or from henceforth ſhall purchaſe

Benefice

any benefices of holy Church, dignitie or other thing, and in his proper perſon take poſſeſſion of the ſame, or occupie it himſelfe within the Realme, whether it be to his owne proper vſe, or to the vſe of any

Licence

other, without eſpeciall licence of the king, ſhalbe compriſed within the ſame Statute, and moreouer ſhall incurre all

Forf.

paynes and forfeitures in all points as is before ordeined by an other ſtatute made the xxv. peere of the noble king Edward the thirde, graundfather to our Soueraigne Lord the king that nowe is, concerning them that purchaſe prouiſions of abbeies or priories. And to the intent that ſuch licences ſhall not be from henceforth made, the king will and commaundeth to all his Subiects and other, that they ſhal abſteine them from hēceforth to pray him for any ſuch licence to be giuen: And alſo the king himſelf will abſteine to giue any ſuch licence during the warres, except to the cardinall of Naples, or to ſome other ſpeciall perſon, to whom the king is holden for an eſpecial cauſe. An. 7. R. 2. c. 12.

11 ¶ No liege man of the king, of what eſtate or condition that he be, great or little, ſhal paſſe ouer the ſea, nor ſend out of the realme of Englande, by licence nor without licence, without ſpeciall leaue of the king him ſelfe, to prouide or purchaſe for him benefice of holy church with cure or without cure in the ſaid realme: and if any doe, and by vertue of ſuch prouiſion accept by him, or by any other, any benefice of the ſame realme, that at that time the ſame prouiſor ſhalbe out of the kings protection, and the ſame benefice voyd, ſo that it ſhalbe lawfull to the patron of the ſame benefice, as well ſpirituall as temporal, to preſent to the ſame an able clearke at his pleaſure. Anno 12. R. 2. capitulo 15.

Paſſe ouer ſea
Licence
Benefice
Protection
Voyd
Preſent

12 ¶ Where as the noble king Edgraundfather to our ſouereigne Lord the king that nowe is, at his parliament holden at weſtminſter at the feaſt of the Purification of our lady, the xxv. yere of his raigne, did to be rehearſed ꝑ ſtatute made at Carleily in the time of king Edward, ſonne of king Henrie, touching the eſtate of the holy church of England, the ſayd graundfather of the king that now is, by the aſſent of the great men of his realme, being in the ſame Parliament, holden the the ſayde xxv. peere to the honour of God and of holy Church, and of al his realme, did ordeine and ſtabliſh, that the free elections of Archbiſhoprickes, Biſhoprickes, and all other dignities and benefices electife in England, ſhould hold from thenceforth in the maner as they were graunted by his progenitours, and by the auncеſtours of other Lords founders. And that all Prelates and other people of holy Church, which had aduowſons of any benefices of the gift of ꝑ king or of his progenitours, or of other lords and donours, ſhould freely haue their collations and preſentments, and thereupon a certaine puniſhment was ordeyned in the ſame Statute for them which accept any be-

Election Archbiſhop Biſhop

nefice or dignitie cõtrary to the saide Statute, made the sayd xxb. yere, as afore is said, which Statute our soueraigne Lorde the king hath done to be recited in this present parliament, at the request of his commons in the same Parliament: The tenour whereof is such as hereafter followeth. Where as late in the parliament of good memory of Edward king of England &c. rehearsing ỹ whole Statute made the sayd xxb. yeere, and then thus: Our soueraigne lord the king that now is, of the assent of the great men of his realme being in this present parliament, hath ordeined and stablished, that all archebishopricks, bishoppicks and other dignities and benefices electife, & all other benefices of holy church which shal begin to be void in deede the xxix. day of January, ỹ xiii. yere of the raigne of our soueraigne Lord the king that now is, or after, or which shalbe voyde in time to come within the realme of England, the said Statute made the said xxb. yere shalbe firmely holden for euer, & put in due execution from time to time in all maner pointes. And if any make any acceptatiõ of any benefice of holy church, contrary to this Statute, and that duely proued, and be beyond the sea, he shall abide exyled and banished out of ỹ realme for euer, his lands and tenements, goods and cattels forfeit to the king: and if he be within the Realme, he shalbe also exiled and banished as afore is said, and shall incurre the same forfaiture, & take his way, so that he be out of the realme within vi. weekes next after such acceptation. And if any receiue any such person banished, cõming from beyond the Sea, or beeing within the realme after ỹ said vi. weekes, knowing therof, he shalbe also exiled and banished, and incurre such forfaiture as afore is said. And that their procuratours, Notaries, executours, and Summoners haue the paine and forfaiture afore sayd. Prouided neuertheless that all they, to whom the Pope of Rome, or his predecessours, haue prouided any Archebishopricke, Bishoppicke, or other dignitie, or other benefices of holy Church, of the patronage of people of holy Church, because of any voidance before the said xxix. day of January, and thereof were in corporal possession before the same xxix. day, shall haue and enioy the sayd Archbishopricks, Bishoppicks, dignities, and other benefices peaceably for their lines, notwithstanding the statutes and ordinances aforesaid. And if the king send by letter or in other maner to the Court of Rome at the intercession of any person, or if any other send or pray to the same court whereby any thing is done contrary to this statute touching any archbishoppick, bishoprike, dignitie or other benefice of holy church within the sayd realme, if he that maketh such excitation or prayer be a Prelate of holy Church, he shall pay to the king ỹ valour of his temporalties of one yere, and if he be a temporall Lord, he shal pay the king the valour of his landes and possessions vnmouable of one yeere. And it is the intent of this Statute, that of all dignities and benefices of holy Church, which were void in deede the said xxix. day of January, which be giuen, or to whom it is prouided, by the Pope of Rome before the same xxix. day, that they to whom such gifts or prouisiõs be made, may freely of such gifts and prouisions sue execution without offence of this statute. Prouided alwaies that of no dignitie or benefice, which was full ỹ said xxix. day of January, no man because of any collation, gift, reseruatiõ & prouisiõ, or other grace Papal, not executed before the saide xxix. day, shall not sue thereof execution, vpon the paines & forfeitures contained in this present statute. An. 13. R. 2. stat. 2. cap. 2.

Archbishops Bishops Benefices

Statute

Exile Banished Forf.

vi. weekes Harbourne

Banished Procuratours

Pope

Prelate

First peres temporarie Temporal Lord

Pope

Execution

Forf.

13 ¶ It is ordeined and established, that if any man bring or sende within the Realme, or the kings power, any summons, sentence, or excommunication against any person of what condition that he be, for the cause of making motion, assent or execution of the said statute of prouisours, he shalbe taken, arrested, and put in prison, and forfait all his Lands and tenements, goods, and cattels for euer. And moreouer incurre the payne of life and member. And if any Prelate make execution of such summons, sentences, or excommu-

Excommunication Summons

Imprison Forf.

Life and member Prelate

Temporalties

excommunications, that his Temporalties be taken & abide in the kings hands, till due redresse and correction be thereof made. And if any person of lesse estate then a Prelate, of what condition that he be, make such execution, he shalbe taken, arrested, and put in prison, and haue imprisonment, and make fine and raunsome by the discretion of the kings Counsaile. An. 13. R. 2. stat. 2. cap. 3.

Imprison Fine.

14 ¶ Where as the commons of the realme in this present Parliament haue shewed to our redoubted soueraigne lord the King, grecuously complaining that whereas the said our lord the king and al his liege people ought of right, & alwaies were wont to sue in the kings Court, to recouer their presentments to churches, Prebends, and other benefices of holy church, to the which they haue right to present, the conisaunce of plea of which presentment, belongeth only to the kings Court of the auncient right of his owne crowne vsed and approued in the time of his progenitours Kinges of Englande: And when iudgement hath bene giuen in the same Court vpon such plea, and presentment, the archbishops, bishops and other spirituall persons which haue the institution of such benefices within their iurisdictions, be bound and haue made execution of such iudgements by ỹ kings commaundements all the time afore said, without interruption, (for a lay person may not make such execution) and also be bound of right to make execution of many other of the Kings commaundements, of which right the crowne of England hath bene peaceably seased as well in the time of our sayd Soueraigne lord the king that now is, as in the time of all his progenitours till this day: But nowe of late, diuers Processes be made by the Bishop of Rome, and censures of excommunication, vpon certaine bishops of England, because that they haue made execution of such commaundements, to the open disherison of the sayd Crowne, and destruction of the Regalitie of our sayde soueraigne Lord the king, his Lawe and al his realme, if remedie be not prouided:

Pope

And also it is saide, and a common clamour made, that the said bishop of Rome hath ordained and purposed to translate some prelats of the same realme, some of them out of the realme, & some from one Bishoprieke to another within the same realme, without the kings assent & knowledge, and without the assent of the Prelates which so shall be translated, which prelates be much profitable and necessary to our sayd soueraigne Lord the king, and to all his realme: by which translations (if they were suffered) the Statutes should be defeated and auoyded, and his wise liege men of his Councell, without his assent, and against his will withdrawen and gotten out of his Realme, and the substance and Treasour of the Realme borne away, and so the Realme destitute as well of Councell as of substance, to the finall destruction of the same Realme, And so the Crowne of Englande, which hath bene so free at all times, that it hath bene in subiection to no realme, but immediatly subiect to God and to none other in all things touching the regalty of the same crowne, should be submitted to the Bishop of Rome, and the lawes and statutes of the Realme by him defeated and frustrated at his will, to the perpetual destruction of the king our sayd soueraigne lord, his soueraintie, his crowne and regaltie, & of all his realme, which God defend: And moreouer the commons aforesaide haue saide that the things so attempted, be clearely against the kinges crowne and his regalty, vsed and approued in the time of all his progenitours: Wherefore they and al the liege commons of the same Realme will stand with our sayde Soueraigne Lorde the King, and his sayd Crowne, and his regalty in the cases aforesayde, and in all other cases attempted against him, his Crowne and his regalty in all points; to liue and to die. And moreouer they haue prayed the king, and him required by way of Justice, that he would examine all the Lords in the Parliament, as well Spirituall as temporall seuerally, and al the States of the Parliament, howe they

thinke of the cases aforesaid, which be so openly against the kings crowne, and in derogation of his regaly, and howe they wil stand in the same cases with our Soueraigne Lord the king, in vpholding the rightes of the saide Crowne and regaly. Whereupon the Lords temporall so demaunded haue answered euery one by him selfe, that the Cases aforesayde bee clearely in derogation of the Kinges Crowne, and of his regaly, as it is well knowen, and hath bene of a long time knowen, and that they will stand with the same Crowne and regaly in these cases specially, and in al other cases which shal be attempted against the same Crowne and regaly in all pointes with all their power. And moreouer it was demaunded of the lords spiritual there being, and the procuratours of other being absent, their aduise and will in all these cases, which Lords, that is to say, the Archebishops, Bishops, and other Prelates, being in the Parliament seuerally examined, making protestations, that it is not their mind to deny or affirme that the Bishop of Rome may not excommunicate Bishops, nor that he may make translation of prelates, after the Law of holy church, answered and sayde, that if any executions of Processes made in the Kinges Court (as before) bee made by any, and Censures of excommunication be made against any Bishop of England, or any other of the kings liege people, for that that they haue made execution of such commaundementes: And that if any executions of such translations be made of any Prelates of the same Realme, which Prelates be very profitable and necessarie to our sayde Soueraigne Lorde the king and to his sayd Realme, or that his sage men of his Councell without his assent, and against his will bee withdrawen and eloyned out of the Realme, so that the Substance and Treasure of the Realme may be destroyed, that the same is against the king and his Crowne, as it is contained in the petition before named. And likewise the same procuratours euery one by him selfe examined vpon the sayde matters, haue answered and sayde in the name, and for their Lords as the sayd Bishops haue sayde and answered, and that the sayde Lordes Spirituall will and ought to stande with the King in these Cases lawfully in maintayning of his Crowne, and in all other Cases touching his Crowne and his Regaly as they bee bound by their liegeaunce. Whereupon our sayde Soueraygne Lorde the King, by the assent aforesayde, and at the prayer of his sayde Commons, hath ordayned and stablished, that if any purchase or pursue, or cause to be purchased or pursued in the Court of Rome, or else where, any such translations, processes, and sentences of excommunications, Bulles, instruments, or any other things which touch the King our Lord, against him, his Crowne, and his regaly or his Realme, as is aforesaid, and they which bring within the Realme or them receiue, or make thereof notification or any other execution within the same Realme or without, that they, their Notaries, Procuratours, maintainours, Abbettours, Fautours and Counsellers shalbe put out of the kings protection, and their Lands, and Tenements, goods and cattels forfait to the king, and that they bee attached by their bodies if they may be found, and brought before the king and his Counsell, there to answere to the cases aforesaide, or that processe be made against them by Premunire facias, in manor as it is ordayned in other Statutes of prouisours and others, which do sue in any other Court in derogation of the Regaly of our Soueraigne Lorde the king. Anno 16. Richardi secundi, capitulo quinto.

Pope

Translations

Crowne

Sue

Court of Rome

Bulles

Procuratours Maintainers

Protection

Forf.

Premunire facias

15 ¶ If any prouision be made by the Bishop of Rome to any person of religion, or to any other person, to be exempt of obedience reguler, or of obedience ordinary, or to haue any office perpetuall within houses of religion, or as much as one regular person of religion, or two or more haue in the same, that if such prouisours from henceforth do accept or enioy any such prouision: They shall incurre the

Pope

Exempt

Office

Paine

the paines compꝛiſed in the ſtatute of pꝛouiſours, made in the xiii. yere of king Richard the ſecond. An. 2. H. 4. cap. 3.

16 ¶ An. 2. H. 4. cap. 4. it was enacted, that the religious of the oꝛder of Ciſtercienſ. that had purchaſed Bulles to be diſcharged to pay tithes, ſhould be in the ſtate that they were beforꝛe. Ciſtercienſis

Tithes

17 ¶ As well they of the ſayd oꝛder, as well as other religious and ſeculers, of what eſtate oꝛ condition they be, which do put the ſaid bulles in execution, oꝛ from henceforꝛth do purchaſe other ſuch bulles of newe, oꝛ by colour of the ſame bulles purchaſed, doth take auantage in any maner: pꝛoceſſe ſhalbe made againſt them, and euery of them by garniſement of two monethes by writ of Premunire facias. And if they make default, oꝛ be attainted, then they ſhall incurre the paines and foꝛfaitures contained in the ſtatute of pꝛouiſoꝛs made the xiii. yeere of the ſayd king Richard. An. 2. H. 4. cap. 4. Bulles

Premunire facias

Foꝛf.

18 ¶ Foꝛ the greeuous complaintes made to our ſoueraigne loꝛde the king by his commons of this preſent parliament, holden at Couentrie, the vi. day of October, the vi. yere of his raigne, of the hoꝛrible miſchieues and damnable cuſtome which is introduct of newe in the Court of Rome, that no Parſon, Abbot, noꝛ other ſhould haue pꝛouiſion of any Archbiſhoppricke oꝛ Biſhoppricke, which ſhall be voyd, till that he hath compounded with the Popes chamber to pay great and exceſſiue ſummes of money, aſwel foꝛ the firſt fruites of the ſame archebiſhoppricke oꝛ biſhoppricke, as foꝛ other leſſe ſeruices in the ſame court, and that the ſame ſummes oꝛ the greater part thereof be paied beforꝛe hand, which ſummes paſſeth the treble oꝛ the double at the leaſt of that that was accuſtomed of olde time to be payed foꝛ the ſayd chamber and otherwiſe, by the occaſion of ſuch pꝛouiſions, whereby a great part of the Treaſour of this Realme hath bene bꝛought and caꝛied to the ſaid court, and alſo ſhall be in time to come, to the great impoueriſhing of the Archbiſhops and Biſhops within the ſame realme and elſe where within the kings dominions, if conuenient remedie be not foꝛ the ſame pꝛouided: Our ſayd Soueraigne Loꝛde the king, to the honour of God, aſwell to eſchewe the dammage of this Realme, as the perils of their ſoules, which owen to bee aduaunced to any Archbiſhoppricke and Biſhoppricke within the Realme of England, & elſe where within the kings dominions out of the ſame realme, by the aduiſe and aſſent of the great men of his Realme in the Parliament hath oꝛdayned and ſtabliſhed, that they and euery of them that ſhall pay to the ſaid chamber oꝛ otherwiſe foꝛ ſuch fruites and ſeruices greater ſummes of money, then hath bene accuſtomed to be paied in old time paſſed: They and euery of them ſhall incurre the paine of the foꝛfaiture of as much as they may foꝛfait towardes the ſame our Soueraigne Loꝛd the King. Anno 6. H. 4. capitulo 1. First fruites Archbiſhop Biſhop

Chamber

Foꝛf.

19 ¶ No perſon religious noꝛ ſeculer, of what eſtate oꝛ condition that he be, by colour of any Bulles containing ſuch Pꝛiuiledges, to be diſcharged of diſmes pertaining to pariſh churches, pꝛebends, hoſpitals, oꝛ vicarages, purchaſed beforꝛe the firſt yere of King Richard the ſecond, oꝛ after not executed, ſhall put in execution any ſuch Bulles ſo purchaſed, oꝛ any ſuch Bulles to be purchaſed in time to come. And if any ſuch religious oꝛ ſeculer perſon from henceforꝛth by colours of ſuch Bulles, doe trouble any perſons of holy Church, Pꝛebendaries, keepers of Hoſpitals, oꝛ Vicars, ſo that they cannot take noꝛ enioy the diſmes due oꝛ pertayning to them of their ſayd benefices, that then ſuch diſturbour ſhall incurre lyke pꝛoces and payne as is oꝛdained by the ſtatute made againſt them of the oꝛder of Cilleaux in the ſecond yere of the raigne of our ſayde ſoueraigne Loꝛde the king. Anno 7. H. 4. cap. 6. before 16. Bulles

Religious

Diſturbe

Payne

20 ¶ To eſchewe many diſſentions, diſcoꝛdes and debates, and diuers other miſchieues likely to riſe and growe by the cauſe of many pꝛouiſions made, and to be made by the Pope, and alſo by the cauſe of the licence graunted upon the ſame by the King our Soueraigne loꝛd: Pope

Licence Pardon Benefice

It is ordained and stablished that no Licence or Pardon so graunted before this time, nor to be graunted in time to come, shall not be auailable to any benefice full of any incumbent at the day of the date of such licence or pardon graunted. An. 7. Henrici 4. capitulo 8.

Statute Translation

21 ¶ All the Statutes and ordinances made against prouisours, translation of Archbishoprickes, and Bishoprickes, their Executours, Procuratours, Notaries, Fawtours, Maintainoures and Receiuers, aswell in the times of king Edward the third, and king Richard the second, as in the time of our sayde Soueraigne Lord the king that now is, with al the paynes and addictions to the same, shall be from henceforth firmely holden and kept in all poynts, the moderation of the sayd Statutes made before this time to our sayde Soueraigne Lord the king notwithstanding.

Elections Archbishops Bishops

And that from henceforth all the elections of al Archbishoprickes, Bishoprikes, Abbeis, Priories, Deanries and other dignities, or any other elections be free without being in any wise interrupted by the sayd Pope, or by commaundement of our sayd soueraigne Lord the king.

Prouided alwayes that our sayd soueraigne Lord the king, haue as freely his liberties and prerogatiues, as any of his noble progenitours hath had before this time, and as he himselfe had at the time of the making of this statute. And also the same our soueraigne Lord the king hath pardoned al them þ haue purchased prouisions or translatiõs of archbishoprickes, bishoprickes, purchased & executed, & not executed before this first day of December, and all their procurstours, notaries, fawtours, and executours, all maner of trespasses, contemptes, forfaitures, and misprisions done by them or any of them concerning the sayd purchases, so that they may put their grace in execution aswell by them selfe, as by their Procuratours, Notaries, and Executours aforesayde. Anno 9. Henrici quarti capitulo 8.

Pardoned

22 ¶ Whereas in the time of King Henrie the fourth, father to our Soueraigne Lorde the king that nowe is, the seuenth yere of his raigne, to eschewe many discordes and debates, and diuers other mischiefes, which were likely to arise and happen, because of many prouisions then made, or to bee made by the Pope, and also of licence thereupon graūted, by the sayd late king, amongst other things it was ordayned and established, that no such Licence or Pardon so graunted before the same ordinaunce, nor afterward to be graunted, should be auailable to any benefice, full of any incumbent at the day of the date of such Licence or Pardon graunted: Neuertheless diuers persons hauing prouisions of the Pope of diuers Benefices in England and else where, and licences royall, to execute the sayde prouisions, haue by colour of the same prouisions, licences, and acceptations of the sayd benefices, subtilly excluded diuers persons of their benefices, in which they haue bene Incumbents by a long season, of the collation of the very patrons spirituall, to them duely made to their intent, to the finall distruction and enuration of the estates of the sayde Incumbents: The king willing to voyde such mischieues, hath ordayned and stablished that all the Incumbents of euery benefice of holy churrch, of the Patronage, collation, or presentation of Spirituall Patrons, may peaceably and quietly enioy their sayde benefices, without being inquieted, molested, or any wise greeued by any colour of such Prouisions, Licences, and Acceptations. And that all the Licences and Pardons, vpon and by such prouisions, made in any maner, shalbe voyde and of no valour. And if any feele him selfe greeued, molested, or inquieted, in any wise from henceforth by any, by colour of such Prouisions, Licences, Pardons, or acceptations, that the same molestours, greeuours, and inquietours, and euery of them, haue and incurre the payne and punishments contayned in the Statutes of Prouisours, before this time made, and that by Proces of Premunire facias formed vpon the case. And that the partie which shall sue

Pope

Licence Pardon

Benefice

Incumbents

Voyd

Molestors

Payne

Premunire facias

ſue by the ſame Writte, ſhall recouer his
3. dammages treble dãmages, if the defendants named in the ſame Writ, or any of them be conuict in this partie. Anno 3. Hen. 5. cap. 4.

¶ Purpreſture.

COncerning purpreſtures, or any maner of vſurpations made vpon the king within Fraunchiſes, or elſe where, it was agreed and determined in the time of King Henry, that where ſuch vſurpours were liuing, the king ſhould reſeiſe of new the land ſo vſurped out of the hands of the vſurpoures, the which thing alſo ſhalbe from henceforth obſerued in the realme: And if any do complaine vpon ſuch reſeiſers, he ſhall be heard like as right requireth. An. 4. E. 1. ſtat. 3.

¶ Purueiours.

Shirife Baſilife Hoyſes Carts Carriage
NO Shirife nor bailife of ours or any other ſhall take the hoyſes or carts of any man to make cariage, except he pay the olde price limitted, that is to ſaye, for carriage with two hoyſe x. d. a day, for thee hoyſe xiiii. d. a day. No demeane cart
Spirituall perſon Knight
of any ſpirituall perſon or knight, or any other Lord ſhalbe taken by our Bailifes, nor we nor our Baylifes, nor any other
Wood
ſhall take any mans wood for our caſtels or other our neceſſaries to be done, but by
Licence
the will of him whoſe the wood is, Magna carta cap. 22.

Takings
2 ¶ None of our miniſters nor of our heires ſhall take Corne, Hides, or any other goods of any man, without the will
Owners will
and aſſent of him whoſe the goods be. Stat. de tallagio non conced. Temp. H. 3.

Takings Conſtables of Caſtles
3 ¶ Of takings made by Conſtables, or Caſtellaines vpon ſuch folke as be not of the towne where the Caſtell is, it is prouided, that no Conſtable nor Caſtellaine from henceforth make any taking of any other, then of ſuch as bee of the towne where the Caſtell is: And that it
40. Dayes
be paid, or els agreement to be made within xl. daies: if it be not an auncient taking due to the king, or to the Caſtell, or to the lord of the Caſtell. An. 3. E. 1. Weſt. 1. cap. 7. See the like Caſtelles. 1.

Vitaile
4 ¶ Of ſuch as take vittayle or any other thing to ỹ kings vſe vpon credence, or to the Garriſon of a Caſtell, or otherwiſe, and when they haue receiued their payment in the Eſchequer, Wardrobe or other where, they withhold the payment
Withhold payment
from the creditours to their great dammage, and to the ſclaunder of the King: It is prouided for ſuch as haue Lands or Tenements, that incontinent it ſhalbe leuied of their Lands, or of their goods, and
Lands Goods
paied vnto their creditours with the dam-
Dammages
mages they ſhall haue ſuſtained, and ſhall make fine for the treſpas: and if they haue
Fine
no lands nor tenemẽts, they ſhalbe impri-
Impriſon
ſoned at ỹ kings wil. And of ſuch as take part of the king debts, or other rewards, of the kings creditours, for to make the payment of the ſame debts, It is prouided, that they ſhall pay the double thereof,
Double
and be greeuouſly puniſhed at the kings pleaſure. And of ſuch as take Hoyſe or
Hoyſe cartes Cariage
Cartes for the kings carriage more then is neede, and take rewards to let ſuch hoyſe or Cartes go: It is prouided that if any of the Court ſo doe, he ſhall be greeuouſly puniſhed by the marſhals, and if it
Puniſh Marſhall
be done out of the Court, or by one that is not of the Court, and be thereof attainted, he ſhall pay treble dammages, & ſhall
3. dammages
remaine in ỹ kings priſon fourtie dayes.
Impriſon
Weſtm. 1. cap. 31. An. 3. E. 1.

5 ¶ For as much as there is a great greeuance in the Realme and dammage without number, for that the king and his miniſters of his retinue, aſwel Aliens, as
Takings
Denizens, do make their takings where-ſoeuer they paſſe through the Realme, and take the goods aſwell of Clerkes, as of lay people, and pay nothing at al therefore, or els much leſſe then the value: It is ordeyned, that from henceforth none do make any takings, within the realme, but onely the kings takers, and the Pur-
Kinges Purueiours
ueiours for his houſhold, and that the kings takers & Purueiours of his houſe ſhall take nothing, but only for his houſehold. And touching ſuch things as they
Meate and drinke
ſhall take in the Countrie, of meate and drinke, and ſuch other little things neceſ-

Pay

sarie for the houshould, they shall pay for the same, or make agreement with them of whom the things shalbe taken. And that al such the kings takers, Purueiors, or byers from henceforth shall haue their warrãt with them, vnder the kings great or pettie Seale, conteyning their authoritie, and the things whereof they haue power to make taking or purueiance, the which warrant they shall shewe to them whose goods they take, before that they take any thing. And that those takers, purueiours, or byers for the king, shall take no more then is needefull for the king his houshold and his children. And that they shal not take any thing for them that be at wages, nor for any other. And that they shall answere in the house or in the wardrobe fully for all things taken by them, without making their largis any other where, or liueries of such things as they haue taken for the king. And if any taker for the Kinges house, by reason of his warrant, make any taking or liuery, otherwise then before is mencioned, vpon complaint made to the Steward, or to the treasorer of the house, the trueth shalbe inquired. And if he be attainted thereof, he shall forthwich satisfie the partie, and shalbe put from the kings seruice for euer, and shall remaine in prison at the Kinges pleasure. And if any make takings without warrant, and carry them away against the will of the owner, he shall immediatly be arrested by the Towne where the taking was made, and shall bee had vnto the next galle, and if hee bee attainted thereupon, it shall be dont of him as of a thiefe, if the quantitie of the goods will warrant it. And concerning takings made in Fayres, good Townes, and in Hauens, for the Kinges great Wardrobe, the takers shall haue their common warrant vnder the great Seale: And for the things that they shall take, it shalbe testified vnder the Seale of the keeper or the Wardrobe. And of the number of the things taken, the quantity, and the value, there shall be a dividende made betweene the takers, and the keepers of Faires, Maiors or chiefe Bayliffes of Townes and Hauens, by the viewe of the marchãts, whose goods shal be so taken, and they shal not be suffred to take any more then shalbe put into their dividende, which dividde shalbe brought into the Wardrobe, vnder the Seale of the Wardeine, Maior or chiefe Bayliffe aforesaid, and there shall remaine, vntill the accompt of the wardrobe of the king. And if it be found, that any hath taken otherwise then he ought to doe, vpon his accompt, he shall be punished by the keepers of the Kings Wardrobe, after his desert, & if any make such takings without warrant, and be attainted thereupon, he shall incurre the same paine, as they which make takings for the kings house without warrant, as before is sayd. Neuertheless the king and his Counsel doe not intende by reason of this estatute to diminish the kings right for auncient takings, due and accustomed as of Wines and other goods, but that his right shalbe saued to him whole in all pointes. An. 28. E. 1. Artic. super car. 2.

Warrant

Needefull

Accompt

Complaint

Out of seruice

Felonie

Takings in Faires.

Dividende

Auncient takings

6 ¶ As much of the Statute of Articuli sup. Cart. cap. 2. (before 5.) as concerneth the Purueiours for the Kings houshould, is confirmed by An. 18. E. 2. cap. 2. and also Anno 4. E. 3. cap. 4. and An. 25. E. 3. cap. 1.

7 ¶ Because the people haue bene greatly greeued that their Corne, Hey, Litture, Bestaill and other vittale and goods, haue bene taken as well by the kings Purueiors, as by others, for which no payment hath bene made: And because the Kings, Queenes, and their children takers, take corne at an vnder value, and take xxi. quarters for xx. measuring by heape, and take Hey and Litture also at a great vnder ysse: It is agreed that no person great nor small, of what estate or condition soeuer he bee, the takers and Purueiours for the Kinges house, the Queenes and their children only except, shall take Corne, Litture or Hey, nor bestail, vitailes, nor none other goods, nor cattels from any man, nor make cariage against the will of them to whom such goods and cariage shalbe.

Corne
Hey
Vitailes
Cariage

And

And that the sayde takers and purueiours for the sayde houses, shall take them by measure stricked, according as is vsed throughout the realme.

And that all the Corne, Hey, litture, bestaile, and other vitailes and thinges, whatsoeuer they be that shall be taken for the saide houses, shall be from henceforth prayed at ꝑ very value by the Constables and other good men of Townes where such taking shal be. And that the prayers shall not be constrained by chests or dures to set any price, other thē their othes wil. Anno 4.E.3.cap.3. See after.8.

Prayed Constables

Othes

8 ¶ For as much as the purueiours of the kinges house, the Queenes and their children haue not ceased notwithstanding the fourmer statutes of 28.E.1. (before 5.) and of 4.E.3.cap.3. (before.7.) to make outragious and vnlawful takings: For ꝑ honour of ꝑ king, the peace of people, and the restraint of such enormities: Be it ꝛc. that the takings and purueiances for the said houses be made by praisementes made by ꝑ constables & foure discret men of ꝑ townes where there shalbe such takings and purueyances, thereto sworne, and without manace, as in the saide statutes is conteined.

Constables

Oths

And that betwixte the purueiours and them whose goodes shall be taken, there be in the presence of the Constables and prayers, tayles made and sealed with the purueyours seales. By which tayles, satisfaction shalbe made to thē, from whom such goods shall be taken. And if any taker or purueiour for the said houses, doe take in any other maner, he shall be incōtinently arrested by the Towne, where such taking was made, and brought to ꝑ next gaole. And if he be thereof attainted, it shall be done of him as of a theefe, if the quantitie of the goodes the same require. And from henceforth it shall be conteined in the cōmissions of such takers and purueyours, be they vnder the small seale or the great, the forme and the paine conteined in this statute. Anno 5.E.3.cap.2. See after 9. and 15.

Tayles

Arrest

Imprison Felonie

*

9 ¶ To represse the malice of the purueiours of the kings, Queenes and their childrens houses, and other duresses by thē done to the saide people, by their outragious takings for the same houses, and otherwise thē is conteined in the article, in a statute made at Westminster in the fifth yeere of the kinges raigne that now is (before 8.) the same statute shall be from henceforth published, kept, and holden in all pointes. An. 10.E.3.ca.1.

10 ¶ Purueiaunces from henceforth to be made for ꝑ said horses, as long as they be sojourned in any parties, shal be made by the shirifes of the counties, where the saide horses ought to sojourne and not by other. And that the commissions made afore this time to such keepers, shall be from henceforth of none effecte and vterly repealed.

Horses

Shirifs

And that the purueiaunces to be made by the said shirifes in this case, shal be deliuered to ꝑ said keepers by indentures.

Indentures

Item it is accorded, that certaine people shall be assigned to heare and determine al the offences done by the said keepers, as well at the suite of the king as of the partie. Howe be it this is holden for no Statute as it appeareth by the rolle. Anno 10.E.3.cap.4. and 5.

Oier & terminer

11 ¶ The purueyances, which shall be made for the kings house & the queenes, where they do abide and passe through the countrey, shall be made by warrant and power giuen to them, which shall make the purueiances: In which shalbe expressly conteined, that they shall take not buy nothing, vnles it be by promise made betwixt the buyer and the seller, and by the agreement of the sellers. And if any will any thing take by colour of his commission against this ordinaunce, none shall be bound to obey him no more then if he had no cōmission. And of that which shal be so bought and purueyed, payment shall be made to the seller before that the King passe out of the vierge. And of great purueyances to be made as of flesh, fishe, and other vitailes for the kinges warres, and for to vitaile the castels and townes in Scotland and England, & other places, certaine marchants or other good people shall be deputed by the treasorer, to make

Warrant

Payment

Vierge

Vitaile

Warres

Merchants

Treasorer

the

the said purueiãces, without cõmissions, and without the kinges or other power, so that the people nor none of thẽ be put to sell any thing against their will. And that no commission be made to the keepers of the kinges horses, but be it onely commaunded to the shirife, that he make purueyance by him and by his, of the issues of his bayliwicke: And the number of the horses, for which he shall make such purueyance shall be conteined in the said commandement. And that no purueiance be made ouer this number, sauing that the chiefe keeper haue an hackeney, and that he take good heede, that the countrey be not charged of more then shall keepe the horses, but for euery horse a boy, without bringing woman, pages or dogges with them. And if more be found abiding in charge of the countrey, they shall be brought to the prison, there to remayne till the king hath sent his will. And in the same maner be it commaunded to the shirifes, that they make their purueyances for the kings dogges of the illues of their bayliwickes where they dwell. And that such purueiances be made by none other but by the shirifes. And be it contayned in his commandement the number of the dogges, for which he shall make purueyance, ouer which number no purueiance shal be made, so that they liue of their certayne, without charging the countrey. And if any find him grieued against this ordinaunce, he shall haue his recouerie against the shirife of such greeuãces done to him. Anno 14. Edwardi 3. capitulo 19.

Cõmission

Shirife

Horses

Ouercharge

Imprison

Shirife

Dogges

12 ¶ That none from hs, nor by other commission of the great seale, nor of the small, nor without commission, shall take any corne, hey, beastes, carriage, nor other goods of archbishops, bishops, abbots, priours, abbesses, prioresses, parsons, vicars, or of other people of holy church, nor without, against ꝑ agreement and wil of the owners of the same goods. And we doe defende that from henceforth no such commissions vnder the great seal nor the small, shal in any wise goe foorth for any takinges to be made. For we doe take the said prelates and cleargie, with their possessions, goods and cattels into our especial protection and defence. Also we graunt for hs and our heires, that we shall not from hence forth charge any of the prelates or cleargie, nor their houses to receyue Ghestes, nor Soiourners of Scotlande, nor of other countreyes, nor our horses nor doggs, faulcons nor other hawkes of ours nor others agaynst their gree and will. Sauing all wayes to hs the Seruices, which be due to hs of right of them which owe to hs the same Seruices, to susteyne and receiue dogges, horses or Hawkes. Anno 14. Ed. 3. cap. 1. stat. for the Cleargie.

Corne
Hey
Beastes
Cariage
Archbishops
Bishops
Religious

Prelats

Horses
Doggs
Hawkes

13 ¶ The statutes made for the purueiaunces, to be made for the houses of the king, ꝑ Queene, & their children, where it is conteined, that they shall not buy nor take nothing, vnlesse it be by agreement of the sellers, and by promise made betwixt the bupers and the sellers. And the statutes made of the state of the stewarde and Marshall of the Kinges house, and what pleas they shall holde and determine before them in the marshalsey, shall be holden and kept in all their pointes. Anno 18. E. 3. cap. 7.

Statutes

Pleas
Marshalsey

14 ¶ The statutes touching the purueiances of hs, & of our sonnes, made in times past by hs and our progenitors, for people of holy Church bee holden in all pointes. And that in the commissions to be made vpon such purueyaunces, the fees of holy church shall be excepted in euery place, where they be founde. Anno 18. E. 3. cap. 4. stat. pro clero.

Church

15 ¶ For as much as outragious damage hath bene done to the people by the purueyours of vitayles for the houses of the king, the Queene, and their children: It is &c. that the takers of corne for the said houses, shall take the same by measure striked according as is vsed throwout the land. And that such corne, hey, litture, bestaile, and other vitailes, & things which shall be taken, for the said houses, shall be praysed by the very valure, by the cõstable & other good people of ꝑ towns where such taking shal be made, without that

&c.

Corne
Measure

Hey
Vitaile

Constable

that that the paylers by manace or dures shall be driuen to set any other price then their och will, and as it commonly runneth in the next markettes. And that betwixte the purueyours and them, whose goods shall be taken, in the presence of the constables & paylers, tayles be made incontinently, without that ỳ the people, whose the goodes shall be, be drawen or trauailed els where, and the same tayles be sealed with the seales of the takers of the thinges so taken, by which tayles, satisfaction shall be made to them, whose goods shallbe so taken, and if any purueiour or taker for the said houses, doe in any other maner, he shall be immediatly arested by the towne where the taking shal be made, and brought to the next gaole, and if hee be thereof attaynted, it shall be done of him as of a theefe, if the quantitie of the goods the same require, according as in a statute made in the time of our soueraigne lorde the king that nowe is, the v. peere of his raigne (before 8.) and in another made in the time of the Kinges grandfather vpon such takinges (before 5.) is conteined at the full. And that frō henceforth in the commissions of such takers and purueiours, the intent & paine limitted in this statute, shal be conteined. And that no cōmission be made, but only vnder the kings great seale or priuie seale. Nor no man be bound to obey any such commissions, in other maner then is afore said. And that the same statutes take place in all pointes against euery taker and purueyour of euery maner of vitaile in euery part of the realme, of what condition so euer he be. Anno 25.E.3.ca.1.

Oths

Cattes

Arrest
Imprison

Felonie

Cōmissions

Great seale
Priuie seale

16 ¶ No taker of wood nor of timber to the Kings vse for worke, nor for to make other thing, shall cutte or cast downe the trees of any man growing about or within his house. And if any doe to the contrary, he shall make gree to the party of his treble dammage, and to haue one yeeres prison, and to be forjudged of his office. An. 25.E.3.cap.6.

*
Wood
Timber

3. damages
Imprison
Lose office

17 ¶ For asmuch as the takers and buiers of the kings takings, do take sheepe betweene Easter and saint Iohn Baptist with their woolles, and praise the same at a small price, and after send them to their owne houses, and cause them to be shorne to their owne profite: It is ꝛc. ỳ no such taker, purueyour nor buyer shall take any sheepe before the time of shearing, but onely so many as may reasonably suffice till the time of shearing: And after that time they shall take as many Sheepe shorne, and none other, as may reasonably suffice thē for the time to come. And if any taker, purueiour, or buyer of the realme do against the same, and be thereof attainted at the suite of the king or of the partie, it shall be done of him as of a thiefe or a robber. And the paine shall be conteyned in euery commission of such purueyours. Anno. 25.E.3.cap.15.

☞
Sheepe

Shorne sheepe

Felon

*

18 ¶ All purueiances which be or shalbe made to his vse or to any others vse within the summe of xx.s. payment shall be thereof made incontinētly vpon the purueyance made, without deliuering any tayle for any day or place else where to be thereof alligned, and that of other purueyances made to the summe of xx.s. and aboue, payment shall be made within a quarter of a peere then next following, after such purueyances made, at certeine dayes and places, according as it may be most for the ease and lesse trauayle of the people. Anno 28.E.3.cap.12.

xx.s.
Payment

Quarter of a peere

19 ¶ Takings shall not be from henceforth made by other then the purueyours of the King, of the Queene, and of the prince their eldest sonne, and that if any other mans purueyours make such takings, it shall be done of them, as of those which doe without warrant. And their deede iudged as thing done against the peace and the lawe of the land. And such as doe not in the manner aforesaid, shalbe duely punished. Anno 34.E.3.cap.2.

☞
Punish
*

20 ¶ Of purueiances made to the vse of the Queene and of the prince, of poultry and of other small thinges, payment shall bee made in hande vpon the taking. And of other great purueiances within the moneth or vi. weekes in the counties where they shall be taken, and that the number of such purueyours be abridged in

Poultry
Payment

vi. weekes

in as much as conueniently may for the ayde and quietnesse of the common people. Anno 34.E.3.cap.3.

21 ¶ Upon grieuous complaint against purueyours, the king of his owne will, without motion hath ordeyned, that from henceforth no man of his realme shall haue any taking, but onely himselfe and the Queene his compagnion. And moreouer of the assent aforesayd, it is ordeined and stablished, that vpon such purueyances from henceforth to be made for the houses of the king and the Queene, ready paiment shall be made in hande, that is to say, the price as such vitailes be sold commonly in the markets there about: And that the heynous name of purueyour be changed & named buyer: and if the buyer cannot well agree with the seller for that ỳ he shall neede, then the takinges which shall be made for the said houses, shall be made by the view, testimony and appreciation of the lordes or their bailifes, constables & iiii. good men of euery towne, and that by indenture to be made betwixt the buyers and the said lordes or baylifes, constables and foure men, containing the quantity of their takings, and of ỳ price, and of what persons. And that the paiments be made in conuenable and easie maner without dures, compulsion, manace or other villany. And that ỳ takings & buyings be made in such places, where greatest plentie is, and that in a conuenable time, and that no more be taken, thē shall be needefull in the season for the said two houses, and ỳ the number of ỳ buiers be minished in as much as well may, and that such be buiers, which be sufficient to answere to the king and his people, and that none of them haue deputie, and that the commissions be sealed with the great seale, and euery halfe yeere restored in the chauncery, and other newely made: And that in the said commissions be compyled al the matter and maner of their takings and buyings. And that the said commissions be made vpon the end of the said parliament, and then all the other commissions of purueyours heretofore made, be wholy repealed. And ỳ no man be bound to obey to the buyers of other Lordes against their gree and will, nor to the buiers of the said houses, vnlesse they make ready payment in hande, as before is said. And ỳ no man be put in contempt because of disobedience made in this behalfe. And that the takinges of all maner of corne & malt for the said two houses be measured by measure, according to ỳ standerd stricked & not by heape. And for the carriages of ỳ said corne & malt, and for al maner of takings & buyings to be made for the said two houses, ready payment be made in hand in ỳ same maner as for the takings & buying aforesaid. And that there be no more cartage taken then needeth, and shal be necessary in this behalfe. And if any buyer after the newe commissions made, make any takinges or buying, or taking of carriage in other maner then is compised in their said commissions, he shall haue punishment of life and of member, as in other statutes is ordeined of purueiours. An. 36.E.3.cap.2. See after 32.

Ready payment Vitaples

Viewe Lordes Baylifes Constables 4. Townsmen Indenture

Sufficient

Commissions Great seale Chauncerie

Ready payment

Corne Vault Measure

Carriage

Ready payment

Life and member

22 ¶ No buyers of vitailes, nor takers of carriages, take nor receyue of any, one or other, any gifte or other good turne, for sparing to be made, nor shall not charge nor grieue any man by occasion of such takinges, buyings and cariages for hatred, enuie, euil wil or procuremēt, and if he doe, and be thereof attainted at the suite of the partie, he shall yeelde to ỳ partie his treble dammage, and shal haue imprisonment of two yeeres, and also be raunsomed at the kinges will, and after forsweare the court, and if the partie will not sue, he that will sue for the king, shall haue the thirde penny of that that shall be recouered for his labour, and neuerthelesse the buyer and taker shall haue the paine as before is said in the same article, and that euery buyer vpon his accompt shall declare and deuide seuerally all the takinges and buyings of euery countie, towne, billage and person. Anno 36.E.3.cap.3. See after 32.

Extorcion Reward

Malice

3. damages Imprison

Accompt

23 ¶ Item to refraine the malice of buiers of vitayles and takers of carriages: commissions shall be made to two good men and lawefull of euery Countie, and the

Cōmissions 2. Good men

the thirde shall be of the kinges house named in the sayde commissions, so that if any of the three come not, that the two shall proceed to enquire of the behauiour and actes of the saide buyers and takers. And howe much the same buyers haue taken and bought, and how much carriage the said takers haue taken seuerally of euery Towne or singuler persons. And to heare and determine the contempts, outrages, & tresplles done in this behalfe, aswell at the kinges suite, as at the suite of euery man that will complaine of thē. And for information to be made to the sayde Justices of the thinges aforesaide, the Stewards, Treasourer and Comptroller of euery of the sayde two houses, shall assemble and call before them al the clerkes & other officers whatsoeuer they be, of euery office of the said two houses, and shall see the receiptes of the parcels prouided in the Countrey and dispended in the said two houses. And at euery quarter or halfe yeere they shall certifie in the chauncery, the parcels taken in euery towne, and of euery person, and the chancellor shall sende his certification to the Justices, which shall be so assigned. And if it be found in the countrey by euidence of their indētures or in other maner, that they haue taken more then they haue deliuered into the said two houses, and that they haue not payd for ṗ they haue taken, at the suite of the partie, or at the kinges suite, he shal haue payne of life & of member, as afore is sayde. And that this ordynance extende and holde place as well against the purueyors for the great horses of the said ii. houses, as against the buiers & takers before named. An 36. E. 3. ca. 4.

Enquire

Carriage

Dist and ter.

Steward Treasorer Cōptroller

Certifie Chauncerie

Life and member

Horses

24 ¶ No man of the sayde two houses (before 21.) holde more horses in the liuerie, where these houses shall be, then is ordeyned by the statute of the Kinges house. And if any doe otherwise, then of the horses founde ouer the number limitted to him by the statute, it shall be done as the saide statute will. And that no man of the said two houses, of what estate or condition that he be, haue purueyour or forgoer, to make any purueyaunce or taking, but that they or their people buy that ṗ them needeth, of them that will sel the same of their good agreement, & pay readily in hand, according as they may agree with the sellers, & if they doe otherwise, such punishment shall be made vpon them, as afore is saide of buyers: And that hunters, fawconers, sergeauntes at armes, and al other which be at wages or perteining to the said ii. houses, shal haue the same penaunce if they doe against the same, Anno 36. E. 3. cap. 5. *

Horses

Hunters Faulconers Sergeants at armes

25 ¶ Item that no Lorde of England, nor none other of the said realme, of what estate or condition that he be, except the king and the queene, shall make any taking by him or any of his seruauntes, in any maner, of any vitailes, but shal buy ṗ which they shall neede, of such as will sel the same of their good wil, & for the same shall make ready payment in hand, according as they may agree with the seller. And if the people of lords, or of other, doe in other maner, and thereof be attainted, it shalbe done of them such punishmēt of life and of member, as is ordeined of buters. An. 36. E. 3. cap. 6. See the penaltie other after 33.

Lord

Vitailes

Ready payment

Life and member

26 ¶ The statutes late made in ṗ time of the noble king Edward graundfather to our soueraygne lord the king that now is for purueiours & buyers, shalbe firmely obserued and kept in all pointes. And also because that prelates & clerkes may not thereof commence their suits against any by way of crime, (as the said statutes requireth) al prelates and clerks shall frō henceforth haue their actions against all such purueiours and buiers, by actions of tresplle, & recouer their treble dāmage. Anno 1. R. 2. cap. 3.

☞

Prelates

Actions

3. dammages

27 ¶ The statutes of purueiours of vitailes and of carriage for the kings household, in all their articles be holden & put in due execution. An. 6. R. 2. cap. 2. St. 2.

28 ¶ The statutes of purueiours made before this time, be firmely holden & kept and put in good & due execution, ioyning to ṗ same, ṗ if the seruants of other lords and ladies which be not compised in the saide statute, doe from henceforth take in any

Seruants

Vitailes Cariage

any partie within the realme vitailes or carriages to the vse of their lordes and ladies, otherwise then they thereof may agree with the owners and sellers of the same by paimēt therof to be made readily in hande, that the same seruaunts shal incurre the payne compriled in the said statutes of purueiours, and neuertheles the party endāmaged by such seruaunces (if he wil) haue his suite at the common law. Anno 7.R.2.cap.8.

29 ¶ The statutes of purueiours, made before this time, be holden and kept, and put in due execution, ioyned to the same, that from henceforth no purueiour nor buier, make any purueiance or buying for the kings house of any thing to the value of xl.s. or vnder, vnlelle he make ready paiment in hande, vpon payne to lose his office, and to pay as much to the party grieued. Anno 2.H.4.cap.14.

xl.s.

30 ¶ All the statutes and ordinaunces made of purueiours and buyers, and not repealed, be kept & executed in al points, & also proclaimed in al counties throughe the realme by the kings commandement.

Proclaime

Shirife

And that euery shirife of the realme of England, after that he hath receiued the said statutes, thereof to make proclamation by such commaundement, he shall proclayme them euery yeere iiii. times throughe his Bayliwicke vpon payne to pay to ỹ king at euery time that he thereof fayleth C.s. And that vpon the same paine euery of the said shirifes shall deliuer the said commaundement to his successour immediatly by indenture to be made betwixte them, whereby hee may make like proclamation for the time that he is in the said office, for the ease and suerty of the people: And that euery such successour, after such commaundement by him receiued, shall make such proclamations foure times in the yeere, and shall make such deliuerance of the sayde commaundement to his successour, as aboue is saide, vpon the payne aforesaide. Anno 1.H.6.cap.2.

Proclamation

Foyf.

Shirife

Indenture

4. times yerely

31 ¶ The statutes before this time made of puruepours and buyers, shalbe holden and kept, and put in due execution. And in case that any purueyor, buyer or taker will take and make purueyaunce, or buy any thing to the value of fourty shillings or aboue of any person, & make not ready paiment in hande, that then it shalbe lawfull to euery of the kinges liege people to retayne their goods and cattels, and to resist such purueiours & buyers, and in no maner wise sutter them to make any such purueyances, buyings, or takings. And for the peace better to be kept, that euery constable, tithingman or chiefe pledge of euery towne or hamlet, where such takings or purueyances shal be made, shall be ayding or assisting to the owner or seller of such things to be taken agaynst the forme of this ordinance, to make resistance in the forme aforesaide, in case that such cōstables, tithingman or chiefe pledge be required that to do, vpon paine to yelde to the partie so grieued, the value of the things so takē, with his double dāmages.

xl.s. Ready payment

Resist

Constable Tithingman

Paine 2. dammages

And that none of the kings liege people be put to losse or dāmage by the king or any officer for such resistance. And that none of the kings officers shall doe to be arrested, vexed or impleaded in the courte of the Marshalsey or elsewhere, any of the kings liege people, for such withholding or not suffring to bee done, vpon payne to lose xx.li. the one moytie of that to the king, and the other moytie to him which will in such case sue. And that the Iustices of peace in euery county shall haue power by authoritie of this ordinance to enquire, heare and determine aswel at the suite of the king as of him which wil sue of any thing done against this ordynance, & thereof to make due punishemēt and execution, & to award dāmages to ỹ partie plaintife, when any defendaunt is thereof duely conuict. And ỹ in euery actiō to be takē, vpon this ordinance, euery party defendant shalbe put to answere to that woute aid of the king. And in such actions to be takē proces shalbe made as in a writ of trespas, done against ỹ peace, & ỹ in euery cōmissiō of puruetors, buiers, takers, to be made, this ordinaunce shall be contayned & expressed. And moreouer that this ordinaunce among other Statutes

Foyf. Moytie

Iustices of peace

Dict and ter.

Dammages

No ayde Proces

Commissis

tutes of purueiours, buyers, or takers before this time made, shall be sent to the shirifes of euery countie of Englande to yᵗ declayme and deliuer the saide statutes and ordinaunces in the maner and forme conteined in the statute of purueiors and buyers, made the first yeere of the raigne of our said soueraigne lorde the king that nowe is. And moreouer the king will and commaund that yᵗ statute made yᵗ xxxvii. of king Edward late king of Englād after yᵗ conquest, touching purueiors of other persons thē of yᵗ king, (before 25.) shalbe put in due execution. An. 20. H. 6. cap. 8.

Shirife

32 ¶ The king hath ordeined that the said statutes of An. 36. E. 3. (before 21. and 22.) from henceforth shall be duely kept and put in due execution. And moreouer hath ordeined by the same authority, that euery purueyour & buyer, before that they shall haue any commission, shall be sworne in the chaunceric that he shal take nothing of the people contrary to the said ordinances. And moreouer for asmuch as yᵗ poore people be not of power, nor dare make resistance against the purueyours & buyers, nor sue thē by the lawe though that they do contrary to the said statutes, it is ordeyned by the same authoritie, that the preisers & also all yᵗ towne or townes adioyning if neede be, shall be bounde to doe their deuour and power to resist the buyers and purueyours doing contrary to the sayde statutes, and as much as in them is, to execute the sayde statutes vpon the same purueiours, if they be required. And that hee which is grieued of his goods taken contrary to the said statutes and ordinances, may chuse to haue either an action of debt against the said preisers, towne or townes & euery of them, which doe not their deuoure in resistance of the sayde purueyours or buiers in the forme aforesayde, when they shall be required, or else against the said purueiours or buiers and euery of them to recouer the treble value of his goods so taken, and moreouer his treble costs and his dammages, and if any purueiour or other the kinges officer, do trouble or vexe any of yᵗ kings liege people in yᵗ marshalsey or elswhere, by any euill suggestion or cause feined, imagined or coloured vpon them, because of the execution of the saide ordinaunces, he shall incurre the payne of xx. li. to be paid to the party grieued, ouer his dammages and costs in that behalf susteined: And that he thereupon shal haue a writ of debt. And that euery issue triable in this action, shall be tried in yᵗ countie where yᵗ taking of the said goods was made. And yᵗ the defendants in al the said causes shal not be admitted to wage their lawe. And shall be put to answere wout fourching, and no essoine, ayde of the king, nor protection shalbe to them allowed. And that the sergeant of the caterie shall satisfie all the dāmages, debes & executions, which shall be recouered against euery purueyour and buyer, vnderneath him in all the cases aforesaid, in case that the purueior or buyer be not sufficient to satisfie: And the party complaynant shall haue a scire facias to haue execution agaynst the said sergeantes in the case. And that these statutes and ordinaunces shall be sent to the Justices of the peace in euery countie, to proclaime them euery yeere, and thereof to informe yᵗ people. An. 23. H. 6. cap. 2.

Fine.

Writ of debt

Issue Country

Sergeant of the caterie

Scire fac.

Iust of p. Proclaims

33 ¶ If any buyer or other officer of yᵗ Duke of Glouceſter, or of any other lord or person of what estate, degree, or condiciō that he be, presume vpon him to take, or otherwise do take any victailes, coyne, hey, carriages, or any other thing whatsoeuer, of any of the kinges liege people in any wise against their wil, wout lawefull bargaine betwixt the sayd buyers or officers and the said liege people thereof to be made, to yᵗ vse of yᵗ said duke or other lorde for their houses, but alonely for the king & the querne, & their houses, yᵗ then if notice or request be made to the maior, shirife, bailife, cōstable, officers or other of yᵗ kings ministers of cities & boroughs, or other counties or places, where such taking shal happen to be, yᵗ the saide maior, shirife, constable, officer & minister to whom such notice or request shalbe made, by & by shall take & arrest al such buiers and officers so doyng or offending, and them shall sende to the kinges nexte pri-

Lorde

Victaples Coyne Hey Carriage

Maior Shirife Baylife Constable

Arrest

son

Impriſon Mainpryſe

ſon there to remayne and not to be let to baile nor mainpriſe till the time that they haue reſtored all the ſaid vitailles, carriages, and other thinges ſo taken, or the very value of the ſame. And if the ſaid maior, ſhiriffes, baylifes, conſtables and officers aforeſaide doe contrary to this, that then they ſhall forfaite xx. pound whereof the king ſhall haue the halfe, and the partie of whome ſuch thinges be taken, the other halfe, if he will ſue, by an action of debt, in the which the defendant ſhall not doe his laude, and if he will not ſue, whoſoeuer will ſue for the king and himſelfe, ſhall haue the ſuite to recouer to himſelfe the one halfe thereof, and the king the other halfe. And if any of the ſayde buyers, other then of the king and the Queene, be duely conuict of ſuch vnlawefull taking, (as afore is recited) at the ſuite of ſuch parties as ſhalbe againſt them in this behalfe, that then they ſhall yeelde to the partie which ſo ſueth the treble value of the vitayles or other thing ſo taken, and the double coſtes of their ſuites, and for the ſaide treſpaſſe to make fine & raunſome to the King. And that in all ſuch actions or ſuites aforeſaide, the kinges protectiō ſhall not be allowed nor auayleable for the defendant. And this ordinance ſhall begin to take effect at the feaſt of Eaſter, which ſhall be in the yeere of our Lorde 1546. Prouided alwayes that by this act the punyſhment ordeined againſt ỳ kings purueiours in no wiſe ſhall be reſtrained Anno 23. H. 6. cap. 14. See before 25.

Maior Bayliffe Shiriffe Conſtable Forf. Paynie

Action of debt.

Connict

3. Value

2. Coſtes

Fine

L. patents

34 ¶ All ſuch letters patents (that is to ſay, to take horſes and cartes for the kinges and Queenes carriage) graunted to any perſon or perſons holding any hoſtries, brewhouſes or houſe of retayling of vitaile, ſhall be voyde and of no value nor effect, and if any ſuch graunt be made to any ſuch perſō or perſons from henceforth, that all ſuch patentes ſo graunted, ſhall be voide and of none effect. And that no perſon nor perſons ſhal take horſe nor cart in any place within this Realme, but by the deliuerance of the Maior, ſhiriffe, baylifes or conſtable, where ſuch taking ſhalbe had. And if any ſuch perſon or perſons take any horſe or cart of any perſon or perſons, without greemade to the owner for the ſame; and by the deliuerance of the Maior, ſhiriffe, baylife or conſtable where ſuch takinges ſhall be had, that he or they from whome ſuch horſe or cart is taken, and hee or they of whome ſuch fines or paymentes be taken, as is afore reherſed, ſhall haue an action of treſpas at the common laue for ſuch takinges. And that he or they that ſeeketh himſelfe greeued in ſuch action, ſhall recouer treble dammages againſt him or them which ſo take any horſe or cart, fines or paiments contrary to this ordinance: Sauing alwayes to the King his prerogatiue and his preeminence of and in the premiſſes. Anno 28. H. 6. cap. 2. ſtat. 2.

Hoſtlers Brewers Voyd

Horſe Cart Maior Shiriffe Baylife Conſtable

Action of treſpaſſe

3. dammages

K. Prerogatiue

35 ¶ Anno 3. E. 6. cap. 3. a ſtatute was made againſt purueiours and takers, and for prices of horſes and carts taken for ỳ king, to endure for 3. yeeres.

36 ¶ For the auoyding of the great hinderance done to the ſubiectes by purueiours and takers, and as well to eſchewe ỳ great deceit, as to aduance ỳ Queenes better ſeruice therein, with the contentation of her ſaid ſubiectes: Be it ꝛc. that after the feaſt of the birth of our Lorde next enſuing, euery ſuch commiſſion as ſhalbe made, graunted and directed to any perſon or perſons whatſoeuer, whereby the ſame perſon or perſons, or their deputies ſhall haue authoritie to take any beeues, wethers, lambes, calues, or any kinde of ſalt fiſhe, or any kind or kindes of graine, or any butter in barels or other veſſels, cheeſe, bacon, connies, pigges, geeſe, capons or hennes, that the ſame commiſſion or commiſſions ſhall not extende or continue aboue the ſpace of ſixe monethes at the furtheſt next enſuing the date of any of the ſaid commiſſions. And after the end of the ſaide ſixe monethes euery of the ſaid commiſſions to be voyde and of no force nor effect whatſoeuer woords, matter or ſentences ſhalbe contained or expreſſed in any of the ſame cōmiſſions. And be it ꝛc. ỳ in al ꝛ euery ſuch cōmiſſiō or cōmiſſions to be granted after ỳ ſaid feaſt of the birth of our Lord, ſhalbe plainly

Cōmiſſions

Beeues Sheepe Calues Salt fiſh Grayne Butter Vitailes

Continue 6. Monethes

Voyd after

Expreſſe

Counties

Number

Annexe Blankes

The nūber

Prices

Subſcribed high conſtable Headborough

plainly as well contayned & expreſſed ſuch county or counties, where any of the ſaid beeſes, wethers, lambes, calues, hogges, or ſwine, or any kinde of ſaltfiſhe, or any kinde or kindes of graine, butter, cheeſe, bacon, connies, pigges, geeſe, capons or hennes, or any of thē is to be leuyed, purueyed, or take in, by any of ỳ perſō or perſons, or their deputy or deputies ſo authoriſed by ỳ vertue of the ſayd cōmiſſion or cōmiſſions, as alſo the iuſt, true, & full proportion & number of all & euery ſuch beeſes, wethers, lambes, calues, ſwine, any kinde of ſaltfiſh, or any kind or kindes of graine, butter in barrels, or other veſſels, cheeſe, bacon, cōnies, pigges, geeſe, capons & hennes, or any of thē, as the ſaid perſon or perſons, their deputie or deputies, or any of them, ſhall be by force and vertue of the ſaid commiſſion or commiſſions auctho̅riſed to leuy, take, or puruey, within any of the ſayd countie or cōſities. And be it ꝑc. that co euery ſuch cōmiſſion or commiſſions after the ſaid birth of our lord co be made, graunted, & directed, as is afo̅reſaid, ſhalbe annexed ſo many blankes in parchement, as there ſhall be ſeuerall counties expreſſed, named, and contayned within the ſame cōmiſſion or cōmiſſions, or any of them, in the which blankes ſhall be faire and legeably written all and euery ſuch beeſes, wethers, lambes, calues, ſwine, any kinde of ſaltfiſh, or any kinde or kindes of graine, butter, cheeſe, bacon, connies, pigges, geeſe, capons & hennes, with the true & ſeuerall prices of the ſame & euery of them as ſhall be leuyed, gathered, & purueied, by any perſon or perſōs, their deputie or deputies, or any of them, as ſhall bee thereunto auctho̅riſed by any ſuch commiſſions afo̅reſayd, within any particular towne, pariſh, or hamlet, ſet, lying, & being within any thoſe county or cōſities, as ſhalbe named, conteined & expreſſed within the ſayd cōmiſſion or commiſſions, or any of thē, whereunto ſhalbe ſubſcribed the name or ſigne manuel of al & euery ſuch high cōſtable or conſtables, pety cōſtable or cōſtables, headborough or headboroughs, as ſhalbe by any precept to him or thē directed, by any perſon or perſons, their deputie or deputies, or any of them auctho̅riſed thereunto by ſuch commiſſion or commiſſions to bee graunted, as is afo̅reſayd, ꝓuyding or knowledging to the deliuery of the ſayd beeſes, wethers, lambes, calues, any kinde of ſaltfiſh, or any kinde or kindes of grayne, butter, cheeſe, bacon, connies, pigges, geeſe, capons and hennes, or any of them.

And be it ꝑc. that euery perſon or perſons, their deputie or deputies, or any of them, which ſhall be by commiſſion or cōmiſſions hereafter to be graunted, as is afo̅reſaid, auctho̅riſed to leuy, take or puruey any beeſes, wethers, lambes, calues, ſwine, ſaltfiſhe, or any kinde or kindes of grayne, butter in barrels or other veſſels, cheeſe, bacon, connies, pigges, geeſe, capons and hennes, or any of them, as is beforeſayd, ſhall make a docket or briefe in writing, ſubſcribed with his or their name or names, conteining all and euery ſuch beeſes, wethers, lambes, calues, ſwine, kind of ſaltfiſh, kinde or kinds of graine, butter in barrels or other veſſels, cheeſe, bacon, & connies, pigges, geeſe, capons & hennes, or any of them, as he or they ſhall by vertue of the ſayd commiſſion or commiſſions, leuy, take or puruey within any particular towne, pariſh, or hamlet, ſet, lying, or being within any ſuch countie or counties, as ſhall be named, contayned & expreſſed within the ſaid commiſſion or commiſſions, or any of them, & the ſame docket or dockets, breefe or breefes, faire & legeably written & ſubſcribed, as is afo̅reſaid, ſhall well & truely deliuer to the ſaid high conſtable, pety conſtable, or headborough, or one of thē, at ſuch preſent time as the ſaid beeſes, wethers, lambes, calues, ſwine, ſaltfiſh, kinde or kindes of grayne, butter, cheeſe, bacon, connies, pigges, geeſe, capons, and hennes, or any of them, ſhalbe deliuered to thē, or any of them, vpon paine of forfaiture of an hundred marks of lawfull money, & one yeres impriſonment as often as hee ſhall ſo offend. Thone moity of which forfaiture to be to the King and Queenes Maieſties, and the other moitie to him that will ſue therefore in any of the king or Queenes

Docket ſubſcribed

Deliuer high conſtable

Forf. C. markes

Impriſon

Moitie

court of Recorde, by bill, playnt, writte, information, or otherwise, wherein no wager of law &c. to be allowed. All which dockets or billes the sayd high Constable or constables, pety constable or cõstables, headborough or headboroughs, shal deliuer ouer to the Justices of peace, at the next generall Sessions to be holden within any of the sayde Countries. And that the same Justices, or two of them, may and shall from time to time certifie the whole number and contẽt of all and euery the sayd dockets and billes, to the Lord steward of the King and Queenes most honorable housholde for the time being, or to the Treasourer or Comptroller of the same, or any of them, or to the Treasourer & Comptroller of the king and Queenes shippes, if prouisions of any ỳ things afore mẽtioned be prouided, or taken for the victualing of the nauy, or any of the king or Queenes Maiesties shippes, whereby the serching of any of the foresayd commission, and true answering of the same shall fully appeare.

Headborough Just. of p. Sessions

ti. Just. of p. Certifie

Steward

Treasorer Cõptroller

Prouisa

Prouided alwayes, and be it &c. that it shal not be lawful to any person or persons, their deputie or deputies, or any of them, which shall be authorised by such commission or commissions hereafter to be graunted, as is aforesaid, to leuy, take, or puruey any beries, wethers, lambes, calues, any kind of saltfish, kind or kinds of grayne, butter in barrels or other vessels, cheese, bacon, cõnies, pigges, geese, capons, & hennes, or any of them, otherwise, or in any other sort & maner, then is in seuerall estatutes heretofore for puruei-ors made, ordained, prouided, appointed, limitted, and expressed, vpon such payne and paynes, as in the sayde seuerall estatutes is contained and expressed. And forasmuch as the good and necessary lawes heretofore made and prouided against the abuses & euill doings of purueyours, are not taken to extende to the vnder takers, deputies, and seruaunts of any such pur-ueyours, by whome therefore the people of this realme, be oftentimes very vncharitably and vnlawfully vsed & oppressed: Be it therefore &c. that all and euery such

Payne

lawes, statutes, and prouisions, as heretofore haue bene made & ordained against purueyours, and al and euery the paines, penalties, forfaiture and losse, contained, mentioned, or appoynted in any of the same lawes or statutes against purueyours & takers, or any of them, shal also be extended and executed vpõ euery of their vnder takers, deputies and seruants, and all other, which by colour shall after the first day of January next comming, take any victual, or any other thing, by vertue or force of any such commission, from any the king and Queenes Maiesties subiects, contrary to the tenor & effect of any of ỳ sayd lawes or statutes, in like maner and forme to all intentes and purposes, as the same lawes and estatutes, or any of them, and the paynes and forfaitures therein contayned, shoulde, might, or ought to be executed and extẽded against purueyours and takers themselues, or any of them. And as strongly and amply, as if the sayd vndertakers, deputies, and seruantes were specially and particularly rehersed and named in euery of the same estatutes.

Statutes

Extend to

Vndertakers

Prouisa

Prouided alwaies, and be it &c. for the better execution of this act, and all other acts concerning purueyours, that all and euery commission and commissions, that from henceforth shal be made and graunted vnto any purueyour or purueyours, shall be written and set forth from time to time in the English tongue, and not otherwise. An. 2. & 3. P. & M. cap. 6.

Commission

English

¶ Quare impedit.

And in a plea of Quare impedit, if ỳ disturbour come not at the first day, that he is summoned, nor cast no essoine, then he shall bee attached at an other day, at which day if he come not, nor cast no essoine, hee shall bee distrayned by the great distresse aboue giuen: And if hee come not, then by his default, a writte shall goe to the Bishoppe of the same place, that he clayme of the disturber for that time, shall not bee preiudiciall to the plaintife. Sauing to ỳ disturber his right

Disturbor

Essoine

Distreined

at

at an other time, which will pleade therefore. The same lawe, as to the making of attachementes shall from henceforth bee obserued in all writtes (where attachements lie) as in making distresses, so that the second attachement shall be made by better pledges, and at the least a distresse. Marleb. cap. 12.

¶ Queene.

BE it ꝛr. that the lawe of this realme is, and euer hath bene and ought to be understand, that the kingly or regal office of ỹ realme, & all dignities, prerogatiue, royall power, preeminences, priuiledges, auctorities, and iurisdictions thereunto annexed, united, or belonging, being inuested either in male or female, are and be, and ought to be, as fully, wholy, absolutely and entierly deemed, iudged, accepted, inuested, & taken, in the ones as in the other, so that what or whensoeuer statute or lawe doeth limit and appoint, that the king of this realme may or shall haue, execute, and doe any thing as king, or doeth giue any profite or commoditie to the king, or doeth limitte or appoynt any paynes or punishment for the correction of offendours or transgressours against the regalitie & dignitie of the king, or of the crowne: The same the Queene (being supreme gouernesse, possessour and inheritour to the imperial crowne of this realme, as our sayd soueraigne Lady the Queene most iustly presently is) may by the same auctoritie and power likewise haue, exercise, execute, punish, correct and do, to all intentes, constructions, and purposes, without doubt, ambiguitie, scruple, or question, any custome, ble, or scruple, or any other thing, whatsoeuer, to bee made to the contrary notwithstanding. An. 1. M. 2. par. 2. cap. 1.

2 ¶ An. 1. M. parl. 2. cap. 2. was one act made cõcerning the marryage of king Ph. and Queene Mary which is determined, and An. 1. & 2. P. & M. cap. 1. there was one other act made, repealing one article in that former statute concerning signing of patents &c. by the Queene.

¶ Quod permittat.

IN like maner as a parson of a Church may recouer a commune of pasture by a writte of Nouell dissesin, so hereafter the successour shall recouer against the disseisour, or his heire by a writ of Quod permittat, although such a writte heretofore hath not bene graunted in the chaunceric. W. 2. cap. 25. Parson Common All.

¶ Rape.

AND the king prohibiteth, that none doe rauish, nor take away by force any damsell within age (neyther by her owne consent, nor without) nor any wife, lady or damsell of full age, nor any other woman, against her will. And if any do, at his suite that will sue within xl. dayes, the king shal do common right, & if none commence his suite within xl. dayes, the king shall sue. And such as be found culpable, shal haue two yeres imprisonmẽt, and after shal make fine at the kings pleasure, and if they haue not wherof, they shalbe punished by longer imprisonment according as the trespasse requireth. W. 1. cap. 14. An. 3. E. 1. Rapeist 40 dayes King Imprison Fine

2 ¶ If any man from henceforth rauish any woman maryed, lady, damsell, or other, where shee did not consent, neyther before nor after, he shall haue iudgemẽt of life and of member. And likewise where a man rauisheth a woman maryed, Lady, damsell or other with force, although shee consent afterwarde, he shall haue such iudgement as before is sayd, if he be attainted, and if no man will sue, the king shall haue the suite. And for women caryed away with the goods of their husbandes, the king shal haue the suite for the goods taken away. And in case the wife wilfully forsake her husband, & go away, and continue with the adulterer, shee shal be barred for euer of action to demaunde her dower, that shee ought to haue of her husbands landes, if shee be conuict thereupon, except that her husband willingly and without coercion of the Church, reconcile her, and suffer her to dwell with him, in which case shee shall be restored to Woman Rape Felony Consent Iudgement Goods Dower

Nunne

her action. He that carieth away a Nun from her house, although she consent, shal

Impyson

be punished by iii. yeres impissonment, & shall make conuenient satisfaction to the house from whence shee was taken, and

Fine

neuertheleſſe shal make fine at the kings wil. Wi. 2. cap. 34.

3 ¶ Against offenders and rauishers

Ladies

of ladyes, & the daughters of noble men, & other women in euery part of the sayde realme, now a dayes offending more violently, and much more then they were wont: It is ordeyned and stablished, that whereſoeuer, and whensoeuer such ladies daughters, and other women aforesaid be

Consent

rauished, and after such rape, doe consent to such rauishours, that as well the rauishours, as they that be rauished, and euery of them, be from henceforth disabled, and by the same deede bee unable to haue

Disabled

or challēge heritage, dower, or ioynteſſement after the death of their husbandes and auncestors. And that incontinently in

Dower

this case the next of the blood of those rauishours, or of them that be so rauished, to whome such heritage, dower, or ioynteſſement ought to reuert, remayne, or

Heire

fall, after the death of the rauishour, or of her that is so rauished, shall haue title incontinently, that is to say, after the rape,

Enter

to enter upon the rauishour, or her that is rauished, and their assignes and lande tenauntes in the same heritage, dower, or ioynteſſement, and the same to holde in

Husbandes

state of heritage. And that the husbandes of such women, if they haue husbands, or if they haue no husbands in life, that then

Next of blood

the fathers, or other next of their blood,

Sute

haue from henceforth the suite to pursue, and may sue against the same offendours & rauishours in this behalfe. And to haue them therof conuict of life & of member, although the same women after such rape

Consent

do cōsent to the sayd rauishours. And further it is accorded, that the defendaunt in this case, shall not be receiued to wage

Battaile

battaile, but that the trouth of the matter be therof tried by inquisition of the countrey. Sauing alwaies to our soueraigne Lord the king, and to other lordes of the sayd realme, all their eſchetes of the sayd rauishours, if peraduenture they be therof conuict. An. 6. R. 2. cap. 6.

¶ Rebellion.

ANno 9. Henri. 6. cap. 3. it is enacted, that all indictments, proceſſe, iudgements & Statutes made agaynſt Owen Glendor & his adherents, that made an insurrection against Henry the fourth, should be effectuall &c.

Owen Glendos

2 ¶ Anno 9. H. 6. cap. 1. Iohn Cade for his insurrection is conuicted of treason, and his goods and landes forfaited.

John Cade

3 ¶ Anno 31. H. 6. cap. 1. it was enacted, that Iohn Cade shoulde be a traytour, & all his tyrannous actes voyde, and all endictments vnder that tyranny voyd, and no blood to be corrupted thereby, and that all indictmentes after that in like case, vnder the power of tyranny, rebellion, and commotion, to be voyde, and all petitions deliuered to king Henry the vi. in the xxix. peere of his raygne, and not agreed by him, should be voyde.

Endictmēts Voyde

¶ Receiuours.

SEe Courtes, how receiuours that pay pencions, fees, or rentes, shall make their acquitaunces, & what they shal take for those acquitaunces, and for the money that they shall pay.

Acquitāces

2 ¶ Euery high collectour of any xb. subsidie, or other taxe or lone, and all and euery other the kings said particular and generall recepuours of any the sayde summes of money, and other duetie belonging to the king, from & after the first day of July next comming, shall within the space of three moneths next after such dates and times, as any the said fifteenes, subsidies, rentes, summes of money, or other yerely profites, shalbe due and payable to the king, his heires or succeſſors, by any statute, ordinance or other meane, and by the same collectour or generall recepuour, or any of them retayned or gathered, truely content, deliuer, and pay the same to the kinges vſe, at such place or places, and to such person or persons,

Collectors

3. moneths

Fifteenes Subsidies

as be or shalbe named, appointed, and limitted for ỳ same vpō paine to forfaite to the king, his heires & successors for euery pound so being receiued, & after that receiued, kept or layd out for gaine, & not paid within iii. moneths to the kings vse, as is aforesaid, iiii.s. for euery moneth, that the same mony shalbe so retained, kept or laid out for gaine, as is aforesayd, & also shall lose & forfait his or their said office, cōcerning the same, & all profits thereunto belōging. And that ỳ king shall at his pleasure, charge the sayd collectour, particular or generall receiuour vpon his or their accompts, with the penaltie & forfaiture aboue rehearsed, or els at his pleasure demaund, aske, & recouer the same by actiō, bil, plaint or suite of debt against the same collectour or collectours, particular or generall receiuour, their heires, executors, or administrators. In which action, bil, plaint, or suite no protection &c. shalbe allowed nor admitted. Prouided alway, that if any of the sayd collectours, particular or generall receiuours, tender payment of all such money by them receiued to the kinges vse, within the sayd iii. moneths, in such place, & vnto such person or persons as be, or shalbe charged with the receipt of the same, and do as much as in him or them is, or then shalbe, for to make true payment thereof, & cannot be thereunto admitted, by reason of importunate busines, or other lawful impediment or cause in him or them that should accept or receiue the same: that in euery such case, the same collector, particular or generall receiuor or receiuors, as shal so make tender of all such money, by him or them receiued or gathered to the kings vse, as is aforesayde, and can not be thereunto admitted for any the causes aboue sayd, shall not be charged with, or incurre any danger or penaltie contayned in this acte: This act, or any thing therein contayned to the contrary notwithstanding.

Fork. Fork. office King Tender Collectors

Prouided alwayes, and be it &c. that the heire or heires of any collectour or receiuour aforesayde, shall not be charged or chargeable by reason of this act, but only for & in such lands, tenements, or hereditaments, which the said heire or heires haue or shal haue, by discent in fee simple or fee taile, or by gift or else by any other assurance had or made to any such heire or heires onely by couin, frō the sayd collector or receiuor, or any of thē, or any their assignes. And that in all & euery such case & cases, ỳ kings maiestie, his heires & successours, to haue execution onely of & in such lands, tenements, or hereditaments, discended, giuen, or otherwise assured, as is aforesaid, vntill such time as his maiestie, his heires & successors be fully satisfied & payd, of all & euery such summe and summes of money, due or to be due by any such collectour or receiuour. And it is further &c. that the executor or executors, administrator or administrators of euery such collectour or receiuour, shall not be otherwise charged or chargeable by this act, but as executors & administrators be or should be charged & chargeable by the order of ỳ cōmon lawes of this realme, in actions of debt, vsed & cōmenced against them, as executours or administratours.

Heire Couin King Execution Executor Administrators

Prouided also & be it further enacted, that where the heire or heires of any the kings receiuours or collectours, or debitours, is or shalbe charged of & for his fathers or auncestours debtes or duties, whose heire he is, whereby the landes discended or giuen to him by coum, to defraude the kings execution of such lande, vnto him or thē frō the said father or auncestour is put in execution, that then such heire or heires shall and may haue his or their action of debt, against ỳ executours or administratours of his sayde father or auncestour, & shall haue execution of the goods & cattels of the sayd father or auncestour, being in the handes of the sayde executours or administrators, at the time of the sayd action brought, in which sayd action none essoyne, protection, nor wager of lawe shall be admitted or allowed.

Heire Charged Debts Action of debt

Prouided alway, that this act shall not extende to the collectours of the kinges customs, and of the Subsidie of tonnage & pondage, which be accomptable yeerely in the kinges Maiesties Eschequer.

Customers Tonnage & pondage

Prouided alway, that this act or any

thing therein contained, shal not extend or be preiudiciall to any the said generall or particuler receiuour or receiuours, to or for the paymentes of any pencions, fees, annuities, rentes, or other allowances by them or any of them, payed, or to be payd, to any person or persons, according to such allowance, order or decret, as be or hereafter shall be allowed, ordered or decreed in any of the sayd courts, any thing in this act to the contrary notwithstanding. An. 34. H. 8. cap. 2.

Payment of fees

Treasurer Collector Bailife

3 Euery treasourer, and generall & particular receiuour, collector, & bailife, & other minister accomptant, which now is charged, or chargeable with, or for the receipt of any of the kinges Maiesties money, rentes, or reuenues whatsoeuer, not being bound with suertie or suerties, by obligations, recognisaunce, or otherwise to our late soueraigne lord ỳ king, or to our Soueraygne Lorde the king that nowe is, for or concerning their office or offices, before the xx. day of December next comming, or at any time or times before the same xx. day of December, if they or any of them be reasonably required, shall vpon paine of forfaiture of his office be bound to the kinges maiestie by sufficient writing obligatorie, in reasonable summe or summes of money, the same writing obligatory to be made with or vpon condition, that the person which so shalbe bounden, his heires, executors, administrators, deputy or deputies, or one of them, from time to time shall yelde a perfect & true accompte of all summes of money, & other things that the same treasourer & generall & particular receiuour, collectour, bailifes, or other minister accomptant shal, may, or reasonably might be charged with, concerning or by reason of his or their office or offices. And also shal make payments of the same summes of money, at such dayes and times, and in such maner and forme as hereafter in this act is expressed and declared.

Suerties

Condition

Accompt

Pay

And be it ꝛc. that all and euery person and persons hereafter to be named, assigned, or appointed to be treasourer, or generall or particular receiuour, collector, or bailife, or minister accomptant of our sayd soueraigne Lord the king, shall before any their entrie, executing, vsing or exercising of his or their office or offices, whereunto he or they shall be so nominated or appointed together with suertie or suerties, acknowledge and make sufficient & lawful bond or bondes to the kings Maiestie, in such court of recorde, where the same officer or officers is or shall be accõptable & chargeable, that they, their heires, executours, administratours, assignes, or deputies, shal truely accompte & pay all such summes of money, as shall come to their hands, or shal, may or reasonably might be charged with, cõcerning his or their office or offices, to the kinges vse within the circuit of their seuerall receipts & collections, at such or like dayes and times, and in such maner & forme, as is aboue sayd, to be contayned in the conditions of euery of the said bondes, vpon payne of losse and forfaiture of his and their office or offices, & of his or their letters patents of the same office or offices.

Suertie

Accompt

Pay

Forf. office

Receiuour

Precepts

Collectors

Be it ꝛc. that euery receiuor of the kings maiesties honours, manors, landes, possessions, rentes, & reuenues, for the time being, or his deputie or deputies, shal yerely make his seuerall precepes to all & singuler the collectours, ministers & bayliffes accomptant within the circuite of his office, charging and commanding them on the kinges Maiesties behalfe by the same precept, to appeare before them personally, or by their sufficient deputie or deputies, for whom they will answere within the Countie where the same officers, bayliwicke, receipts, or collections do light at a certaine daye and place in the same precepte to bee limitted, and to pay to the kings Maiesties vse such summes of money as they ought to do, by reason of any of their said offices, being due to our said soueraigne lord the king, at or before the feast of Easter, which they haue, or may by any lawfull or due meane, leuy or receiue within or by reason of their said offices or collections. And that the same precepes shalbe so seuerally deliuered to euery of the said officers, ministers, and

bailifes

bailifes accomptant, or to their deputie or deputies, or elſe be left at their dwelling houſes, or at the manour, lordſhippe, or place where their receipt or collection is, or ought to bee, twelue dayes at the leaſt, before the day of appearãce to them giuen, & preſixed, in the ſame precept or precepts. And if any of ỳ ſayd miniſters, collectours, or bayliſes accomptant vpon or after any ſuch precept or precepes, at any time hereafter made by any ſuch receiuour, and being deliuered or left in ſome aforeſayd, doe make default at the ſame day, and place aſſigned and appointed in, & by the ſayd precept or preceptes, that then the ſame collectour, miniſter or bayliſe accompeaunt ſo making default, and not appearing, as is aforeſayde, and being thereof duely and lawfully conuicted in the Court, where the reuenue is or ſhall bee aunſwered, ſhall for the firſt offence loſe and forfaite to the king our ſoueraygne Lorde his whole fee for that yeere, wherein he ſhall ſo make default, or the value thereof, And for non payment of the ſayd money due, and payable at or before the ſayd feaſt of Eaſter, vnto our ſayd ſouereaigne Lord the king within or by reaſon of his aboueſayde office, collection or bayliwicke, ſhall looſe and forfaite for the firſt offence of non payment ſixe pence of the pound, in the name of a payne for euery moneth after the ſaid day of appearance, vntil the ſame money ſhalbe by him or his deputie payed to the handes of the ſaid receiuour, to the kings Maieſties vſe.

Collectours Baillifes

Default

Conuict

Fort

Fort.

And after the firſt default of apparaunce made by any of the ſayde officers, and an other like precept by the ſayde receiuour bee made and deliuered, or left in ſome aforeſayde, then the ſayde officer or officers making againe default, any being thereof lawfully conuict, as is aforeſaid, for the ſeconde default and offence of non appearaunce, ſhall looſe and forfaite to the king our ſoueraygne Lorde, his office and fee. And for the ſayd ſeconde offence in the non payment of the ſayd money due and payable within, and by reaſon of his office, collection, or Bayliwicke, at or before the ſayde feaſt of Eaſter, ſhall loſe and forfaite twelue pence of euery pounde, in the name of a payne for euery moneth after the ſayde laſt day of apparaunce, and default made, as is aforeſaid, vntill the ſame money ſhalbe by him or his deputie payed to the handes of the ſaid receiuour, to the vſe of our ſouereaigne Lord the king.

Fort.

Fort.office

And further be it &c. that all and euery Auditour and Auditours of our ſaide ſouereaigne Lord the king of his Maieſties honours, manours, landes, poſſeſſions, rentes, and reuenues, for the time being, or his, or their ſufficient deputie or deputies, ſhall haue full power and aucthority by vertue of this act, yerely to make their precept or preceptes to all miniſters, collectours and bailifes accomptant, commaunding them in the behalfe of our ſaid Soueraygne Lorde the king, to appeare and accompt before him or them perſonally, or elſe by their ſufficient deputie or deputies, at a place certaine within the Countie, where the ſame landes and poſſeſſions doe lie, at the kinges Maieſties Audite, to bee holden there yeerely betweene the feaſt of Saint Michael the Archaungell, and the Natiuitie of our Lorde God, of, and for all rentes, reuenues, and profites, due and payable within, or by reaſon of their ſayd offices, collections, or bailiwickes, at or before the feaſt of Saint Michael the Archaungel next before the ſame Audite, expreſſing in the ſame precept or preceptes, the time and place, when and where the ſame miniſters, Collectours, and Bayliſes accomptable, or their ſufficient Deputie or Deputies, for whome they will aunſwere, ſhall appeare, the ſame preceptes to be deliuered to the ſame miniſters, collectours, or bayliſes accomptaunt, or their Deputie or Deputies, or left at their dwelling houſes, or at the manour, lordſhippe, or place, where their receiptes or collections is, or ought to bee twelue dayes at the leaſt before the daye of appearaunce, to him or them preſixed in the ſame precept or preceptes.

Auditour

Preceptes

And if any Miniſter, Collectour, or Collectour

Bailife

bailife accomptant do not appeare before the sayd Auditour or Auditours, or his or their deputie or deputies at the sayde Audite, according to the sayd precept, or else if hee doe appeare, and refuse to accompt for his sayd receypt, collection, or bayliwike, before the sayd auditour or auditours, or his or their deputie or deputies: That then the sayd minister, collector, or baylife accomptant, so making default and not appearing, or so refusing to accompt, as is aforesayde, and being thereof duely & lawfully conuicted in the court where the reuenue is or shalbe answerable, shall for his first offence loose and forfaite to our soueraigne Lorde the king his whole fee for that yere, wherein he shal so make default, or the value therof. And for the non payment of the sayde money, due & payable within his collection, office, or bayliwicke, at or before the same feast of Saint Michael the Archangell, shall loose and forfaite to the king our soueraigne Lord for his sayd first offence, sixe pence of euery pounde, in the name of a payne, for euery moneth after the sayd day of appearaunce, and default made, as is aforesayd, vntill he or his sufficient deputie or deputies, shall accompt before the sayde Auditour or Auditours, or his or their deputie or deputies for his sayd collection, receypt, or bayliwicke: And also pay vnto the handes of the sayd receiuour or receiuours, all and euery such summe and summes of money, as shall be iustly founde due by the sayde accomptant, before the sayd auditour or auditours, or his or their deputie or deputies, to the kings maiestie, vpon the foote and determination of his accompt: And after the first default of appearance made before the sayde Auditour or Auditours, or his or their deputie or deputies by any of the sayde officers accomptant being so warned as is aforesayde: And after an other like precept made and deliuered, or left in fourme aforesayde: that then the sayde officer or officers that so shall make againe default of apparance, for the sayd second offence in making default in his apparaunce, as is aforesayde,

Refuse

Forf.

Forf.

Precept

Default

and being thereof duely and lawfully conuicted in the court, where the reuenue of his sayd Office is, or shalbe answerable, shall loose and forfaite to the king our soueraigne Lorde, his office and fee. And the second offence, in the non payment of the sayd money due and payable with and by reason of his receypt, collection, or bayliwicke, at or before the sayde feast of Saint Michael the Archaungell, shall loose and forfaite to our soueraigne Lord the king xii. pence of euery pound, in the name of a payne, for euery moneth after the sayd last day of apparaunce, and default made, as is aforesayde, vntill he or his sufficient deputie or deputies, shal accompt before the sayde auditour or auditours, or his or their deputie or deputies, for the sayde receypt, collection, or bayliwike, and also pay vnto the hands of the sayd receiuour or receiuours, or his or their deputie or deputies, to the kings vse, all such summes of money, as shall be iustly found due by the laid accomptant, vpon the foote & determination of his sayd accōpt.

Forf. office

Forf.

And further be it ꝑcyued that all and euery receiuour and receiuours of the kinges Maiesties honours, mannours, landes, possessions, rentes, or reuenues, shall make ready & full payment yerely to the Treasourer, or generall receiuor of the court, where the sayd reuenue is or shall be answerable, or otherwise, as he or they are or shalbe appointed and assigned by sufficient warrant, of all such summes of money, as he or they shal knowe to be due to our soueraigne lord the king, & can by any lawful or due meane obtaine, get, haue or receiue of the rents or reuenues of our sayd soueraigne Lord the king, within or by reason of their offices, being due at or before the feast of Easter, by the twentie day of June then next following at the farthest. And also shal make like payment yerely of all their like receipts of ye rents and reuenues of our sayd soueraigne lord the king, that shalbe due at or before the feast of Saint Michael the Archangel, by the twentie daye of January the next following at the farthest, vpon payne of losse and forfayture for euery default

Forf.

at

at any time of the saide daies, two pence of euery pound for euery day that ꝑ saide money so by thē or any of them shalbe vnpayed. And also it is ꝛc. that all & euery of the said receiuour and receiuours, or their deputie or deputies, for whom they will answere, shal enter into their accōpt perely in the Terme of Saint Hillary, and fully and clearely finish the same accompt before ꝑ tenth day of March then next following, and make full and ready payment of the money that shal appeare to be due vpon the foote & determinatiō of ꝑ same accompt before ꝑ xx. day of the said moneth of March, vpon paine of forfaiture to our said Soueraigne Lord the king their offices and fees, & foure pence of the pound for euery day that they shal detaine & withhold ꝑ said money, without making any payment thereof as is afore said. And further be it ꝛc. that al & euery receiuours, collectours, & Bailifes of any the kings honours, manours, lands, tenementes, rents, or reuenues, for lacke of payment & leuying of their said rents, issues, & reuenues, within their offices and charges, shall and may haue power & auctho͠itie from henceforth by vertue of this act, to distraine for the same, and to vse and order the same distresse in such sort & forme as any officer or officers of the kings court of the Eschequer for leuying & lacke of payment of the kinges rentes and reuenues answerable in the same court, heretofore haue lawfully done, and may lawfully vse to doe, deliuering to the party distreigned, the surplusage & ouerplus of the value of euery such distresse, if any shalbe, the kinges debtes & duties being first payd, the distreignaunt answered of resonable costes, & that the head & chiefe officer or officers of euery of the kinges courts of reuenues being of record, or that shalbe of record, shall haue full power and auctho͠itie by vertue of this act, to sett, and assesse reasonable fines and amerciamentes vpon any Shrife or shrifes, for not retourning or misretourning of any writ to them directed, and deliuered out of any the same Courtes, touching or concerning the leuying, or answering of any of the sayd issues, rents, or reuenues, or of any debt due to our said soueraigne Lord the king, in such sort, and after such maner and forme as now is, or heretofore hath bene lawfully vsed in the like & such other cases in the kings highnes court of the Eschequer. Be it ꝛc. that all treasorers & chamberlaines, and general receiuors of any of the kings gracious courts of reuenue, for the time being, & all customers & collectours of customes, or certaine & stalled subsidies within any port, hauen, or creeke of this the kings realme of England, that now be, or hereafter shal be, within x. daies next after notice to him or them giuen from the king, or vi. of his most honorable priuy counsel in writing, signed with their handes, shall by themselues, or their sufficient deputie or deputies, for whom they will answere, declare in writing, what summes of money then being due vnto our said soueraigne Lord the king, bee at that time in his or their handes, or custody, & shal make ready and ful paiment of al the said summes of money, as then shall remayne in his or their handes or custody, ouer & aboue the ordinary payments & summes of money contained & expressed in sufficiēt warrant or warrātes, or resting & remaining in his or their office or offices, & being in their ful force, strength, & effect, and not lawfully countermāded, nor reuoked to their knowledge, to the vse of our soueraigne Lord the king, at such time, and in such sort, as he or they shalbe commāded, and appoynted by sufficient warrant, vpon payne of forfaiture of his or their office or offices.

And be it ꝛc. that the same treasourers, chamberlaines, and general receiuors by themselues, or by their deputy or deputies, for whom they will answere, shall yerely before the xx. day of June, make a perfect accompt of all such money or treasoure, as hath commen to their handes to the kinges vse, yerely, at or before the twenty day of March, then next before the sayde xx. day of June, & shal make a perfect and whole declaration in writing, of ꝑ money remaining in euery of their hands, to the

kings

Finish accompt

Forf.

Collectors Bailifes

Distraine

Ouerplus

Amerce Shirifes

Treasorers Chamberlaines

Customers Subsidies Port

Pay

Forf. office

Accompt

kings maiestie, or to his priuy counsaile
perely before the last day of June then
next following, and make payment of
the same at such time, & in such sort, as he
or they shalbe commaunded, or appointed
by sufficient warrant, vpon paine of for-
Forf. office faiture of his or their Office or offices.
And be it enacted &c. þ if any treasorer,
Receiuour, or minister accomptant, or
their deputie or deputies, doe take or re-
ceiue of any person or persons, any some
or summes of money, or other profit, of,
& for the payment of any fees, annuities,
pencions, dueties, or warrants, more, or
otherwise then hee or they may lawfully
doe by forein lawes & statutes therein
prouided, that þ said treasourer, receiuer,
Forf. and minister so offending, shall forfaite &
loose for euery penny or penny worth so
to be taken or receiued vi.s. viii.d. to the
party greeued, so to be recouered in any
&c. in which suit &c. And be it also &c.
Auditor that if any auditor or auditors, or his or
their deputie or deputies, which ought to
take the accompt of any treasorer, cham-
berlaine, receiuer or other officer; accõp-
Refuse table before him or them, do refuse, or
willingly protract, & delay the taking of
the same accompt, in such wise, as it can
not bee finished within the time or times
limited and appointed by this act, for the
taking and finishing thereof, that then e-
uery auditor so refusing, or protracting,
and delaying as is aforesaide, and being
Conuict thereof duely and lawfully conuict in the
court where the reuenue or charge of the
same accompt is, or shalbe answerable
Forf. to the king, shall incurre, forfait, & lose
such like paine, losse, and forfeiture, as
the treasorer, chamberlaine, receiuer, or
other officer abouesaide, shall and ought
to do by this act, for not accompting of &
for their charges and office or offices, &
thereby the same treasorer, chiberlaine,
receiuer, & other officer, that should ac-
compt & shalbe refused, or shalbe protrac-
ted & delaied as is aforesaide, shalbe dis-
Discharge charged of any paine, losse, or forfeiture,
for not accompting as is abouesaid. And
Copy be it &c. that þ publicat, or copy of euery
accompt þ shalbe made by any treasorer,
or receiuour, or by their deputie or depu-
ties in forme aforesayd, within conueni-
ent time, after the finishing of the same
accompt, and at the reasonable request &
costes of such accomptant, shall be deli-
uered to them, or any of them subscribed
with the handes of the auditour or audi-
tours, that shall take the same accompt,
or of his or their deputie or deputies, for
whom he or they will answere, vpõ paine
that the same auditour or auditours shall
lose and forfaite to the kinges Maiestie Forf.
tenne pound for euery such default.

Prouided alwaies, & be it &c. that this
act, nor any thing therein contained, shall
in any wise extend to charge any Archbi- Archbishop
shops or bishops of this realme, or of any Bishop
other the kinges Maiesties dominions,
or any of them, at any time hereafter, to
make any maner of bondes, or to make
their accompt & payment of the tenthes, Tenthes
arising and growing within any of their
diocesse, due, or to be due to our said soue-
raigne Lord the king, otherwise, or in a-
ny other maner & forme, then they or any
of them heretofore haue bene charged, or
accomptable & chargeable by the lawes
and statutes of this Realme, any thing in
this act to the contrary notwithstanding.
Prouided alwayes, that this act or any
thing therein contained, shall not extend
to cause the rentes, profits, and reuenue,
rising and growing to the kings maiesty
within the towne or marches of Calleis, Calleis
to be answered or payed otherwise, or at
any other dayes or times then heretofore
hath bene vsed & accustomed, any thing in
this act to the contrary notwithstanding.
Prouided alwayes & be it &c. that this
act nor any thing therein contained, shall
in any wise extend to touch or charge any
Sherife, eschetour, or collectour of any Sherife
dismes, quindismes, beneuolences, cõtri- Eschetour
butions of subsidies (subsidies of tonnage Collectour
& põuage only except) but þ they & euery
of thẽ, shal & may do & exercise their sayd
seuerall offices, and pay such summes of
mony, as they or any of them, be, or here-
after shalbe charged withall by their sayd
seuerall offices in such & like sort, maner
and forme, as they & euery of them haue
vsually

dsually done, or should or ought to do, if this act had neuer ben had or made. This act or any thing therein contained in any wise to ꝑ contrary notwithstanding. Anno 7. E. 6. cap. 1.

¶ Recognisance and Statute merchant.

Merchant

EVery Merchant which will be suer of his debt, shall cause his debtour to

Maior

come before the Maior of London, or of Yorke, or Bristow, or before the Maior and clerke (which the king shall appoint for the same,) for to knowledge ꝑ debt, and day of payment, & the recognisance

Entred

shalbe entred into a rolle with the hande of the said clerke, which shalbe known. Moreouer ꝑ said clerke shall make with

Bill obligatory

his owne hand a bil obligatory, whereunto the seale of the debtor shalbe put, with

Seale

the kinges seale, that shalbe prouided for the same purpose, the which seale shal remaine in the keeping of the Maior and clerke aforesaid. And if the debtor do not pay at the day to him limitted, ꝑ creditor shall come before the said maior & clerke with his bil obligatory. And if it be found by the rolle and by the bill, that the debt was knowledged, and that ꝑ day of payment is expired, the Maior shal incontinent cause the

Moueables

mouables of the debtour to be solde as farre as ꝑ debt doth amount, at the preysing of honest men, after the maner of borough goods diuisable, vntil the whole summe of the debt & the money be fully payed to ꝑ creditour, & if ꝑ maior can find no buyer, he shall cause the mouables to be deliuered to the creditour at a reasonable price, as much as doth amount to the summe of the debt, and the

Kings seale

kings seale shall be put vnto the sale and deliuerance of the goods diuisable for a perpetuall witnesse. And if the debtour haue no mouables within the iurisdiction of the maior, whereupon the debt may be leuied, but peraduenture hath some other where within the Realme, then shall the

Maior Returne

maior returne the recognisance made before him and the clerke aforesaid vnto the

Chancellor

Chancellor vnder the kings seale, & the Chancellor shall direct a writ vnto the shirife, in whose bailiwicke that the mouables of the debtour hap to be, and the shirife shall cause him to agree with his creditor in such forme as ꝑ maior should haue done in case that the mouables of the debtour had beene within his power. And let the that haue preised ꝑ mouable goods to be deliuered vnto the creditor, take good heede, that they do set a reasonable price vpon them, for if they doe set an ouer high price for fauour borne to the debtour, to the dammage of the creditor, then shall the thing so preysed be deliuered vnto them selues at such price as they haue limited, and shalbe forthwith answerable vnto the creditor. And if the debtour wil say, that the mouable goods were deliuered or sold for lesse then they were worth, yet shall he haue smal remedy thereby, for when the maior or the shirife hath sold ꝑ mouable goods lawfully to him that hath offered most, he may accompt in his owne folly, ꝑ he did not sell his owne mouable goods him self before the day of ꝑ suite (when he might well enough) & so haue leuied the money with his owne handes. And if the debtor haue no mouables, whereupon the debt may be leuied, then shall his body be taken,

Imprison

where it may be founden, & kept in prison, vntil ꝑ he hath made agreement, or his friends for him, and if he haue not wherewith he may sustenine himselfe in prison, the creditor shall find him bread & water,

Bread and water

to the end that he die not in prison for default of sustenance, the which costes the debtour shall recompence him with his debt, before that he be let out of prison. And if the creditor be a merchant stranger, he shal remaine at the costes of the debtour for so long time as he tarieth about the suite of his debt, & vntil the mouable goods of the debtor be solde or deliuered vnto him. And if the creditor do not take the debtor alone for the surety of his payment, by reason whereof pledges or mainpernours be founde: the those pledges or mainpernours shal come before ꝑ maior & clerke aboue said, & shal bind the selues by writinges & recognisances, in like maner as the principall debtor. And

Shirife

Preisors

Price

Merchant stranger

Goods sold

Mainpernours

in

Execution

in like maner if the debt be not payed at the day limited, such execution shalbe awarded against the pledges or maynpernors, as before is appointed for the debtor, Acton burnell. An. 13. E. 1.

Merchants

2 ¶ For as much as merchants, which heretofore haue lent their goods to diuers persons, be nowe fallen in pouerty because there is no speedy remedy prouided, whereby they may shortly recouer their debt at the day of payment assessed: And for this mischiefe many merchantes are loth to come into the Realme with their merchandise, to the great damage of such merchants and of all the realme: The king and his counsail, at his parliament holden at Acton Burnell, after the feast of saint Michaell the xi. yere of his raigne, hath ordayned these establishments, thereupon for the remedy of such merchants, which ordinances & establishments, the king commandeth that they shalbe firmely kept & obserued throughout his Realme, whereby merchantes may haue remedy, and lesse trouble and businesse to recouer their debts then they haue had heretofore. But for almuch as merchants afterward complained vnto ỳ king, ỳ shirifes misinterpreted his statutes, & sometime by malice & false interpretacion delayed ỳ execution of the statute to the great damage of merchants: The king at his parliament holden at Westminster after Easter, the xiii. yere of his raigne, caused ỳ said statute made at Acton Burnel, to be rehearsed. And for the declaration of certaine articles in the statute aforesaid, hath ordeined and established, that a merchant for the assurance of his debt, shall cause his debtor to come

Maior of London Warden

before ỳ maior of London, or before some chiefe warden of the City, or of an other good towne, where ỳ king shal appoint, and before the master, chiefe warden, or other sufficient men chosen and sworne thereto, when the maior or chiefe warden cannot attend thereto, & before one of the

Clerks

clerkes ỳ the king shall thereto assigne, when both can not bee attendant, he shall

Knowledge Enrolle

knowledge ỳ debt & the day of payment, and the recognisance shalbe enrolled by one of the clerks handes being knowen, and the roule shalbe double, whereof one part shal remaine with ỳ maior or chiefe warden, & the other with the clerkes that thereto shalbe first named. And further, one of ỳ said clerkes with his owne hand shal write an obligation, where vpon the

Obligation

seale of the debtor shall be put, with the kings seale prouided for the same intent,

Seale

which seale shall be of two pieces, whereof the greater peace shall remaine with the maior or the chiefe warden, and the other in the keeping of ỳ foresaid clerkes. And if the debtor do not pay the debt, at

Debtor

the day limited vnto him, then shall the merchant come before the maior & clerk with his obligation, and if it be found by the rolle or writing, that the debt was knowledged, and the day of payment expyred, the maior or chiefe warden shall

Maior

cause the body of ỳ debtor to be taken (if hee be lay) whensoeuer hee happeneth to come in their power, & shall commit him to the prison of ỳ towne, if there be any, &

Imprison

shal remaine there at his own costs, vntil he hath agreed for the debt, and it is commanded, that the keeper of the towne pri-

Gaoler

son, shall retaine him vpon the deliuery of the maior or chiefe warden, and if the keeper will not receiue him, he shalbe answerable for the debt, if he haue whereof, and if he haue not whereof, hee that committed the prisoner to his keeping shall answere. And if ỳ debtor cannot be found by the maior or chiefe warden, then shall they or any of them returne into the

Chauncery

chauncery vnder the kings seale, the recognisance of the debt: and the chauncellour shal direct a writte vnto the shirife,

Writte Shirife

in whose shyre the debtor happeneth to be, for to take his body (if he be laie) and safely to kepe him in prison, vntil he hath agreed for the debt. And within a quarter of a yere after ỳ he is taken, his lands

3. moneths lands

shalbe deliuered him, so that by the profits he may leuy and pay the debts. And it shalbe lawful vnto him, during ỳ same quarter, to sell his lands and tenements

Sell

for the discharge of his debts, & his sale shall be good and effectuall. And if he do not agree within ỳ quarter next after the

quarter expyred, al the lands and goods of the debtour shall be deliuered vnto the merchant by a resonable extent, to holde them vntil such time as the debt is wholly leuied: And neuerthelesse the body shal remaine in prison, as before is said. And the merchant shall find him bread & water, and the merchant shall haue such seasion in the landes & tenements deliuered vnto him, that he may maintaine a writte of nouell disseisin, if he be put out, and reuilldisin also, as of free hold, to holde to him & his assignes vntil the debt be payd. And as soone as ỳ debt is leuied, the body of the debtor shalbe deliuered with his lands. And in such writtes as the chancellor doth award, mencion shalbe made, that the shirife shall certifie the Justices of eyther bench, how he hath perfourmed the kings commaundement at a certaine day, at which day the merchant shal be afore ỳ Justices, if agreemẽt be not made. And if the sherifes do not returne ỳ writ, or doe returne ỳ the writte came to late, or that they haue directed it to ỳ bailliffes of some franchise, the iustices shall do as it is contained in ỳ statute of Westminster. And if the shirife returne that the debtor cannot be found, or ỳ he be clerke, the marchants shall haue writtes to all ỳ sherifes, or he shall haue the land, & that they shall deliuer al the goods and lands of ỳ debtor by a resonable extent, to hold vnto him and his assignes in the forme aforesaide, and at the least he shall haue a writ to what shirifie that he will, to take his body (if he be late) and to retaine it in maner aforesaid, and the keeper of the prison ought to take heede, that he must answere for the body or for the debt. And after that the debtors lands be deliuered to the merchant, the debtor may lawfully sell his land, for that the merchant haue no dammage of the appruements, & the merchants shall alwaies be allowed for their dammages, and all costes, labours, suites, delales, & expẽces resonable. And if ỳ debtour find suerties, after ỳ day passed, ỳ suerties shalbe ouered in al things as is said of ỳ principall debtor, as to the arrest of body, deliuery of landes, & other things. And whẽ the lands of the debtors be deliuered vnto ỳ marchãt, he shal haue seisin of all the lands that were in ỳ hand of the debtour, the day of the recognisance made, in whose hands soeuer ỳ they come afterward, eyther by feffement or otherwise, & after ỳ debt paid, the debtors lãds, & the issues there of by feffement shall returne againe, aswell to the feffee, as the other lands vnto the debtors, & if the debtor or his suerties die, the merchant shall haue none auctheritie to take the body of his heire, but he shal haue his lands, as before is said, if he be of age, or when he shal be of full age, vntill such time as he hath leuied of ỳ lands the amountance & value of the debt. And also another seale shalbe prouided, that shall serue for faires, & the same shalbe sent vnto euery faire vnder ỳ kings seale by a clerke sworne, or by the keeper of the faire. And of the cõminalties of Lõdon two merchants shalbe chosen, that shal sweare, & the seale shalbe opened before them, & the one peece shalbe deliuered vnto the foresaid merchantes, & the other shall remayne with the clerke. And before them or one of the marchantes (if both can not attend) the recognisaunces shall be taken, as before is sayde, and before that the recognisaunces be inrolled, the paine of the statute shalbe openly read before the debtour, so that afterwarde he shall not excuse himselfe by ignorancie of the paine, wherein he bound himselfe, & to maintaine the costs of the said clerke, the king shall take of euery li. i. d. in euery towne, where the seale is, except fayres, where he shal take i. d. ob. of ỳ li. This ordinance and act the king willeth to be obserued from henceforth throughout his realme of England & Ireland, amongst the which people they that will, may make such recognisances, (except Jues) to whom this ordinaunce shal not extend, and by this Statute a writte of debt shall not be abated, and the Chauncelor, Justices of either bench, and Justices errants shall not be stopped to take recognisances of debes before them knowledged and made, but the execution of recognisances made before them, shal not be done in the

Extent

Wread and water

Seison

Debt payd

Shirife Certifie Justices

Returne

Justices

Clerke

Land Extent

Capias

Gaoler

Dammages Costes Charges

Seison

Day

Debtor dit

Heire Landes

Seale Faires

London Merchants

Clerke

Paine

Penny Faires

Halfepenny

Jues

Chauncelor Justices

foxme

fourme aboueſaid, but by the law and maner before vſed, & otherwiſe prouided in other ſtatutes. Rex vic. ſalutem. Quia coram tali maiore, vel cuſtode talis villæ, vel coram cuſtode ſigilli noſtri de mercatoribus in nundinis de tali loco, & tali clerico noſtro A. recognouit debere B. tantum, quod ſoluiſſe debuit tali die & tali anno, quod idem B. nondum ſolvit, vt dicit: Tibi præcipimus, quod corpus prædicti A. (ſi laicus ſit) capias, & in priſona noſtra ſaluo cuſtodiri facias, quouſque de prædicto debito ſatisfecerit. Et qualiter hoc præceptum noſtrum fueris executus, ſcire facias iuſticiariis noſtris apud Weſtmonaſterium per literas tuas ſigillatas, & habeas ibi hoc breue. Teſte &c. Statut. de mercatoribus. Anno 13. E. 1.

Clerke

3 ¶ Euery clerke, which ſhalbe deputed to receiue recogniſances in Cities & boroughes according to ỳ ſtatute merchant, ſhall abide in proper perſon to do his office according as is contained in the ſtatute of Acton Burnel. And ỳ he haue

Lands

lands ſufficient in ỳ ſame county where of he may aunſwere to all perſons if hee offend. And if any other be in the ſame office, he ſhalbe remoued, & an other conuenient ſet in his place. An. 14. E. 3. c. 11.

4 ¶ At the complaint of ỳ ſaid comminalty, made to the king in the parliament, of that ỳ great diſheriſon in times paſt was done of the people, & might be done by ỳ falſe entring of pleas, ralings of rowles, and changing of verdictes: It

Judge Clerke

is accorded and aſſented, that if any iudge or clerke be of ſuch default, ſo that by the ſame default there enſueth diſheriſon of any of ỳ parties ſufficiently conuict before the king & his counſaile by the maner & fourme, which to the ſame our ſouereigne lord ỳ king & his counceil ſhal ſeeme reſonable, & within ii. yeres after ſuch default made, if ỳ party grieued be of ful age, & if

Infant

he be within age, thē within ii. yeres after that he ſhal come to his full age, he ſhalbe puniſhed by fine and ranſome at ỳ kings

Reſtitution

will, & ſatiſfie the party (& as to the reſtitution of the inheritance deſired by the ſaid cōmons the party grieued ſhal ſue by writ or otherwiſe, according to the law, if he ſee it expedient for him) An. 8. R. 2. ca. 4.

5 ¶ When any ſtatute merchāt is certified into the Chauncery, & thereupon a writ awarded to the sheriffe, and returned into the cōmon place, & the ſtatute there once ſhewed, that howſoeuer the proceſſe after the ſame ſhewing bee diſcontinued, that at what time the party ſueth to haue the proces diſcontinued, and to haue execution of the ſtatute merchant aforeſayd: That the Iuſtices of the bench where the ſtatute was once ſhewed, may vpon the ſame record make & award ful execution of the ſtatute merchant, without hauing the ſight or ſhewing thereof at any other time after, & that this ſtatute holde place of al ſtatutes merchants not fully executed at this time. An. 5. H. 4. cap. 12.

Execution

6 ¶ Where as diuers perſons within this realme of England in times paſt, oftentimes haue bene taken & arreſted by diuers sheriffes & other officers of our ſouereigne lord the king by writtes, as wel going out of ỳ chācery of our ſouereigne lord ỳ king, as of his noble progenitors, for to haue execution of diuers recogniſances made before the maiors of ỳ ſtaple of diuers ſummes, of which ſummes ſuch perſons, to whom the duety belōged, had no cōuenient remedy, other then the ſayd executiōs, which perſons thereby taken & arreſted for execution of ỳ ſame recogniſaunces, be oftentimes come in by diuers writs de Corpus cū cauſa, before the king in his chauncery out of priſon, in ỳ which they be ſo kept, becauſe of ſuch executiōs, & there they do ſue, ſhewing forth diuers indentures & other things, in defeſance of ſuch recogniſances, deſiring writs of Iciae facias, to warne the partie or parties, at whoſe ſuite they be taken and arreſted, to anſwere vpon the ſame. And thereupō, by ſuertie found to the king in his chauncery, haue bene deliuered out of priſon, notwithſtanding their ſayd arreſt for the executions of ſuch recogniſaunces, as aboue is ſayde, ne ſuertie founde to the recogniſees, to whome they be ſo bound, to ſatiſfie thē of their dueties, in caſe that ỳ matters cōpiled within the ſaid writs of

Duetie

Scire

Scire facias be not folid nor adiudged for the recognisors thereby bound, whereby the said recognisees haue bene sometime greatly delated of their execuciõ, & sometime their execuciõ vterly lost, & in time to come likely to be lost, because ỳ no aduantage nor anayle therof might come, be, or grow to ỳ said recognisees to whõ such persons be so bound by ỳ said suerty so found to the king, be cause that ỳ same persons so bolid by ỳ kings pardõ might be acquit & discharged for euer. Our soueraigne lord ỳ king cõsidering ỳ ỳ said recognisees to whõ persons be found, be ofte times without remedy, if so be ỳ said recognisors would not pursue forth their said writs of scire fac, with effect, or otherwise, that ỳ matters of their said writs of scire fac, bee founde or adiudged against them, & thereupon they withdraw thẽ to places priuiledged, or cloin them out of ỳ realme, or els they would not appeare, so their bodies might be taken & put in execution, to ỳ great hinderance & vndoing of such recognisees in time to come, and also because that ỳ king is inherited of ỳ price of such suerties to himselfe by the course of ỳ chancery, the king will from henceforth ỳ such suerties be made seuerally aswell to the king as to the party.

An 11. H. 6. cap. 10

7 ¶ Forasmuch as the Maiors of the staple in diuers places of this Realme, where any staple is kept, in ỳ presence of ỳ constables of ỳ same staple, before this time haue & might lawfully take recognisance or knowledg for debts: onely cõcerning & touching ỳ merchandise of the same staple, betwixt merchãt & merchãt of ỳ same staple, according to diuers laudable estatutes & prouisions before this time had, ordained & made. Which Maiors & cõstables, many & sundry times since ỳ making of ỳ same estatute haue takẽ diuers recognisances & knowledges of diuers of ỳ kings subiects for debts, surmising ỳ same knowledg or recognisace to be made for suerty of payment of sumes of money for such wares as were or bene bought in ỳ same staple: where of trouth ỳ same recognisance did not in any wise touch or cõcerne ỳ marchãdise of ỳ same, ne also the parties, ỳ is to say, ỳ cognisor, ne ỳ cognisee ỳ did knowledge & take the same recognisãces, were marchants of ỳ same Staple: which recognisances and knowledges takẽ in forme aforesaid, are not onely clere contrary to the true meaning & intent of ỳ same former estatuts, but also thereby diuers great & sundry inconueniences, dammages & deceipts, do daily rise & grow to diuers of ỳ subiects of our soueraigne Lord ỳ king, by reason of ỳ misusing of ỳ same. And forasmuch as ỳ kings highnes of his most high wisdome, perceiueth ỳ misusing & execution of ỳ same to be contrary to ỳ forme of the saide former estatutes; Therefore his pleasure is, ỳ some true, lawful, & reasonable bond for suerty of paymẽt of ỳ said debts of his subiects, shall be made & deuised by true and iust meanes which in it selfe may & shall purport right & equity, & also conformãt to reason: In consideration whereof, by ỳ assent &c. it is &c. that from the first day of Aprill next cõming, ỳ chiefe Justice of ỳ kinges beneh, & the chiefe Justice of ỳ common place, which now be, or at any time hereafter shalbe, & euery of thẽ by himselfe, & in their absẽce out of ỳ terme, the maior of the staple at Westminster, & ỳ Recorder of ỳ City of London for the time being, iointly togethers by their discretion, shall haue full power & auethority to take recognisances or knowledges of euery of ỳ kinges subiects for ỳ paymẽt of debts, according to such formes as hereafter ensueth.

Chiefe iust. of both Bs.

Maior of the staple

Recorder of London

Nouerint vniuersi per præsentes nos A. B. & C. D. armig. teneri & firmiter obligari Iohanni at Stile, in C. li. sterling. soluendum eidem Iohanni aut suo certo attornato hoc scriptum ostẽd. hæred. vel executoribus suis in tali festo &c. proxime futuro post datũ præsentiũ. Et si defecero vel defecerimus in solutione debit. prædict. volo & concedo, vel sic volumus & cõcedimus quod tũc currat super me, hæredes & executores meos vel super nos & quemlibet nostrũ hæred. & executores nostros, pæna in statuto stapulæ de debitis pro marchãdisis in eadem

Maiors of the staple

Constable

eadem emptis recuperand. ordinatis & prouis. Dat. tali die, An. regni regis &c.
And that euery obligatiõ ꝑ shalbe made, as is aforesaid, and knowledged before any of the said chiefe Justices, or the said Maior & Recorder according to this act, Sealed shalbe sealed with the seale of the partie or parties, ꝑ shal recognise or knowledge the same, & also ỽ such seale as the kings highnes shall ordeine & appoint for the same, & with seale of one such of the said Justices or with ꝑ seales of ꝑ said Maior and Recorder, & with his or their name or names subscribed, that so shal take the same recognisance or knowledge: And that euery of the said two Justices, & the saide Maior and Recorder shall haue the Seale custody of one such seale by the kinges highnes to bee appointed, with one like print, scripture and fashion, which shal seuerally remaine with them to the intent aboue rehearsed. And further be it ꝑ. that such an honest & discreete person as shall be assigned by the kings highnesse, or the sufficient deputie or deputies of the same Clerke person so to be assigned, shal make & write al such obligations, as shalbe knowledged and recognised by auctoritie of this act, and shall cause the same obligations recognised and knowledged in forme as Enrolls is aboue saide, to be enrolled in two seuerall rolles indented, whereof one shal remaine with such of the saide Justices, or with the said maior and recorder, that so shal take the same recognisance in forme aforesaid, & the other rolle with ꝑ writer thereof, appointed for the same. And that the said person by the kings highnesse to be appointed for making, writing, and enrolling such obligations, or his sufficient deputy or deputies, shalbe dwelling or abiding in the saide City of London, Fyne. vpon paine to forfaite for euery time that he & his deputy shalbe absent by the space of ii. daies x.li. And further it is ꝑ. that the saide person so to bee assigned by the kings highnes to write, make, & enrolle such obligations, or his sufficient deputy or deputies, at the request of ꝑ creditors, their executors or administrators, shall Certifie certifie such obligations, as shal be taken and recognised by auctority of this act into the kings court of Chancery, vnder Chauncery the seale of the saide person so to be appointed for writing, making, and enrolling such obligations. And that euery person & persons, to whom any such obligation shalbe made, acknowledged, & enrolled, as is aforesaid, their executors, administrators, and the executors, and administrators of euery of them, for de- Default of fault of payment of the debtes contained payment in such obligations, shall haue in euery point, degree & condition, against the said recognisour and recognisours, & euery of them, their heires, executors, and administrators, and the heires, executors & administratours of euery of them, like Proces proces, execution, commodity, & aduantage in euery behalfe, as hath bene vsed & accustomed before this time, to be had, done, or made, of & vpon any obligatiõ of ꝑ statute of ꝑ Staple, & vnder such maner & forme as is for ꝑ same Statute of ꝑ staple prouided, paying for such proces & execution to be had, such like fees as is accustomed for proces & execution to be had vpon obligations of the same statute of the staple and not aboue. And that euery such person & persons, that shal be bounden or otherwise greeued by vertue of any obligatiõ to be made by auctority of this act, shal haue their like remedy by Audits querela, and all other remedies Audita querela in the lawe, that they mought haue had in case they had bene bounden by obligation of the statute of the staple. And that euery such person and persons, that shall haue proces for execution to be had, by reason of any such obligation to be made and knowledged according to this act, shal pay to the kings highnesse, his heires or successors, at the time of ensealing of ꝑ proces for the execution to be had, one halfe peny for euery pound ꝑ shalbe con- Halfe peny tayned in the obligation, whereof execution shalbe required and not aboue. And that euery such person and persons, that shall happen to haue any execution of a- Execution ny lands, tenements or hereditaments, by reason of any such obligations to be made and knowledged as is aboue saide, their

executors

executors, administrators or assignes, and the executors, administrators & assignes of euery of them, if they or any of them bene put out or disseised, shal haue like remedie in euery poynt and condition, as persons hauing execution in and vpon any statute of the Staple after execution of them had, may or might haue by vertue of the sayd writing obligatorie of the statute of the Staple, and execution of the same. And further be it &c. that euery of the sayd Justices and the sayd Maior and Recorder before whom any such obligations shall be recognised, shall take for euery knowledge of euery one such recognisance three shillings fower pence and not aboue. And the clerke that shal write, make, & inroll the same obligations three shillings fower pence. And for the certificate of euery one such obligation xx.d. And if any of the sayde Justices, Maior, Recorder or Clerke take of any of the Kings Subiects, aboue the summe or summes to them limited by this statute, that then the said Justices, Maior, Recorder, or Clerke, that so shall take contrary to the forme aforesayd, shall forfait for euery time so offending forty pounds. And further it is &c. that from the said first day of Aprill, no Maior or Constable of the Staple, for the payment of any summe or summes of money, take any knowledge or recognisance of the sayd statute of the staple, of any of the kings subiects, vpon paine to forfait for euery time so offending xl. pound, the one moitie of all and singuler the sayde penalties to be to the kings highnesse, and the other moitie to the partie that will sue for the same. For the recouery whereof, the partie that will pursue, shal haue his remedie by information, action of debt, bill, or plaint, in any of the kings Courts, in which no essoine, protection, nor wager of lawe shalbe admitted. Prouided alway that this act nor any thing therein contayned, be in any wise preiudiciall or hurtful to any Maior and Constables of the Staple, for any bond or writing of ỳ statute of the staple to be taken or receiued betweene Merchants being free of the same Staple, for merchandise of the same staple betweene them lawfully bought and sold.

Justices Maior Recorder

iii s. iiii. d. Clerke

iii. s. iiii. d.

Certificat

xx. d.

Forf.

Maior of the Staple

Forf.

Moytie

Merchants

Prouided also and be it further enacted, that al recognisances before this time taken before the Maior and constables of any ỳ sayd staples, whereof the summes now be not payed, or otherwise contented, lawfully auoyded or discharged by the lawe, shalbe as good and effectuall, as though they had bene verely made for merchandise of the same Staple, and betweene merchaunt and merchaunt of the same staple, and as they should haue bene if this acte had neuer bene had ne made. Anno 23. H. 8. cap. 6.

¶Recordes.

IUstices of assises, gaole deliuery, and of oyer and terminer, shal send al their recordes and processes, determined and put in execution, to the Eschequer at Michaelmas euery yeere once, to be deliuered there, and the Treasourer and Chamberlaines which for the time shalbe, hauing the sight of the commissions of such Justices, shall receiue the same recordes and processes of the sayd Justices vnderneath their Seales, and keepe them in the treasourie as the maner is. So that the Justices alwayes do first take out ỳ estretes of the said recordes and processes against them to sende to the Eschequer as they were wont before. Anno 9. E. 3. cap. 5.

Justices Recordes

Eschequer

Estreats

¶Recoueries.

WHereas diuers, as well noble men as other the kings subiects haue suffered recoueries against them of diuers their manors, lordships, lands and tenements, for the performance of their willes, or for the suertie of their Wiues ioyntours, or for the ioyntour of sonnes and heires apparant, and their wiues, or for any other person or persons, according to their couenants and agreements, and those persons that so haue recouered the saide mannours by the course of the common lawe, had no remedy nor may haue to compell the termer, feeholders, and tenant, which hold of the same mannours

nours by the Rents, Seruices, or Cu-
Attourne stomes to attourne to them, nor coulde by
the order of the lawe attaine to the rents,
seruices or customes, (if they were de-
nied) by distresse or action, without they
could once attaine to the possession of the
same rents, seruices and customes, by
paying or doing the saide rents, seruices
or custome by the same freeholders, fer-
mours and tenants, which to do, diuers &
many of them haue often times refused,
and yet doe, to the great offence & charge
of their conscience, not onely to the disher-
itance of the sayd recoueries, but also in
breaking of the last wils of them, against
whom such recouery is had, and also to
the disheritance of the sayde husbande,
wiues, and other to whose vse the same
recouery was so had. Also if there were a-
Aduowson ny aduowson appendāt to any of the sayd
mannours, the same aduowson had fal-
len boyd, and a stranger had presented the
sayd recoueries, nor they to whose vse the
same recoueries were had, had no reme-
die for the same disturbance, and some-
time thereby they haue bene disherited:
Be it therefore &c. that the recouerees in
all such recoueries, their heires and al as-
Heires Distraine signes may from henceforth distraine for
the foresayd Rents, Seruices, and Cu-
stomes, so being due and vnpayed, and
Auowry make auowry or iustifie the same, as those
persons against whom the saide recouery
is should haue done, if the saide recouery
had not bene had, and also haue like re-
medy for the recouering of the saide rent,
seruices and custome by auowry: And
Quare impedit also Quare impedit for the said auowson
if any disturbance be made, as those per-
sons against whom the sayd recoueries
were had, might, or should haue had by
the course of the common lawe, afore the
said recouery, if any such rents, seruices
or customes had bene denied them, or any
such disturbance had bene had in their
times. And also that euery auowaunt, and
euery other person or persons that ma-
keth auowry, consaunce or knowledge,
or iustifie, as Baylife to any other person
or persons in any replegiare second deli-
uerance for any rent, custome or seruice,
if their auowry, conisance or iustification
be found for them, or the plaintifes in the
said actions, or otherwise barred, shall re-
Dammages Costs couer their dāmages and costes that they
haue sustained, as the plaintife should
haue done, if they had recouered in the
said repleuins. An. 7. H. 8. cap. 4.

2 ¶ Where afore this time diuers per-
Leases sons haue made leases of their manours,
Lands, Tenements, and other Hereditā-
ments, sometime by their indentures, and
sometime without writings, to other
persons for terme of yeeres, taking of
them great fines for ỹ incomes of ỹ same
leases, and after the same lessours, their
heires or assignes haue caused and suffe-
red recoueries to bee had against them in
the court of our soueraigne lord the king,
and in other Lords Courts vpon fained
and vntrue title, by craft and couin, to put
the sayd termers from their sayd termes:
And after such recoueries had, the same
recouerers by reason of such recoueries
and iudgements, haue entred into the said
mannours, lands, tenements, and other
hereditaments, so to ferme letten, & ther-
of haue expulsed the saide fermers, con-
trary to their sayd leases, couenants, and
agreements: And because it was doubted
to some person, whether the sayd termers Termers Falsifie
might falsifie such recoueries or not: Be
it &c. that all such termers, shall and may
falsify for his terme only, such recoueries
as well heretofore had, as hereafter to be
had in such wise and forme as a tenant of
a freehold, shall and may do by the course
of the common law, where such tenant of
freehold was neither priuy nor party to
the same recouery. And that the same ter-
mers, their executours and assignes not-
withstanding such recoueries so had, shal
retaine, hold & enioy their said termes ac-
cording to their said leases, against al such
recouerees, their heires & assignes, after
such recouery so had, shal haue like reme-
dy against ỹ said termers, their executors
and assignes, by auowry or action of debt,
for the rents and seruices reserued vpon
the same Leases being due after the same
recoueries, & also like actions against thē
for waste done after the same recoueries Waste

so

so had, in like maner and forme as the said lessours should or might haue had, if the same recouery had neuer bene had. And also be it &c. that no maner of Statute of the staple, statute merchāt nor execution by elegit, be hereafter auoyded, or in any wise made frustrate by meanes of any such fained recouery, but that all persons hauing any lands, tenements, or other hereditaments in execution, or being intituled to haue execution of any mannours, lands or tenements by any such meanes, shal haue by force of this estatute like remedy to auoid and falsifie the same recoueries, as before is ordained and prouided for the Lessee for terme of yeeres. Anno 21. H. 8. cap. 16.

Statute staple
Statute merchant
Elegit

3 ¶ A statute made 32. H. 8. cap. 31. for the auoyding of recoueries by collusion against tenāts for life, out of the meaning whereof because there were sundrie euasions, an other statute more strict was made. Anno 14. Elizab. capitulo 8. which is after 5. and this repealed.

4 ¶ Where diuers of the kings most noble progenitors, and specially the king our soueraigne lord most liberally aboue al other hath giuē and graunted or otherwise prouided to his and their louing and good seruants and subiects aswel nobles as other, manours, meases, lands, tenements, rents, seruices, and hereditamēts, to them and to their heires males, of their bodies, or to the heires of their bodies lawfully begotten, minding at the time of such gifts not onely to preferre and aduance presently the donees, but also their heires in blood of their bodies, according to the limitation of the saide giftes, to the intent that the recompence for the seruice of such donees, should not onely be a benefite for their owne persons, but a continuall profit and commoditie to and for their heires comming of their bodies, whereby such heires should haue in especial memory & in daily remembrance, the profit that they haue & take by the seruice of their auncestours done to the kings of this realme, and thereby be the better encouraged to do like seruice to their soueraigne lord as to their dueties or allegiance appertaineth, And forasmuch as sundry such donees in taile as their heires haue suffered & dayly suffer by their consents vntrue and fained recoueries to be had against them with common voucher or otherwise of manours, meases, lands, tenements, or hereditaments so giuen, graūted or prouided in taile by the kings maiestie, or his noble progenitours, as is aforesaid, to the intent by fraud, couin and vndue meanes not only to bind and defete their heires inheritable by the limitation of such gifts, but also the king of his prerogatiue, wardship, primer seison, and other his rightes, whereby questions and diuersities of opinion haue risen and yet be, whether such fained and vntrue recoueries against such tenants in taile, by their owne consents of lands, tenements or hereditaments wherof the reuersion or remainder is in ỳ king at the time of such recouerie or recoueries had, should after the death of the tenaunt in tayle, binde the heires in taile or not: For plaine declaration whereof, & to auoid and extinct from henceforth diuersities of opinions in such cases: Be it &c. that no such fained recouery, hereafter to be had by assent of parties against any such tenant or tenants in taile of any lands, tenements or hereditaments, whereof the reuersion or remainder at the time of such recouery had, shalbe in the king, shall bind or conclude the heires in taile, whether any condition voucher be had in any such fained recouery or not, but that after the death of euery such tenant in taile, against whome any such recouery shalbe had, the heires in taile may enter, haue, & enioy the lands, tenements, and hereditaments, so recouered according to the forme of the gift of entaile: the sayde recouery or any other thing or things hereafter to be had, done, or suffered, by or against any such tenant in taile, to the contrary notwithstanding. And be it &c. that the heires of euery such tenant in taile, against whom any such fained recouery shalbe had, shal take none aduātage, for any recompence in value against ỳ voucher nor his heires, Prouided alwaies that this act nor any thing therin

Donees in taile
Voucher
Frauds
Tenant in taile
Heires
Enter
Heirs
Voucher

contained, be in any wise preiudiciall or hurtfull to the lessee or lessees of any such tenãt in taile made, or to be made by writing indented of any mannours, lands, tenements or hereditaments for terme of xxi. yeres, three liues or vnder, whereupon the accustomable Rent or Rents, or more, is, or shalbe reserued yerely during the sayde terme or termes, but the same lessee and lessees shall and may haue and enioye his or their termes and terme therein against the heire and heires of euery such tenant in taile according to the tenour, purport, and effect of the Statute made in ỹ xxxii. yere of the raigne of our Soueraigne lord king Henry the eight, (See capitulo 31. before 3.) any thing in this act contayned, to the contrarie thereof notwithstanding. Anno 34. Henrici 8. capitulo 20.

Leases

5 ¶ Where diuers persons being seised, or that had bene seised of lands, tenements, and hereditaments, as tenants by the curtesie of Englande, tenaunts in taile after possibilitie of issue extinct, or otherwise, onely for terme of life or liues, or of Estates determinable vpon life or liues, haue heretofore permitted and suffered other persons by agreement or couin betweene them had, to recouer the same lands and tenements, and other hereditaments, against the same particuler Tenaunts in the Queenes Maiesties Court, or haue permitted and suffered them selues to bee vouched by other persons, by agrement or couin betweene them had in recoueries suffered of the same lands, tenements, and other hereditaments, in ỹ Queenes Maiesties court, to the great preiudice of those to whom the reuersion or remainder thereof hath appertained, or ought to appertaine.

Tenant by curtesie
Tenant in tayle
Life
Couin

For remedy whereof be it enacted that all such recoueries hereafter to be had or prosecuted by agreemẽt of the parties, or by couin, as is aforesayde, against any such particuler tenant of any lands, tenements, or hereditaments, whereof the same particuler tenaunt is, or hereafter shalbe seised of any such particuler estate, as is aforesaid, or against any other with voucher ouer of any such particuler tenant, or of any hauing, or that had right or title to any such particuler estate or tenancie, as is aforesayd, shall from henceforth, as against such person or persons to whom any reuersion or remainder thereof, by force of any conueiance or deuice before that time had or made, shal, ought, or lawfully may appertayne, and against their heires and successours, be clearely and vtterly voyde and of none effect: any law or vsage heretofore had to the contrarie thereof in any wise notwithstanding.

Voucher
Voyd

Prouided alway, that this act, nor any thing therein contained, shal extend, or be preiudiciall to any person or persons, that shall hereafter by good title recouer any lands, tenements or hereditaments, without fraud or couin, by reason of any former right or title: but that all and euery such recouery and recoueries, so to be had or prosecuted vpon former rights or titles, shall stande and bee in like force, strength and effect, as they were before the making of this acte: any thing herein contained to the contrary in any wise notwithstanding.

Former right

Prouided also, that all and euery such recouery and recoueries, to be had or prosecuted of any lands, tenements, or hereditaments, as aforesayd, by the assent and agreement of any person or persons, to whom any reuersion or remainder thereof then shall or ought to appertaine, (so that the same assent and agreement do appeare of record in any Court of our Soueraigne Lady the Queenes Maiestie, her heires or successours) shall stand and be in like force, strength, and of like effect, against such person and persons that shal so assent and agree, their heires and successours, as they were before the making of this act: any thing herein contained to the contrary in any wise notwithstanding.

Reuersion
Remainder

Be it further enacted by the authoritie aforesayd, that one act made in the xxvii. yere of our late Soueraigne Lord King Henry the eight, entituled, an act for the auoyding of recoueries by collusions, by tenants for terme of life, (See. Anno 32. Hen. 8. capitulo 31. before 3) shalbe from

the

the firſt day of July next enſuing (S. Anno 1572.) repealed and ſhall no longer ſtand in force. An. 14. Eliza. cap. 8. Repealed

¶ Rediſſeiſin.

IF any be diſſeiſed of their freehold, and before the Iuſticers in eire, haue recouered ſeyſing by aſſiſe of nouel diſſeiſin, or by confeſſion of them which did the diſſeiſin, & the diſſeiſe hath had ſeyſin deliuered by the ſhirife, if the ſame diſſeiſours after the circuit of the Iuſticers, or in the meane time haue diſſeiſed the ſame plaintife of the ſame freehold, and thereof be conuict, they ſhalbe forthwith taken and kept in the kings priſon, vntill the king hath diſcharged them by fine, or by ſome other meane. And this is the forme howe ſuch conuict perſons ſhall bee puniſhed, when the plaintifes come into the court, they ſhall haue the kings writ directed to the ſhirife, in which muſt be contayned the playnt of diſſeiſin done vpon diſſeiſin. And then it ſhalbe commaunded to the ſhirife, that he taking with him the keepers of pleas of the kings Crowne and other lawfull knights, in his proper perſon, ſhall goe vnto the land or paſture, for which the playnt hath bene made: And that he make by the firſt iurours and other neighbours, and lawfull men diligent inquiſition therof. And if they finde him diſſeiſed again (as before is ſaid) then let him doe according to the prouiſion afore mencioned. And if it be fonnd otherwiſe, the plaintife ſhalbe amerced, and the other ſhal go quite, neither ſhal the ſhirife execute any ſuch plaint without ſpeciall cõmaundement of the King. In the ſame maner ſhalbe done to them that haue recouered their ſeyſin by Aſſiſe of Mortdauncestour. And ſo ſhall it be of all lands and tenements recouered in the Kinges Court by enqueſtes, if they be diſſeiſed after by the firſt defoyceours, againſt whom they haue recouered any wiſe by enqueſt. Merton cap. 3. An. 20. H. 3. Freehold Iuſt. in eire Aſſiſe Impriſon Forme Shirife Iurours Amerce Mortdauncestour Enqueſt

2 ¶ They which be taken and impriſoned for rediſſeiſin, ſhall not be deliuered without ſpeciall commaundement of the king, and ſhall make fine with the king for their treſpas. And if it be found, that ỳ Shirife deliuereth any contrary to this ordinance, he ſhalbe greeuouſly amerced therefore. And neuertheleſſe they which are ſo deliuered by the ſhirife without the Kinges commaundement, ſhall be greeuouſly puniſhed for their treſpas. Marleb. 9. An. 52. H. 3. Impriſon Deliuer Fine Shirife Amerce Puniſh

3 ¶ In writs of rediſſeiſin from henceforth the double dammages ſhalbe awarded, and the rediſſeiſours ſhall not be repleuiable hereafter by the common writ. And like as in the ſtatute of Merton the ſame writ was prouided for ſuch as were diſſeiſed after they had recouered by aſſiſe of nouell diſſeiſin, of Mortdauncestour, or other Iuries, euen ſo from henceforth the ſame writ ſhall further hold place for them that haue recouered by default, tredicion, or otherwiſe without recognition of aſſiſes or iuries. W. 2. cap. 26. 2. dammages Nouel diſſ. Recouer Default

¶ Reliefe.

IF any of our Earles, or Barrons, or any other our tenaunts, which hold of vs in chiefe by Knightes ſeruice, die, and at the time of his death his Heire is of full age, and oweth to vs reliefe, he ſhall haue his inheritãce by olde reliefe, that is to ſay, the Heire or Heires of an Earle for an whole Earledome one hundreth pound, the Heire or Heires of a Baron, for an whole Barony one hundred marks. The Heire or Heires of a Knight for one whole Knights fee, one hundreth ſhillings at the moſt. And he that hath leſſe, ſhall giue leſſe, according to the old cuſtome of the fees. Magna carta cap. 2. Tenants Chiefe Knightes ſeruice Heire Reliefe Earle Baron Knight Knights fee

¶ Religion.

ALL and euery determinations, declarations, decrees, definitions, reſolutions, and ordinances, as according to Gods word and Chriſtes Goſpel, by his Maieſties aduiſe and confirmation, by his letters patets vnder his graces great ſeale ſhall at any time hereafter be made, ſet forth, declared, decreed, deſined, reſolued and ordayned by the ſayd Archebiſhops Archbiſhops

Bishop

bishops, Bishops and doctours now appointed, or other persons hereafter to be appointed, by his royall Maiestie, or else by the whole clergie of England, in and vpon the matter of Christes religion and the christian faith, and the lawfull rites, ceremonies, and obseruations of ỹ same, shalbe in all and euery poynt, limitation and circumstance thereof, by all his graces subiects, and other resiants and inhabitants within this his graces Realme, and other his graces dominions, fully be leuied, obeyed, obserued and performed to all purposes, intents, constructions and interpretations, vpon the paines and penalties therein to be comprised, as if the same determinations, declarations, decrees, definitions, resolutions and ordinances, & euery of them, with the paines and penalties therin comprised had bene, were or should bee by expresse wordes, termes and sentences plainly and fully made, set forth, declared, rehearsed and contained in this present act: Any vse, custome, or statute heretofore vsed, obserued or accustomed, to the contrary thereof in any wise notwithstanding. Prouided alwaies that nothing shalbe done, ordained, defined, or prouided by authoritie of this

Repugnant

act, which shalbe repugnant or contrary to the lawes and statutes of this Realme: any thing in this act contained to the contrary thereof notwithstanding. Anno 32. H.8. cap. 6.

¶Rents.

1. Patents

SEe Monasteries. 10. that vpon letters patents made of lands of monasteries, there must bee reserued to the king the tenth part of the value.

Tenth

2 ¶ Forasmuch as by the order of the

Executours Administratours

common lawe, the executours or administrators of tenants in fee simple, tenants in fee tayle, and tenants for terme of life, of rents seruices, rent charges, rent secks and fee fermes, haue no remedie to recouer such arrerages of the said rents, or fee fermes, as were due vnto their testators

Arrerages

Heire

in their liues, nor yet the heires of such testator, nor any person hauing the reuersion of his estate after his decease, may distraine, or haue any lawful action to leuy any such arrerages of rents or fee fermes, due vnto him in his life as is aforesaid, by reason wherof the tenants of the demeane of such lands, tenemẽts or hereditamẽts, out of the which such rents were due and payable, who of right ought to paie their Rents and Fermes at such dayes and termes as they were due, doe many times keepe, holde and retaine such arrerages in their owne hands, so that the executors and administratours, of the persons to whom such rentes or fee fermes were due, cannot haue or come by the sayd arrerages of ỹ same towards the paiments of the debts, and performance of the will of the said testatours. For remedy whereof be it &c. that the executours and administratours of euery such person or persons, vnto whom any such Rent or fee Ferme is or shalbe due, and not payed at the time of his death, shall and may haue an action of debt for all such arrerages against the tenant or tenants that ought to haue paied the said rent or fee ferme so being behind in the life of their testatour, or against the Executours and Administratours of the sayde tenants. And also furthermore it shall be lawfull to euery such Executour and Administratour of any such person or persons vnto whom such rent or fee ferme is or shalbe due, and not payed at the time of his death as is aforesayd, to distraine for the arrerages of all such Rents and fee Fermes, vpon the Lands, Tenements, and other Hereditaments, which were charged with the paiment of such Rents or fee Fermes, and chargeable to the distresse of the sayde testatour, so long as the sayd Lands, Tenements, or Hereditaments, continue, remayne, and be in the seyson or possession of the sayd tenant in demeane, who ought immediatly to haue payed the sayde rent or fee ferme so being behind to the sayde testatour in his life, or in the seison or possession of any other person or persons clayming the sayd Lands, Tenements, and Hereditaments, onely by and from the same tenaunt by purchase, gift or discent, in like maner and forme as their

Executors Administrators

Action of debt

Distreins

said

sayde testatour mought or ought to haue done in his life time. And the saide executours and administratours shall for the same distresse lawfully make auowry vpon their matter aforesaide. Prouided alway that this act nor any thing therin cõtayned, shall not extend to any such mannour, lordship or dominion in Wales, or in ỹ marches of the same, whereof the inhabitãts haue vsed time out of ỹ mind of man to pay vnto euery Lorde and owner of such lordship, mannour or dominion, at his or their first entrie into the same, any summe or summes of money for the redemption and discharge of all duties, for forfaitures and penalties wherewith the said inhabitants were chargeable to any of the sayd Lords auncestours or predecessours before his said entrie. And further be it &c. that if any man which nowe hath, or hereafter shall haue in the right of his wife, any estate in fee simple, fee taile, or for terme of life, of, or in any rents or fee fermes, and the same rents or fee fermes nowe be or hereafter shall be due, behind and vnpaied in the said wiues life: then the sayd husband after the death of his sayd wife, his executours and administratours, shall haue an action of debt for the sayd arrerages against the tenaunt of the demeane that ought to haue payed the same, his Executours or Administratours. And also the sayd husband after the death of his sayde wife, may distrayne for the sayd arrerages in like maner and forme as he mought haue done if his sayde wife had bene then liuing, and make auowry vpon his matter as is aforesayd. And likewise it is &c. that if any person or persons, which nowe hath, or hereafter shall haue any Rents or fee fermes for terme of life or liues of any other person or persons, and the said rent or fee ferme nowe be, or hereafter shalbe due, behind, and vnpaied in the life of such person or persons for whose life or liues the estate of the sayd rent or fee ferme did depend or continue. And after the sayde person or persons doth die, then he vnto whom the sayd rent or fee ferme was due in forme aforesaide, his executours and administrators, shall and may haue an action of debt against the tenant in demeane that ought to haue paied the same when it first was due, his executours and administrators, and also distraine for the same arrerages vpon such Lands, and Tenements, out of the which the said rents or fee fermes were issuing and payable, in such like maner and forme, as he ought or might haue done if such person or persons, by whose death the aforesaide estate in the saide rents & fee fermes was determined and expired, had bene in full life & not dead: And the auowry for the taking of the same distresse, to be made in maner and forme aforesaid. An. 32. H. 8. ca. 37.

Action of debt

Distreint

¶Repeale

AN. 1. E. 3. cap. 2. the repeale that was made for ỹ exile of the Spẽcers was annulled, & ỹ exile to stand in his force &c.

2 ¶An. 15. E. 3. a statute was made containing vi. articles, but it was repealed by an other parliament holden in that yere.

3 ¶Where as it was ordeined at the last parliament for vitailes and apparell, and that no English merchant should vse but one kind of merchandize: It is accorded that all people shalbe as free as they were in auncient time before the sayd ordinance, and namely as they were in the time of the graundfather of our Soueraigne Lord the king and his other good progenitors. Anno 33. E. 3. cap. 2.

Vitaile
Apparell
Merchant

4 ¶An. 21. R. 2. cap. 13. it was enacted that the iudgement giuen against the Earle of Suff. in 10. R. 2. should be repealed, and his heires restored, but this Parliament of An. 21. R. 2. was repealed by. 1. H. 4. cap. 3.

5 ¶By An. 1. H. 4. ca. 3. the parliamẽt holden in An. 21. R. 2. and all the circumstances & dependãces thereof be repealed.

6 ¶Anno 39. H. 6. ca. 1. the Parliament holden at Couentrie in Anno 38. H. 6. and all statutes made in the same Parliament were repealed.

7 ¶The sayd pretenced Parliament (See holden An. 9. E. 4. & An. 49. H. 6. & An. 1. of his redemption,) with al the con-

tinuances and circumstances, depending vpon the same be voyd and of none effect. And that all actes, statutes, ordinances, treates, communications, conuentions, and woykings in the saide pretensed Parliament, treated, communed, accorded, wrought, had, or by the authoritie of the same Parliament enacted and ordeined, and all exemplifications made vpon the same, or any part of them and euery of them, shalbe reuersed, cancelled, voyde, vndone, reuoked, repealed, and of no force nor effect. An. 17. Ed. 4. cap. 7.

Voyd

8 ¶ If the imperiall Crowne of this Realme, after the decease of the kinges most royall Maiestie (whose life our lord long preserue,) discend, come or remaine to the heires of our sayd soueraigne lord, or to any person to bee limited by his highnes, as of very right it must & ought to do according to ỳ lawes of this realme established for the same, the said heires or such person being within ỳ age of fower and twentie yeres, and that then any act or actes of parliament shall happen to be made and established in any Parliament, that then shalbe holden before such heire or heires, person or persons then being in possessiõ of the said crowne, shalbe of their full ages of fower and twenty yeres, that then euery such heire or heires of our said soueraigne lord, or such person so possessed of ỳ crowne, & being within the same age of xxiiii. yeres, shal haue full power & authority at al times after they shal come to their sayde full ages of xxiiii. yeres, by their letters patents vnder ỳ great seale of England to reuoke, annulle, & repeale al and singuler such actes, made and established by their royal assents in any Parliament during the time that they were within their said age of xxiiii. yeres, their royal assentes had to the same, during the time that they were within the said age of fower and twenty yeeres, or any act or actes hereafter to be made to the contrary therof notwithstanding. And be it &c. that euery such repeale, annullation and reuersion of any act or actes, that shalbe made and established in any parliament, holden before the time that such heires or persons possessed of the crowne, shall be of the said age of fower and twẽty yeres, shalbe as good and effectual to al intents and purposes, as though it had bene done by authoritie of Paliament. An. 28. H. 8. ca. 17. This act is repealed by 1. E. 6. ca. 11. as here next following appeareth.

Crowne

Heires within age

xxiiii. yeres

Letters patents Reuoke

Repealed

9 ¶ The said act of Parliament aboue recited, made in the said xxviii. yere of the raigne of the said late king (cap. 17. before 8.) and euery word, article, clause, matter, sentence, and thing therein specified and contained, shall by authoritie of this present parliament, be to all intents, constructions and purposes, vtterly void, annulled, repealed, and of none effect, and as though the same had neuer bene had ne made. Neuertheles to the intent ỳ kings Maiestie our soueraigne Lord may haue power, authority, preeminence and prerogatiue at his full age of xxiiii. yeres, or at any time after at his liberty and pleasure, to repeale all statutes and actes of parliament, aswel made in this present Parliament as hereafter in any other parliamẽt to be holden, before he shal accomplish the said age of fower and twentie yeres, to be made or ordeined according to the true intent & meaning of the makers of the sayd former statute. Be it further &c. that our said soueraigne lord the king that now is, at his ful age of fower and twentie yeres, or at any times after, and al & euery heire and heires of the sayd late king and other person and persons to whom the Emperiall crowne of this realme shal here after discend, come, or remaine by the appointment of the said late king in that case prouided and made, thẽ being within the age of fower and twenty yeres, shal haue full power & authoritie by vertue of this present act at all times after he or they shall come to his, or their full age of 24. yeres, by his or their Letters patents, vnder the great seale of England to repeale all and singuler act and actes, or any of them, as be or shalbe made or established by his or their roial assents in any parliament holden, or to be holden during the time that he or they was, were, or shalbe within the said age of fower and twenty yeres, other then

Voyd

xxiiii. yeres.

Repeale

Pardons

then this present acte of parliament, and other then all pardons graunted and to be graunted within the said seuerall ages of foure and twenty yeeres by authoritie of Parliament, so that the same repeale be made & vsed in maner & forme hereafter following, that is to say, that euery such

L. patents

letters patents of repeale shal containe al such actes as shall be repealed, and shalbe

Proclaime Chauncerie

solemnely and openly proclaimed in the kings court of Chauncerie, betweene the houres of nine & ten before noone at three seuerall daies, in euery two of the foure vsual termes to be holde at Westminster or els where, within this realme of Eng-

Countie Wales

land, & also one time in euery countie of this realme & in Wales, at ỳ seueral assises to be holden in the same seueral counties betwixt like howres, & that then after

40. dayes

fourtie daies next after such proclamatiõ in al and euery place & countie aboue said so had and made, the saide letters patents of repeale to take their force, strength and effecte, and not before, or from any other time or season, nor in any other maner or forme. And that al and euery such act and actes as well made in this parliament, as hereafter to be made within the saide age of xxiiii. yeeres, of our soueraigne lorde the kinges maiestie that nowe is in the time of any of the saide heyre or heires or other the said person or persons, then being in possession of the imperiall crowne of this realme, and vnder ỳ age of xxiiii. yeeres shall be good and effectuall to all intents, construction, and purposes, vntil the sayde letters patents of repeale, proclamations and fourtie dayes shall be so had, made, run and past, and that all and euery act and actes, thing and thinges vsed, had, committed, done, suffred, or executed by authoritie of the said act or acts or any of them, within any of the saide ages of foure and twenty yeere, according to the purporte, tenour and effecte of the sayd acte or actes or any of them, shall be good and effectuall for euer, the saide repeale so to be made in any wise notwithstanding, and that all and euery person & persons, bodies politike & corporate shal and may by the authoritie of this present acte, from time to time, aswell after the said repeale as before, pleade or alleadge for his or their defence, excuse, indempnitie, profite, benefite or aduantage, all & euery such act or acts, or any of them so reuoked, annulled, or repealed, or to be reuoked, annulled, repealed, for, or concerning, nor in any wise touching any thing or things had, vsed, graunted, suffred, possessed, committed, done or agreed by the authoritie, sufferance or force of the sayde act and acts, or any of them before the reuocation, annullation or repealing of the same in such & as ample maner & forme as if ỳ said act or acts so to be reuoked, annulled or repealed, & euery of them, had stande in his and their full strength, force and effect, & as if ỳ said act or acts had neuer bene reuoked, annulled or repealed, any thing in such repeale contained notwithstanding. Prouided alwayes & be it &c. ỳ no king nor kinges of this realme shall haue authoritie, power & prerogatiue to repeale any act of parliament or statute ỳ shall be made in the time of any king before the said age of foure & twenty yeres, other thẽ such as be or shalbe made in his owne time, any thing aboue mencioned to the contrary in any wise notwithstanding. Anno 1. E. 6. cap. 11.

10. ¶ All clauses, sentences, articles of euery other statute or acte of parliament made since ỳ said xx. yeere of the raigne of king Henry the eight, against ỳ supreme authoritie of the popes holinesse or sea apostolike of Rome, or conteining any other matter of the same effect onely ỳ is repealed in any of ỳ statutes aforesayde, shalbe also by authoritie here of frõ hẽceforth vtterly void, frustrate & of none effecte. An. 1. & 2. P. and M. cap. 8. see this in Rome. 4. & see there what statutes be repealed expresly.

Pope

¶ Repleader.

Issue

FRom hencefoorth if any issue be tried by the othe of twelue or more indifferent men, for ỳ party plaintife or demaundant, or for the party of ỳ tenant or defendant, in any maner of action or suite at ỳ cõmon lawe of this realme in any of the kinges Courtes of recorde, that then the

iustice

Justices iustice and iustices by whom iudgement thereof ought to be giuen, shall proceede and giue iudgement in the same, any mis-
Judgement Pliplea-ding pleding, lacke of colour, insufficient pleading or ieofaile, any miscontinuance or
Ieofaile Miscontinuance discontinuāce or miscōueying of proces, misioyning of the issues, lacke of war-
Discontinuance rant of atturney for the partie agaynst
Warrant of atturney whome the same issue shall happen to be tried, or any other default or negligence of any of the parties, their counsailours or atturneis had or made to the contrary notwithstāding. And the said iudgements thereof so to be had and giuen, shall stand in ful strength and force to al intents and purposes according to the sayde verdicte without any reuersall or vndoing of the same by writ of errour or faile iudgment, in like maner & forme as though no such default or negligence had neuer bene had or committed. Prouided alway and be it &c. in auoyding of errour and other great inconueniences that dayly doe fortune to rise and growe in the kings courts of recorde at Westminster through the negli-
Negligence gence of atturneis, because they deliuer not their warrantes of atturney, in such action and suites wherein they be named atturney, according to the lawes of this realme, that al and euery such person and persons which shall fortune hereafter to be atturney, to or for any other person or persons being demaundaunt or plaintife, tenant or defendant in any action or suite at any time hereafter commenced or taken in any of the kinges said courts, and pleade to an issue in the same action or suite, that then the same atturneis and euery of them from time to time, shall deliuer or cause to be deliuered his or their
Warrant sufficient and lawefull warrant of atturney to be entred of record for euery of the said actions or suits, wherein they be named atturneis to ỳ officer or his deputy, ordeined for the recite and entring thereof in the same terme, when the saide issue is entred of recorde in the sayde court, or
Fine. afore, vpon payne of forfaiting vnto our said soueraigne Lorde ten pound sterling for euery default for non deliuering of ỳ said warrant of atturney. And also further to suffer such imprisonment, as by Imprisen the discretion of the Justices of the court for ỳ time being, where any such default shall fortune to be had or made, shall be thought conuenient: This present acte with the prouiso, to endure to the last day of the next parliament. Anno 32. H.8. cap. 30. This acte is continued. An. 33. H.8. cap. 17. and Anno 37. H.8. cap. 23. And after Anno 2. E. 6. ca. 22. it is made perpetuall.

¶ Repleuin of Cattell.

IF the beastes of any man be taken, and Beastes Ihirfs wrongfully withholden, the shirife after complainte made to him thereunto, may deliuer them without let or gaynsaying of him that tooke the beastes, if they were taken out of liberties. And if the Libertie beastes were taken within any liberties, and the baylifes of the liberty wil not de- Baillife Ihirifes liuer them, then the shirife for default of those bailifes shall cause them to be deliuered, Marlebridge, cap. 21.

2 ¶ For as much as Lordes of fees, Distreine Seruice distreining their tenants for seruices and customes due vnto them, are many times greeued, because their tenants do repleuie the distresse by writ or without writ: And when the Lords at the complaint of their tenants, do come by attachment into the countie, or vnto another court, hauing power to hold pleas of wythernam Withernam Know and doe auowe the taking good and lawfull: by reason that the tenants disauow and doe disclaime to holde ought of him (which tooke the distresse) and adiowed it, he that distreined is amerced, and the tenaunts goe quite, to whom punishmēt cannot be assigned for such disauowing by record of ỳ countie, or of other courts Countie Courtes hauing no record: It is prouided and ordeined from hencefoth, that where such lordes cannot obteine iustice in counties, and such maner of courtes against their tenants, as soone as they shalbe attached at the suite of their tenants, a writ shalbe graunted to them, to remoue the matter before the Justicers, afore whom & none other where, iustice may be ministred to such

Writ

such lords. And the cause shalbe put in the writ, because such a man distreined in his fee for seruices and customes to him due. Neither is this act preiudicial to the law commonly vsed, wherby it is prohibited, that no plea shall be moued before Iusticers at the suite of the defendaunt: For though it appeare at the first face that the tenant is plaintife, and ỳ lord defendant: neuertheless, hauing respect to that, that the lord hath distreyned and sueth for seruices and customes being behind, he appeareth in deede to be rather plaintife thē defendant. And to the intent the iusticers may know, vpon what fresh seisin ỳ lords may auowe the distres good and lawfull vpon their tenantes: From henceforth it is agreed and enacted, that a reasonable distresse may be auowed vpon the seysin of any auncestour or predecessour, since ỳ time that a writte of nouell disseisin hath runne. And because it chaunceth many times, that the tenant, after that he hath repleuied his beastes, doth sell or alien them, whereby returne cannot be made vnto the lord that distreined, if it be aduiudged: It is prouided, that shirifes or baylifes frō henceforth shall not only receiue of the plaintifes pledges for the suite, before they make deliuerance of the distres, but also for the returne of the beasts, if returne be awarded. And if any take pledges otherwise, hee shall answere for the price of the beasts, and ỳ lord ỳ distreineth shall haue his recouerie by writ, that he shall restore vnto him so many beastes or cattel. And if the baylife be not able to restore, his lord shal restore. And forasmuch as it happeneth sometime, that after the returne of the beastes is awarded vnto ỳ distreinour, and the partie so distreyned, after that the beasts be returned, doth repleuie them agayne, and when he seeth the distreinour appearing in the Courte ready to answere him, doth make default, wherby returne of the beasts ought to be awarded againe vnto ỳ distreinour: And so the beasts be repleuied twise or thrise, and infinitely, and the iudgementes giuē in the kinges court take no effecte in this case, whereupon no remedy hath bene yet prouided: In this case such proces shal be awarded, ỳ so soone as returne of ỳ beasts shalbe awarded to ỳ distreiner, the shirife shall be commanded by a iudiciall writ, to make returne of the beasts vnto the distreiner, in which writ it shal be expressed, that ỳ shirife shall not deliuer thē without writ, making mention of the iudgement giuen by the Iusticers, which cannot be without a writ issuing out of the rolles of the said Iusticers, before whom the matter was moued. Therefore when he commeth vnto the Iusticers, and desireth repleuin of the beasts, he shall haue a iudiciall writ, that the shirife taking surety for the suit, and also of the beastes or cattel to be returned, or for the price of them (if returne be awarded) shall deliuer vnto him the beastes or cattell before returned, and the distreinor shalbe attached, to come at a certaine day before the Iusticers, afore whom the plea was moued in the presēce of the partues. And if he ỳ repleuied make default againe, or for an other cause returne the distres being now twise repleuied, the distresse shall remayne irrepleuiable, but if a distresse be taken of newe, and for a new cause, the proces abouesaid shalbe obserued in the same new distres. W. 2. cap. 2.

Distresse

Shirifes Baylifes Pledges

Recouery

Default

Shirife Iudiciall writ

Surrtis

¶ Receipt.

IT is prouided also, that if a man leaseth his lands for terme of yeeres within the citie of London, and he to whom the freeholde belongeth causeth himselfe to be impleaded by collusion, and maketh default after default, or commeth into the court, and giueth it vp, for to make the termour leese his terme, and the demaundant obteineth his suite, so that the termour may recouer by Writte of couenant. The Maior, and the baylifes may inquire by a good inquest in the presence of the termour and of the demaundaunt, whether the demaundaunt moued his plea vpon good right ỳ he had, or by collusion and fraud, to make the termor lose his terme. And if it be found by ỳ inquest that the demaundant moued his plea vpon good right that he had, the iudgement shall

Leale

London

Collusion Defaute

Termour

Maior Baylifes Enquest

shalbe giuen forthwith. And if it be found by inquest ꝑ he impleaded him by fraude to put the termour from his terme, then shall the termour enioy his terme and the execution of iudgement, for the demaundant shalbe suspended vntill the terme be expired. And in like maner it shall be of equitie before the iusticers in such case, if the termour do challeng it afore the iudgment giuen. Gloucest. ca. 11. An. 6. E. 1. Judgment

2 ¶ Where that any purchaseth a writ against the tenaunces by the curtesie, in taile, in dower, for terme of life, or of peeres, and the demaundant sueth so far that the landes bee in maner recouered, whereupon another commeth in before iudgement giuen, and sayeth that he hath fee and right in those landes, and prayeth the court, that in as much he is come before iudgement, he may be receiued to defende his right and to make answere vnto the demaundaunt thereof by force of a certaine statute lately made by the king that nowe is at westminster. (S. W. 2. ca. 4. which is in Cui in vita. 1. & 2.) whereby as wel such as had no right, as they of tentimes in ꝑ case afore mencioned, falsely and in deceite of the court did come in and pray to be receiued to make answere, to the intent that their admission might prolong the demaundant from the attayning vnto iudgement, and season of his land, and for to cause those demaundants to replead of new, whereby such demaundāts are greatly deferred in ꝑ case afore saide for to recouer their right in ꝑ kings court by reason of such malice, as wel by mistaking of the said statute, as for any other cause iust and reasonable, and this is vsed and found daily before our Justices: In consideratiō wherof our soueraigne lorde the king, for to withstande all such malice in the foresaid case, and intending to prouide a remedie therein, in his full Parliament hath ordeined, & from hencefoorth commaundeth straightely to be obserued, that is to wit, the munday next after the feast of the purification of our Lady, the xx. yeere of his raygne, that if any before iudgement in the foresayd case cōmeth in by a collaterall title, and desireth to be receiued, before his receipt he shall finde sufficient suretie, (as ꝑ court wil award) to satisfie the demaundant of the value of issues of the lands so to be recouered frō the day that hee is receyued to make answere, vntill the time that finall iudgement be giuen vpon the petition of the demaundant. And if the demaundant recouer his demaund, the defendour shall be grieuously amerced if he haue wherof: And if he haue not, he shalbe imprisoned at the kinges pleasure. And if he can proue his right to be as good as hee affirmed at such time as he was receiued, he shall go quite. Anno 20. Ed. 1. Suerties Amerce Imprison

3 ¶ If any such tenaunt be impleaded, and he in the reuersiō come into ꝑ court, and prayeth to be receiued to defende his right at the day that the tenant pleadeth to the action or before, he shall be receiued to pleade in chiefe to the action, without taking any delay by voucher, ayd, prayer, nonage, or any other delay, so that after such receipt, he shall haue no maner delay, by protectiō, essoine of the kings seruice, common essoine, nor any other delay, but that the businesse be hasted, in as much as it may be by the lawe, and that dayes of grace be giuen by the discretion of the iudges, betweene the demaundant and him ꝑ is receiued in such case, without giuing ꝑ cōmon day in plea of lande, if the demaundant will not assent, to the intent that the demaundants be not too much delayed, because they must pleade with two aduersaries, and in the right of pleas that be now depending in such case, they in the reuersion shall be receiued in the maner as before is saide, at the nexte day that ꝑ parties haue in court, although the same partyes haue pleaded in chiefe before this time. Prouided all wayes that they in the reuersion, which pray to be receiued, as before is sayde, shall finde suertie of the issues of the tenements demaunded for the time that the same demaundants be delayed after the saide plea determined betweene the demaundantes and tenaunts, if the iudgement passe for the demaundaunt against them in the reuersion aforesayde, as well where the receipt Reuersion Suertie

ceipt is counterpleaded, as where it is graunted. An. 13. R. 2. cap. 16.

¶ Residence.

Clerkes

Residence

IT pleaseth our soueraigne Lorde the King that such clerkes as attend in his seruice shalbe correct by their ordinaries, like as other, but so long as they are occupied about his busines they shall not be bounden to keepe residence in their Churches. This is added of new by the kings counsell. The king and his auncestours sincetime out of mind haue vsed, ꝑ clerks during such time as they are in his seruice shall not be compelled to keepe residence at their benefices. And such things as be thought necessary for the king and the common wealth, ought not to be called preiudicial to ꝑ libertie of the church. Articuli cleri. cap. 8. Anno 9. E. 2.

Ferme

Lease

L. patents

Forf.

Poitie

Ferme

¶ That no spirituall person, seculer or reguler, of what degree soeuer he or they be, shal frō hencefoorth take to ferme to himselfe, or to any person or persons to his vse, of ꝑ lease or graunt of the king our soueraigne lord, nor of any other person or persons by letters patents, indentures, writings, by word, or otherwise, by any maner of meanes, any mannours, lands, tenements or other hereditamēts, for terme of life, for terme of yeeres, or at will, vpon payne to forfaite x. li. for euery moneth that he or any other to his vse shall occupie any such terme by reason of any such lease or graunt hereafter to be made. The one halfe of which forfaiture to be to the king, and the other halfe thereof to euery such person as will sue &c. in any of the kinges courts: In which action and suite, no wager of lawe shall be admitted for the defendant &c. And be it &c. that al and euery such spiritual person or persons, which now haue or occupie in ferme by themselfe, or by any other to their vse, any mannours, landes, tenementes or hereditamentes of the lease or graunt of the king our soueraigne Lord, or any other person or persons, for terme of life, or for yeeres, or at wil by any writing or otherwise, or that nowe haue any annuall rentes or other annuall aduātage or profit by occasion or colour of any such lease or ferme, shal cleerely bargaine, sel, giue or graunt away on this side the feast of saint Michael tharchangell next comming, to any such lay person or persons, as they will at their owne nominations and appointment, al such lease, terme, interest & profite as any such spirituall person or any other to his vse nowe hath or haue in or by reason of any such ferme, so that in no wise any such spirituall person or persons at any time after ꝑ same feast, by themselfe or any other to their vse by any maner of meanes, fraude or male engin, shall haue, vse or occupie in ferme any mannours, lands, tenements or hereditaments of the demise, lease or graunt of any persō or persons heretofore made, or hereafter to be made, to thēselfe or to any other to their vses, nor frō ꝑ said feast shal take any annual rent, or other annual aduantage or profit, by occasion or colour of any such lease or farme by any maner of meanes, vpon paine to forfaite for euery moneth so occupying any such farme at any time after the sayde feast contrary to this present act x. li. & vpon payne to forfaite ten times so much as any spirituall person or other, to his vse, shall take in any annuall rent, aduantage or profit, by occasion or colour of any such lease at any time after the said feast. The one halfe of which forfaicure to be to the king, &c. and the other halfe to him that wil sue &c. in any of the kinges courtes, in which action and suite no wager of law shalbe admitted &c. And be it &c. that al such leases made or hereafter to be made vnto any such spiritual person or persons, or to any other to their vse for terme of life, terme of yeres, or at wil, of any mannors, lands, tenemēts or hereditamēts, wherof they or any of them shal take any profite, or meuling by themselfe or by any other to their vse, after the said feast of S. Michael, by colour of any such lease or grant, and not by them bargayned, granted and solde away before the saide feast, as is before limitted, shall from thencefoorth be vtterly voyd, and of none effecte, as well against

Rents

Fraude

Forf.

Forf.

Poitis

Word

the

the lessour or lessours, grantour or grantours, their heyres and assignes, and against euery of them, as against the lessee or lessees, and their executours and assignes, and euery of them. Prouided alway that this present act shall not extend to any spiritual person or persons, in, and for taking to ferme any temporalties during the time of bacations, of any Archbishoppickes, abbeis, priories, or other collegiall, cathedral, or conuentual churches, nor to any spirituall person or persons, that shall tend or make any trauers vpon any offices or office, concerning his or their freehold. And be it &c. that no spirituall person or persons, seculer or reguler, of what estate or degree soeuer they be, shall from henceforth by himselfe, nor by any other for him, nor to his vse, bargaine and buy to sel againe for any lucre, gaine or profite, in any markets, faires or other places, any maner cattels, cornes, lead, tin, hides, lether, tallow, fish, wool, wood or any maner of vitaile, of marchãdise, what kinde soeuer they be of, vpon payne to forfait treble the value of euery thing by thẽ, or by any other to their vse, bargained and bought to sell againe contrary to this present acte, and that euery such bargaine and contracte hereafter to be made by them, or by any to their vse, contrary to this act, shalbe vtterly voide and of none effect, and the one halfe of euery such forfeiture to be to the king our soueraigne lord, and ỳ other halfe to him that wil sue for the same by originall writ of debt, bill, plaint or informatiõ in any of the kings courts: In which action or suit, no wager of law for ỳ defendãt shalbe admitted, nor any essoine nor protection allowed. Prouided alway, that if any such spirituall person or persons, shall happen hereafter without fraude or couin to buy any Horses, mares, or Mules, to the onely intent to occupy for himselfe or his seruantes to ride to and fro, vpon his necessarie businesse, or any other cattels or goods to the onely intent and purpose at the buying thereof, to be employed & put in, and about his necessary apparell of his owne house, or of his persõ and seruants, or in, for and about the onely occupying, manuring or tillage of his owne glebe or demeane landes annexed to his church, or for ỳ necessary expẽces of his owne houshold keeping, and after the buying of any such horses, cattels, or goods, or exercise of them or any of them, happeneth to mislike any of them, that they should not be good, profitable, nor conuenient for any of the purposes aboue said, for the which they were bought, ỳ then euery such spiritual person or persõs may lawfuly bargaine & put away such thinges so by him bought, without fraud or couin for any of the purposes aboue said, at his pleasure & aduantage: This act or any thing therein conteined to ỳ contrary notwithstãding. Prouided alwayes that al abbots, priors, abbesses, prioresses, prouostes, presidents, masters of colledges and hospitals, & all other spirituall gouernours, and gouernesses, of any spirituall monasteries or houses of religion, by what name or names soeuer they be called, hauing mannours, landes and tenements, hereditamentes, and other yeerely profites in the right of their monasteries or houses, of the yeerely value of viii. C. Marks or vnder and not aboue, may vse and occupie as much and as many of their demeane landes, fee ferms, to their most aduantage, commoditie and profite, to and for the only maintenance of their housholdes and hospitalities, in as ample & as large manner as they or any of thẽ or their predecessours, or the predecessours of any of thẽ, at any time by ỳ space of a C. yeeres last past, before the making of this act, haue done, vsed, and occupied: Any thing in this present acte to the contrary notwithstanding. Prouided also that euery spirituall person & persons not hauing glebe or demeane landes in their owne handes in the right of their churches, monasteries, and houses, for pasturage of cattels, or for increase of cornes to and for the onely expences of their houseboldes, or for the carriages & iourneis, may take in ferme other lands, and buie and sell corne & cattel for ỳ only manurance, tillage & pasturage of such fermes, so that the increase there-

Tẽporalties Vacation.

Trauers

Spirituall person

Religions persons

Buy Marketes Faires

Vitaile Marchãdise Forf.

800. marks

Demeane lands

Hoyd Hoptie

Glebe

Horses Mares

Cattels

Ferme

thereof, be alwayes employed and put to, and for the onely expences in their houſholds and hoſpitalities, & not in any wiſe to buy and ſell againe for any other commoditie, lucre or aduantage, any corne or cattel, renewing, comming or growing, in and vpon any ſuch ferme or otherwiſe, but only ỹ remain & ouerplus aboue their expẽces of their houſhold if any ſuch ſhall happen to the breede, and encreaſe thereof without fraude or couin: any thing in this preſent acte to the contrary hereof notwithſtanding.

Corne

Ouerplus

And be it further enacted, that if any perſon or perſons hauing one benefice wᵗ cure of ſoule, being of the yeerely value of eight pounds or aboue, accept and take any other with cure of ſoule, and be inſtituted & inducted in poſſeſſion of the ſame, that then and immediatly after ſuch poſſeſſion had thereof, the firſt benefice ſhall be adiudged in the law to be voyd.

Benefice Cure

Inſtitute Induct

Firſt

Voyd

And that it ſhalbe lawfull to euery patron, hauing ỹ aduowſon thereof, to preſent another, and the preſentee to haue the benefite of the ſame, in ſuch like maner & forme, as though the incumbent had died or reſigned, any licence, vnion, or other diſpenſatiõ to ỹ contrary hereof obtained notwithſtanding. And that euery ſuch licence, vnion or diſpenſation had or made hereafter to be obteined, contrary to this preſent act, of what name or names, qualitie or qualities ſoeuer they be, ſhall be vtterly void and of none effect. And if any perſon or perſons at any time after the firſt day of Aprill, in the yeere of our Lord God a thouſand fiue hundreth and thirtie, contrary to this preſent act, procure and obteine at the court of Rome, or els where any licence or licences, vnion, tolleration or diſpenſation, to receiue and take any moe benefices with cure, then is aboue limitted, or els at any time after ỹ ſaid day, put in execution any ſuch licẽce, tolleratiõ or diſpenſation, before that obteined, contrary to this act, that thẽ euery ſuch perſon or perſons, ſo after ỹ ſaid day ſuing for himſelfe, or receiuing or taking ſuch benefices by force of ſuch licence or licences, vnion, tolleration or diſpenſation, that is to ſay, the ſame perſon or perſons onely and none other, ſhal for euery ſuch default incurre the danger, paine & penaltie of xx. li. ſterling, and alſo looſe ỹ whole profites of euery ſuch benefice or benefices, as he receiueth or taketh by force of any ſuch licence or licences, vnion, tolleration or diſpenſation. The one halfe of which forfaiture to be to the king &c. and the other halfe thereof to him that will ſue for the ſame &c. In which ſuit no wager of lawe &c. ſhall be admitted or allowed. Prouided alwayes, that this act cõcerning the not keeping of mo benefices with cure of ſoule then one, extend, ne be preiudicial to any perſõ or perſõs, which at any time before ỹ ſaid firſt day of Aprill in the yeere of our lord God 1530. ſhall be really intituled or poſſeſſed of any ſuch benefices wᵗ cure of ſoule, as concerning or touching any of the ſame benefices, whereof they ſhall then be already really entituled or poſſeſſed before the ſaid day, to or vnder the number of foure and not aboue, and if any ſuch ſpiritual perſon or perſons ſo being intituled or poſſeſſed of moe benefices with cure of ſoule then 4. do not by the ſaid firſt day of Aprill, clerely and without yeerly penſion, reſigne or otherwiſe giue vp al and euery ſuch benefice & benefices as he ſhall be ſo intituled and poſſeſſed of, aboue the ſaide number, that then it ſhall be lawefull for euery patrone, hauing the aduowſon of any ſuch benefice ouer the number aforeſayde, to preſent another, and the preſentee to haue the benefite of the ſame in like maner and fourme as though it had bene voyde by death or reſignation of the incumbent, any licence, vnion, or other diſpenſation to the contrary hereof obtained notwithſtanding. And this clauſe of preſentation to be taken and vnderſtanden, and of ſuch benefices wᵗ cure of ſoule, as were giuen to any ſuch ſpirituall perſon after the ſayde number of foure benefices with cure finiſhed and fulfilled. Prouided alſo that al ſpiritual men now being, or which hereafter ſhal be of the kinges counſaile, may purchaſe lycence or diſpenſation, and take, receyue and keepe three perſonages

Voyd

Patron Preſent

4. benefices

Reſigne

Patron

Preſent

Preſentation

Spiritual perſons

The Counſaile

Licence

3. Benefices

nages or benefices, with cure of ſoule, & that all other being the kinges chaplains and not ſworne of his coũſaile, and chaplaynes of the Queene, prince, or princes, or of any the kings children, brethren, ſiſters, vncles, or aunts, may ſemblably purchaſe licence, or diſpenſation, and receiue and keepe two parſonages or benefices with cure of ſoule. And in likewiſe that euery archbiſhop and duke may haue ſixe chaplaines, whereof euery one ſhall and may purchaſe licence or diſpenſatiõ, and take, receiue and keepe two parſonages or benefices with cure of ſoule, and that euery Marques and earle may haue v. chaplains, whereof euery one may purchaſe licence or diſpenſation, and take, receiue and keepe two parſonages or benefices, with cure of ſoule. And that euery viſcont and other Biſhop may haue 4. chaplaines, whereof euery one may purchaſe licence, and receiue, haue and keep 2. parſonages or benefices with cure of ſoule, as is afore ſayde. And that the chaũcelour of Englande for the time being, and euery baron & knight of the garter, may haue three chapleins, whereof euery one ſhal now purchaſe licence or diſpenſation, and receiue, haue & keepe two parſonages or benefices, with cure of ſoule. And that euery Duches, Marques, coũteſſe and baroneſſe, being widowes, may haue two chaplaines, whereof euery one of them may purchaſe licence or diſpenſation to receiue, haue and keepe two benefices with cure of ſoule, and that the Treaſorer and comptroller of the kings houſe, the kinges ſecretarie, and deane of his chappell, the kinges Almner, and the maſter of the rolles may haue euery of them two chaplains, and the chiefe iuſtice of the kings bench one chaplaine, and the warden of the fiue portes for the time being one Chaplaine, whereof euerie one may purchaſe licence, and receiue, haue and keepe two parſonages or benefices, with cure of ſoule. And that the brethren and ſonnes of all temporall lords, which are borne in wedlocke, may euery of thẽ purchaſe licence or diſpenſation, and receiue, haue and keepe as many parſonages or benefices with cure, as the chaplaines of a duke or an archbiſhop. And likewiſe the brethren and ſonnes borne in wedlocke of euery knight, may euery of them purchaſe licence or diſpenſation, & receiue, take and keepe two parſonages or benefices, with cure of ſoule.

R. chapleins
2. Benefices
Archbiſhop
Duke
6. Chapleins
Licence
2. Benefices
Marques
Earle
5. Chapleins
2. Benefices
Viſcount
Biſhop
4 Chapleins
2. Benefices
Chaſicelloz
Baron
Knight
3. Chapleins
2. Benefices
Duches
Counteſſe
Widowes
2. Chapleins
2. Benefices
Chiefe Juſt.
Warden of
v. portes
Lords ſõnes
Lords bre-
thren
Knight

Prouided alwayes that the ſaid chaplaines ſo purchaſing, taking, receiuing and keeping benefices, with cure of ſoule as is afore ſaid, ſhall be bound to haue and exhibite where nede ſhall be, letters vnder the ſigne and ſeale of the king or other their Lorde and Maſter, teſtifying whoſe chaplaines they be, and elſe not to enioy any ſuch pluralitie of benefices by ſuch chaplaine: Any thing in this act notwithſtanding.

Letters teſti-
monial

Be it alſo prouided that al doctours and bachelers of diuinitie, doctours of lawe and bachelers of lawe Canon, and euery of them, which ſhalbe admitted to any of the ſaid degrees, by any of ỹ vniuerſities of this realme, and not by grace onely, may purchaſe licence, and take, haue and keepe two parſonages or benefices with cure of ſoules ſo that alwayes the ſayde libertie by any of ỹ prouiſions before ſaid giuen to any of the ſayde counſailours chaplaines, and other perſons before ſpecified to purchaſe licence or diſpenſation, and take, receiue, and keepe more benefices then one, after the maner and forme afore ſayd, be taken and vnderſtanden to extende in number to no more benefices with cure of ſoule then is aboue limitted, accompting in the ſame, and as parcell thereof ſuch benefices with cure of ſoule, as any of the ſaid perſons ſhal haue in reall title, or in their poſſeſſion, at the ſaid firſt day of Apꝛill, in the yeere of our lord God. M. D. xxx.

Doctours
Bachelers
2. Benefices
Cure of
ſoule

Prouided alſo that euery archbiſhop, becauſe he muſt occupie viii. chaplaines, at conſecrations of biſhoppes: And euery Biſhop becauſe he muſt occupie ſeuen Chaplaynes at giuing of orders and conſecration of churches, may euery of them haue two chaplains ouer and aboue the number aboue limitted vnto them, whereof euery one may purchaſe licence

Archbiſhop
8. Chaplains
Biſhop
7. Chaplains

of

of dispensations, and take, receyue and keepe as many parsonages or benefices with cure of soule, as is before alligned to such chapleines.

Prouided also and be it &c. that no person or persons, to whome any number of chapleines, or any Chapleine by any of the prouisions aforesayd is limitted, shall in any wise by colour of any of the same prouisions, aduance any spirituall person or persons, aboue the number of them appointed to receyue or keepe any moe benefices with cure of soule, then is aboue limitted by this act: Any thing specified in the sayd prouisions notwithstanding. And if they doe, then euery such spirituall person or persons, so aduanced aboue the sayde number, to incurre the payne and penaltie contained in this act.

Spirituall person

Be it also enacted, that alwell euery spirituall person nowe being promoted to any Archdeaconry, Deanry, or dignitie in any monastery or cathedrall Church, or other Church conuentuall or collegiall, or being beneficed with any parsonage or vicarage, as all and euery spirituall person or persons, which hereafter shall be promoted to any of the sayde dignities or benefices, with any parsonage or vicarage, from the feast of Saint Michael the Archangell next comming, shal bee personally resident and abiding in, at and vpon his sayde dignitie, prebende or benefice, or at one of them at the least.

Resident

And in case any such spirituall person at any time after the sayde feast, keepe not residence at one of his sayd dignities, prebendes, or benefices, as is aforesayde, but absent himselfe wilfully by the space of one moneth together, or by the space of two monethes, to be accompted at seuerall times in any one yeere, and make his residence and abiding in any other places, by such time, that then he shall forfaite for euery such default tenne pounde sterling. The one halfe thereof to the king &c. and the other halfe of the same to the partie that will sue &c. In which action and suite the defendaunt shall not wage his lawe &c. And if any person or persons procure or obtayne at the court of Rome, or else where, any maner of licence or dispensation, to be non resident at their sayde dignities, prebend or benefices, contrary to this act, that then euery such person or persons putting in execution any such dispensation or licence for himselfe, from the sayd first day of April, in the yeere of our Lorde God M. D. &c. shall renne and incurre in the penaltie, vantmage, and payne of twentie pounde sterling for euery time so doing, to be forfaited and recouered as is aboue sayde, and such licence or dispensation so procured, or to be put in execution, to be voyde and of none effect.

Absent
1. Moneth

Forf.

Poitie

Rome

Non resident

Forf.

Voyde

Prouided alwayes, that this act of non residence shal not in any wise extend, ne be preiudiciall to any such spirituall person, as shal chaunce to be in the kings seruice beyond the sea, nor to any person or persons going to any pilgrimage or holy place beyond the sea, during the time that they shall so be in the kings seruice, or in the pilgrimages going and retourning home, nor to any scholer or scholers being conuersant and abyding for studie, without fraude or coun at any Vniuersitie within this realme or without, nor to any of the Chapleynes of the Kinges or Queenes, dayly or quarterly attending and abyding in the Kinges or Queenes most honorable houshoulds. Nor to any of the chapleines of the prince or princes, or any of the kinges or Queenes children, brethren or sisterne, attending dayly in their honourable houshoulds, during so long as they shall attende in any of their sayd houshoulds. Nor to any chapleyne of any Archbishoppe, or bishoppe, or of spirituall or temporall Lords of the Parliament, dayly attending, abyding, and remayning in any of their honorable houseboulds. Nor to any chapleyne of any Duches, marques, countesse, vicountesse, or baronnesse, attending dayly and abiding in any their honorable houshoulds. Nor to any chapleyne of the lord Chauncellor or Treasorer of England, the kings chamberlaine, or stewarde of his houshoulde for the time being, the treasorer & cõptroller of the kinges most honorable houshoulde,

Ire seruice

Pilgrime

Scholer

K. chapleines

Prince chapleines

Archbishop Bishop

Duches

for the time being, attending dayly in any their honorable houſholdes. Nor to any chapleine of any of the knightes of the honorable order of the garter, or of the chiefe Juſtice of the kings bench, warden of the pontes, or alſo of the maſter of the rolles. Nor to any chapleine of the kings Secretary, and Deane of the chappel, or Amner for the time being, daily attending and dwelling in any their houſholdes, during the time that any ſuch chapleyne or chapleines ſhal abide and dwell, without fraude or couin, in any of the ſaid honorable houſholdes. Nor to the maſter of the rolles, or deane of the arches. Nor to any chauncelor or commiſſary of any Archbiſhop or biſhop. Nor to as many of the xii. maſters of the chaumcery, & xii. advocates of the Arches, as be or hereafter ſhall bee ſpirituall men, during ſo long time as they ſhall occupy their ſayd roumes & offices. Nor to any ſuch ſpirituall perſons, as ſhall happen by iniunction of the lorde chauncelor, or the kinges counſaile to be bound to any daily appearance and attendance to anſwere to the lawe, during the time of ſuch iniunction. Prouided alſo, that it ſhall be lawfull to euery ſpirituall perſon or perſons, being chapleins to the king our ſoueraigne lord, to whom it ſhal pleaſe his highnes to giue any benefices or promotions ſpirituall, to what number ſoeuer it be, to accept & take the ſame without incurring the daunger, penaltie, and forfaiture in this eſtatute compriſed. And that alſo it ſhalbe lawfull to ỹ kings highneſſe, to giue licence to euery of his owne chapleines for non reſidence vpon their benefices: Any thing in this preſent act cõtained to ỹ cõtrary notwithſtãding. And be it &c. that no ſpirituall perſon ſecular, regular, beneficed with cure as is afore rehearſed, from the feaſt of Saint Michael the Archangell next comming, by authority of any maner licence, diſpẽſation, or otherwiſe, ſhal take any particular ſtipend or ſalary to ſing for any ſoule, nor haue, occupy by himſelfe, or by any other to his vſe, any parſonage or vicary in ferme, of the leaſe or graũt of any perſon or perſons, nor take any profit or rent out of any ſuch ferme, vpon paine to forfaite xl.s. for euery ſuch weeke that he or any to his vſe, ſhal occupy or haue any ſuch ſtiped or ferme contrary to this preſent act: And vpon payne to loſe tenne times the value of ſuch profite or rent as hee ſhall take out of any ſuch ferme after the ſayd fealtie. The one halfe of which forfaiture to be to the king &c. and the other moitie to him that wil ſue &c. in any of the kings courtes, in which ſuite &c. no wager of law ſhalbe admitted &c. Prouided alway that no deanry, Archdeaconry, Chaunceloꝛſhippe, Treaſourerſhippe, Chaunterſhippe, or prebend, in any cathedral or collegiall Church, nor parſonage that hath a vicare indued, nor any benefice perpetually appropriat, be taken or comprehẽded vnder ỹ name of benefice hauing cure of ſoule, in any article afore ſpecified.

Prouided alſo and be it &c. that no ſpirituall perſon or perſons, regular or ſecular, of what eſtate, degree, or condition ſoeuer he or they be, from the firſt day of April next comming, haue, vſe, or keepe, by him or themſelfe, or by any perſon or perſons to his or their vſe or cõmoditie, any maner of tanhouſe or tanhouſes to be vſed or occupyed to his or their owne vſe, cõmoditie, or behooſe, nor frõ the ſaid firſt day of April next cõming, ſhal haue, vſe or keepe any maner of brewhouſe or brewhouſes, to any other vſe, intẽt, or behooſe, then only to be ſpent & occupied in his or their owne houſes, vpon paine to forfaite for euery moneth ſo vſing and occupying any of the ſayde miſteries or occupations ten pounds. The one moitie therof to the king &c. and the other moitie to him that will ſue &c. in any of the kings courtes, in which action and ſuite no wager of lawe ſhalbe admitted &c.

Prouided alwayes, that euery Ducheſſes, Marqueſſes, Counteſſe, Baroneſſe, widowes, which haue taken, or that hereafter ſhal take any huſbãds vnder the degree of a Barõ, may take ſuch number of chapleines as is aboue limitted, to thẽ being widowes, & that euery ſuch Chapleine may purchaſe licence to haue & take ſuch number of benefices with cure of ſoule,

12. Maſters
12. Aduocates
Iniunction
Licence non reſidence
Stipend
Ferme
Forf.
Moitie
Tanhouſe
Brewhouſe
widowes
Chapleines
Licence

Non residence

soule, & haue like liberty of nō residēce, in maner & forme as they might haue done, if their said ladies & maistresses had kept thēselfe widowes: any thing in this present act cōtained to ꝑ cōtrary notwithstāding.

Prouided alwaies, that euery spirituall person or persons hauing lāds, tenemēts, or other possessions in the right of their

200. marks

houses, aboue ꝑ yerely value of eight C. markes, may keepe & retaine in their occupation & manurance, as much of their said landes & tenements, & other possessions, as shalbe necessary & sufficiēt for pasturage of their cattels, and for tillage of cornes, to be employed & spent for ꝑ only maintenāce, sustētation & keeping of his or their houshold and hospitals, without fraude or couin: Any thing in this present act to ꝑ cōtrary thereof notwithstanding. Prouided alway, that it may be lawful to euery spirituall person & persons, to take in ferme any meases, mansions, or dwelling houses, hauing but only orchards or gardens in any citie, borough or towne, for their own habitatiō or dwelling: Any thing in this act to the contrary notwithstanding. So that no person spirituall, other then be aboue prouided for, for their

Ferme Dwelling house

Non residence

non residence, haue any libertie of non residence by colour of this prouiso. An. 21. H. 8. cap. 13. See Rome 5. diuers articles of this act repealed.

Iudges

3 ¶ Alwell euery Iudge of the sayd high courtes (S. of the common place & kings bench) & euery of the Chauncelor & chiefe Baron of the said eschequer, the kings generall attorney, & generall solicitour, which for the time is, be or shalbe, shal & may from henceforth at his liberty, retaine and haue singularly to euery of them in his house, or attendaunce his per-

Chapleine

son, one chapleine to haue one benefice with cure of soules, which may be absent from his sayde benefice, and not residente vpon the same: The sayd statute made in the sayd xii. yeere. cap. 13. (before 21.) or any other statute, act, or ordinance made to the contrary, in any wise notwithstāding. Anno 25. H. 8. cap. 16.

4 ¶ All and singular spirituall person and persons, which nowe be, or hereafter shall be to any benefice or benefices promoted, as is aforesaid, being aboue ꝑ age of xl. yeres: The chaūcelor, vicechauncelor, cōmissary of the sayd vniuersities, or any of them, wardens, deanes, prouosts, presidents, rectors, masters, principals, & other head rulers of colledges, halles, & other houses or places corporate within ꝑ said vniuersities, or any of thē, doctors of the chaire, readers of diuinitie in the common schooles of diuinitie in any of ꝑ said vniuersities only excepted, shalbe residēt & abiding at & vpon one of their sayde benefices, according to the entent and true meaning of the sayde former act, vpon such payne and penalties as bee contayned in the sayd former act, made and appointed for such beneficed persons for their non residence. And that none of the sayd beneficed persons, being aboue the age aforesayd (except before excepted) shal from henceforth bee excused of their non residence vpon the sayd benefices, for that they be studentes, or resiaunt within the said vniuersities, or any of them: any proūiso, or any other clause or sentence specified or contained in the sayd former act of non residence, or any other thing or things to the contrary hereof in any wise notwithstanding. And ouer this be it &c. that all and singular such beneficed persons, being vnder the age of xl. yeres, resiant & abiding within the sayd vniuersities, or any of them, shal not enioy the priuiledge & libertie of non residence, cōteined in the prouiso of the sayd former act, made for the scholers & students of ꝑ said vniuersities, or any of them, vnlesse he or they be present at the ordinary lecture & lectures, alwell at home in their houses, as in the cōmon schoole or schooles, and in their proper persons, keepe sophemes, problemes, disputatiōs, & other exercises of learning, be apponent & respondent in the same, according to the ordinance and statutes of either of the sayd vniuersities, where he or they shalbe so abiding or resiant, any thing cōtained in the said prouiso or former act, to the contrary notwithstanding. Prouided alway, that this act shall begynne to take effect at the feast of

S. Michael tharchangel next comming, and not before. Prouided alway that this act, nor any thing therein contained, shall extende to any person or persons, which now is, or hereafter shalbe readers of any publike or common lecture in diuinitie, lawe ciuile, phisicke, philosophy, humanitie, or of any of the liberal sciences, or publike or cõmon interpreters or teachers of the Hebrue tongue, Caldey or Greeke, in whatsoeuer colledge or place of any of ỳ sayd vniuersities the sayd persons for the time being, shall reade the same common or publique lectures. Nor yet to any person or persons, which after or about ỳ age of xl. yeres, which shal resort to any of the sayd vniuersities, to procede doctors in diuinitie, lawe ciuile, or phisicke, for the time of their proceedings, & executing of such sermõ, disputatiõs of lectures, which they be founde in the statutes of the vniuersities there to doe for the sayd degrees so obtained. An. 28. H. 8. cap. 13.

Readers

Chauncelor Lancaster

Chauncelor

Master of Wardes

Surueiors

Treasorer

Groome

Chapleine

Non resident

8. dayes

¶ That the Chauncelor of the sayd court of the duchy of Lãcaster, the Chauncelor of your highnes court of Augmentations, the Chauncelour of your graces court of first fruites & tenthes, the master of your highnes wards & liueries, & euery of your graces generall surueyors of your highnes lãds, the Treasorer of your graces chamber, the Treasorer of your highnes court of augmentations, and the groome of your graces stoole, & euery of them for the time being, shall and may receiue singularly to euery of them in his house, or attendant vnto his person, one chapleine hauing one benefice with cure of soules, which may be absent frõ his said benefice, & not resident vpon the same, the sayd estatute made in the xxi. yere of your most gracious raigne (ca. 13. before cited) or any other estatute, act or ordinãce made to the contrary in any wise notwithstanding.

Prouided alway & be it enacted that euery of the said chapleines so being benefficed, as is aforesaid, and dwelling with any of the officers afore named, shall personally resorte two times in euery yere at the least, to his said benefice and cure, and there to tary and abide by the space of eight dayes at euery such time at the least, to visit and instruct his said cure vpõ the paine to forfaite for euery time so failing. xl. s. the one moitie therof to ỳ king &c. ỳ other to such as wil sue &c. in any of the kings courtes of recorde, in which suite no essoine &c. shalbe allowed. An. 33. H. 8. cap. 28.

Forf.

Moitie

¶ Reasonable ayde.

FOrasmuch as before this time reasonable aide to make ones sonne knight, or to mary his daughter, was neuer put in certaine, nor how much should be taken, nor at what time, whereby some leuyed vnreasonable ayde, & more then often seemed necessary, whereby the people were sore grieued. It is prouided, that from henceforth of a whole knightes fee there be taken but xx. s. And of twenty poundes land holden in socage, xx. s. and of more, more: & of lesse, lesse, after the rate. And that none shal leuy such ayde to make his sonne knight, vntil his sonne be xv. yeres of age, nor to mary his daughter, vntil she be of the age of seuen yeeres. And of that there shalbe made mention in the kinges writte, formed on the same, wherin any will demaund it. And if it happen, that the father, after he hath leuyed such ayde of his tenantes, die before he hath married his daughter, the executors of the father shall be bound to the daughter, for so much as the father receiued for the ayde. And if the fathers goods be not sufficient, his heire shalbe charged therewith vnto the daughter. Westm. 1. cap. 35. An. 3 E. 1.

Knights fee

Knight

Sonne

Daughter

Executors

Heire

¶ Reasonable aide to make ỳ kings eldest sonne knight, & to mary his eldest daughter, shalbe demaunded & leuied after the forme of the statute chereof made, and not other maner, that is to say, of euery fee holden of ỳ king without meane xx. s. & moreouer, of euery xx. li. of land holden of ỳ king without meane in socage xx. s. and no more. An. 25. E. 3. cap. 11.

Kinges sonne

Daughter

¶ Restitution.

AN. 1. H. 4. cap. 1. it was enacted, that all they that were iudged by ỳ parliament

liament holden. Anno 21. R. 2. or their heires, should be restored to their landes, & to such of their goods as the king was not answered of.

Felons

2 ¶ If any felon or felons hereafter do robbe or take away any money, goods or cattels, from any of the kings subiects from their person, or otherwise within this realme, and there of the sayd felon or felons be indicted, and after arraygned of the same felony, and found guiltie thereof, or otherwise attainted by reason of euidence giuen by the partie so robbed, or owner of the sayd money, goods, or cattels, or by any other by their procurement, that then the partie so robbed, or owner shall be restored to his sayde money, goods and cattels, and that as well the Iustices of Gaole deliuery, as other Iustices, afore whome any such felon or felons shall be founde guiltie, or otherwise attainted, by reason of euidence giuen by the partie so robbed or owner, or by any other by their procurement, haue power by this present acte, to awarde from time to time writtes of restitution for the sayde money, goods, and cattels, in like maner as though any such felon or felons were attainted at the suite of the partie in appeale. Anno 21. Henrici 8. capitulo 11.

Restored Goods

Iustices

Writtes of restitution

¶ Resumption.

Letters p.

ANno 1. R. 3. capit. 15. an act was made, whereby all letters patentes, statutes, confirmation, and actes of Parliament of any hereditamentes made to Queene Elizab. wife to king Edwarde the fourth were made voyde, and all men to be discharged of the profites and trespasses thereof.

2 ¶ Anno 28. Hen. 6. an act was made, whereby all landes, tenementes, grauntes, annuities, rents & fees, graunted by the King since the first daye of his raigne, were resumed. And after An. 31. H. 6. cap. 8. the resumption was repealed concerning the fees, wages, rewards, and profites of the officers, which were the first day of his raigne or before.

¶ Retourne of sheriffes & bailifes.

Such as doe feare the subtiltie of Sheriffes, shall deliuer their writtes original and iudiciall in the open countie, or againe in the shire, where the collection of the kinges money is, and may take of the sherife or vndersherife being present a bill, wherein the names of the demaundauntes and tenauntes mentioned in the writte, shall be conteyned, and at the request of him that deliuered the writte, the seale of the sherife or vndersherife shall be put to the bill for a testimonie, and mention shall be made of the day of the deliuerance of the writte. And if the sherife or vndersherife will not put his seale to the bill, the witnesse of knightes and other credible persons being in presence, shall be taken, that put their seales to such bill. And if the sherife will not returne writs deliuered vnto him, and complaint there of be made to the Iustices, a writte iudiciall shall goe vnto the Iusticers assigned to take assises, that they shall inquire by such as were present at the deliueraunce of the writte to the sherife, if they knewe of the deliueraunce, and the inquest shalbe retourned. And if it be found by the inquest, that the writte was deliuered to him, dammages shall be awarded to the playntife or demaundaunt, hauing respect to the qualitie and quantitie of the action, and to the perill that might haue come to him by reason of the delay that he susteined, and by this meane there is remedy when the sherife returneth, that the writte came too late, whereby he could not execute the kings commaundement. Oftentimes also pleas be delayed, by reason that the sherife retourneth, that he hath commaunded the bailifes of some libertie, which did nothing therein, and nameth liberties, that neuer had the returne of writs, whereupō our soueraigne lord the king hath ordeined, that ỳ Treasourer and Barons of the eschequer shall deliuer in a roll all the liberties in al maner of shires that haue returne of writs. And if the sherife aunswere, that he hath made retourne to a baylife of an other libertie, then is cōteined in ỳ saide roll, the

Sheriffes

Bill

Witnes

Iustices

Enquire

Dammages

Tardie

Treasurer

Barons

Liberties

Sheriffe

Punish

sherife shalbe forthwith punished, as a disheritour of the king and his crowne. And if peraduenture he returne, that hee hath deliuered the writte to a baylife of some libertie, that in deede hath returne, the sherife shalbe commaunded, that he shall not spare for no libertie, but to execute the kings precept, & that he do the bailifes to wit, to whom he returned the writte, that they be ready at a day cõteined in ẏ writ, to answere why they did not execute the kings precept. And if they come at ẏ day, and acquite themselues, that no retourne was made to them, the sherife shall bee forthwith condemned to the Lorde of the same libertie, and likewise to the partie

Damnages

grieued by the delay for to render dammages. And if the baylifes come not in at the day, or doe not acquite themselues in maner aforesayd in euery iudicial writte, so long as the plea hangeth, the sherife shall be commaunded to spare for no libertie &c. Many times also sherifes make

False returnes

false returnes as touching these articles. Quod de exitibus &c. returning sometime, and lying, that there bee no issues, some time that there are small issues, when they may returne great, and sometime do make mention of no issues, wherfore it is ordeyned and agreed, that if the playntife demaunde of the sherifes returne, it shall be graunted him. And if he offer to auerre, that ẏ sherife might haue returned greater issues vnto the king, he shall haue a writte iudiciall vnto the Iustices assigned to take assises, that they shall inquire in presence of the sherife, (if he will be there) of what and howe great issues the sherifes might haue made returne from the day of the writte purchased vnto the day contayned in the writte. And when the inquest is returned, if hee haue not afore aunswered for the whole, he shall be charged with the ouerplus by the extreates of the Iustices deliuered in the Eschequer, and neuertheleſſe shall be greeuously amerced for the concealement. And let the sherife knowe, that rentes, come in the graunge, and all mouables, (except horse harneis, & housholde stuffe) be contayned within the name of issues.

Estreats

Issues

And the king hath commanded, that sherifes shalbe punished by the Iustices once or twise (if neede bee) for such false returnes. And if they offend the third time, none shall haue to doe therewith but the king. They make also many times false answeres, returning that they could not execute the kings precept, for the resistãce of some great man: wherefore let the sherifes beware from henceforth, for such maner of answeres redound much to the dishonour of the king and of his crowne. And as soone as his vnderbailifes doe certifie, that they found such resistãce, forthwith all thinges set apart, (taking with him the power of the shire) he shall goe in proper person to doe execution: and if he finde his vnderbailifes false, he shall punish them by imprisonment, so that other by their example may be reformed. And if he do finde them true, he shall punish the resisters by imprisonment, from whence they shall not bee deliuered, without the kinges speciall commaundement. And if percase the sherife when he commeth, doe finde resistaunce, hee shall certifie to the Court the names of the resisters, ayders, consenters, commaunders, and fauourers, and by a writte iudiciall they shalbe attached by the bodies to appeare in the kings court: and if they be cõuict of such resistance, they shall be punished at the kings pleasure: neither shall any officer of the kings meddle in assigning the punishment, for our soueraigne lord ẏ king hath reserued it specially to himselfe, because that resisters bene reputed disturbers of his peace and of his Realme. Vli. 2. cap. 39. An. 13. E. 1.

False answers

Imprison

Attach

Punish

2 ¶ Because the punishment of trespasse for ẏ desert of any person offending ought to be set, and many sherifes of the Realme are altogether laye, hauing no knowledge of returne of writtes, which hitherunto haue bene returned into the kinges court, sometime are learned, yet hauing so great confidence ouer their clerks doings, that of writtes to them directed, to be ouerseene & examined, they care not any thing to meddle themselues therewithal, and alwayes in time past, as well

Sherife

Clerke of the sherife

well in the Eſcheqner, as elſe where in the kings courts it hath bin vſed, that for writes executed vnruely, the ſherifes, to whō they were directed, haue bene amerced, & their clerks which haue returned & made falſe, fained, & friuolous anſweres to the ſame writs, nothing at all, whereby it is preſumed, & thought to be true, thoſe clerkes to haue taken more audacitie of offending. The honorable fathers Wil. of Hothom, archbiſhop of Dublin, Wil. of Luda, of Ely, Wil. of Graueſend of London, Wil. of Lantonge of Couentry, & the biſhop of Lichfield the kings Treaſorer, & John of Lāgtō Chancelor of Englād, John of Cobham, & his felowes Barons of ỳ eſchequer afore ſaid; Alſo ỳ Juſtices of either bench, & other more of the kings counſel called together to the ſame eſchequer at Weſt. the thurſday in the feaſt of Saint Valentine, in the yere of king E. xxvi. cōſulting to prouide a remedy in the caſe afore ſaid, that hereafter clerks of ſherifes giuing falſe anſweres to the kinges writs, may knowe, not to paſſe ouer ſuch their deceiptfulnes vnpuniſhed, as hitherunto they haue done, neither ỳ ſherifes in that caſe for the doings of their clerkes, may receiue puniſhment, as before very often they haue done: They haue agreed & prouided, that they anſwere before the Treaſorer & Barons of the eſchequer of our Lord the king, and elſe where in the courts of the ſame king, before his Juſtices whatſoeuer, of falſe returnes, & aſwel the clerkes as the ſherifes themſelues be puniſhed, ſo that if default of retourne be found in the perſon of the clerke, & not in the perſon of the ſherife, the clerke ſhal ſatisfie to the party hurt, of the loſſe which ỳ party can lawfully ſhew, that he ſuſtained for default of the returne afore ſayd, & neuertheleſſe towardes the king ſhall be puniſhed according to the diſcretion of the Juſtices before whome he ſhalbe conuicted, hauing regard to the quantitie of the offence, and the ſherifes then in that caſe ſhalbe quiet, ſo that their clerkes be ſufficient to ſatisfie, as is afore ſayd, to which if they be not, for their default, the ſherifes vnder whome theſe clerkes doe intende ſuch office, ſhal anſwere & ſatisfie, & it is to be knowen that this prouiſion, frō the day of the making of the ſame, hath bene obſerued of the ſherifes and their clerkes in London and Middleſexe, becauſe they are forewarned of the ſame &c. And as to the other ſherifes of the realme, and their clerkes, the prouiſion afore ſayd ſhal holde place in the morowe of the clauſe of Eaſter next comming, & not before, becauſe then they ſhall be forewarned, vpon their profer, & afterward in the morow of the clauſe of Eaſter in the yere of king E. 28. the prouiſion afore ſaid was expounded in the eſcheqner to all ſherifes of England, and then it was agreed by the kings coūſell, that clerkes of ſherifes giuing falſe anſweres, ſhoulde be puniſhed at the ſummons of the eſchequer vpon the accompt of ſherifes, if they be conuicted hereupon in forme as aboue is prouided to puniſh them for writs falſly executed, Tractatus contra vicecomites & Clericos.

3 ¶ And becauſe it is many times complayned in the kings court, vpon returnes, that bailifes of frāchiſes (hauing full power to returne the kings writtes) haue deliuered to ſherifes, that haue bene afterward changed, and otherwiſe returned in the kinges court, to the dammage of the parties, & the delay of right: It is agreed, that for ſuch returnes as hereafter be deliuered to ſherifes by ſuch baylifes of fraunchiſes, an indenture ſhalbe made betweene the baylife of the fraunchiſe by his proper name, & the ſherife by his proper name. And if the ſherife chaunge the returne ſo deliuered to him by indenture, & be thereof conuict at the ſuit of the lord of the fraunchiſe, of whom he receiued the returne, if the lord haue had any dāmage, or if his fraunchiſe be diſtrayned, or at the ſuite of the partie that hath ſuſtained loſſe through that occaſion, he ſhalbe puniſhed by the king for his falſe returne, and ſhal yelde vnto the lord & to the partie, double dāmages. Alſo it is agreed, that frō hēcefoorth ſherifes & other bailifes, that receiue the kings writs, returnable in his court, ſhall ſende their owne names with the retournes, ſo that the court may knowe of

whom they tooke such returnes, if neede be, and if any sherife or other bailife leaue out his name in his returnes, he shall be grieuously amerced to the kings vse. An. 12. E. 2. cap. 5.

Amerce

4 ¶ Such execution shall be done of them that make false returnes of writes, (whereby right is deferred) as it is ordeined in the second statute of Westminster with like payne at the kings commandement. An. 28. E. 1. cap. 16. stat. de Articuli super cartas.

5 ¶ It is prouided, that from henceforth against the false returnes of bailifes of franchises, which haue full returne of writtes, a man shal haue auerrement and recouer as well against them, as against the kings sherife: as wel of too litle issues returned, as in other cases, so that it falleth in preiudice of the lordes, not in the blemish of their fraunchise. And that the estate of holy Church be alwayes saued. And that all the punishment fall only vpon the bailifes by punishment of their bodies, if they haue not whereof to answer. Anno 1. E. 3. cap. 5.

Bailifes

Auerrment

Church

6 ¶ Where it was ordeined by the statute of Westminster secõd, those that wil deliuer their writs to the sherife, shal deliuer them in the full county, or in the rier countie, & that the sherife or vnder sherife shal thereupon make a bil: It is accorded & established, that at what time or place in the countie a man doth deliuer any writte to the sherife, that they shall receiue the same writs, & make a bill, after the forme contained in the same statute, without taking any thing therefore. And if they refuse to make a bill, other that be present shall set to their seales, & if the sherife or vndersherifes doe not returne the sayde writs, they shalbe punished after ỹ forme cõtained in the same statute. And also the Justices of assises shal haue power to enquire thereof at euery mans complaynt, & to award dammages, as hauing respect to the delay, and to the losse, and perill that might happen. An. 2. E. 3. cap. 5.

Full countie

Sherife

Bill

Refuse

Iust. of assise

Dammages

7 ¶ An. 4. H. 6. cap. 1. an act was made to endure to the next parliament, concerning the returne of sherifes.

¶ Reuenues.

AN. 3. H. 8. cap. 3. an act was made, that acquitãces made by John Heyron the kings generall receiuour, or any other appoynted to the office, shall be a good discharge against ỹ king, to endure to the next parliament. And that the same John Heyron, & euery other person that shal haue the said or like office of receipt, be chargeable & charged to euery person and persons, spirituall & temporal, now hauing, or that hereafter shal haue any interest in any part of his or their receipts, by title of inheritance, or succession, or by graunt, allignement, act of parliament, or otherwise. And that euery of them haue like remedy against the sayd John, and euery other person that shall haue the sayd or like office of receipt, as they haue had, or ought to haue had against any other person that haue receyued of any of the premisses, this present act notwithstanding. And that euery such person spirituall or temporall, for non payment of all such summes of money, as they, or any of them ought to haue of the said receipts by title of inheritaunce, or succession, or by graunt, allignement, act of Parliament, or otherwise, haue their actions and remedies in euery of the kinges courtes against the sayde John, and euery other person, hauing the same or like office of receipt, for their recouery & payment of all summes that shalbe so due vnto them, by any of them, after the first day of this present parliament. An. 1. H. 8. cap. 3.

Acquittaces

Remedy

Actions

¶ Rie and Winchelsey.

ANno 2. E. 6. cap. 30. is an act made against balast to be cast into the Chanell. See the statute.

Balast

¶ Richmond.

FRom the feast of S. Marke the Euãgelist next comming, no maner of spiritual person or others, now hauing, or ỹ trõ ỹ said feast shal haue any maner of benefice, or other spiritual promotiõ within the sayd Archdeaconry (of Richmond in Yorkeshire)

Spirituall person

Benefice

Yorkeshire Yorkeshire) shal in no wise aske, leuy, demaund, or take, after the decease of any person or persons, any such pensions or pencions, nor any other demand or dutie, in the name or lieu of the same, vpō paine to incurre such dangers, forfaitures, and penalties, as be contained in the statute of prouisors, made in the xxb. yeere of the raigne of your most noble progenitour king E.3. but that all & euery the kings subiectes of the sayd Archdeaconry, and their executors and administrators from henceforth shalbe ordered, entreated and vsed, for their goods & cattels, after their decease, in like maner, forme, order, and condition, as is conteyned in the statute made in the xxi. yeere of your most noble and victorious raigne for probate of testamentes, and none otherwise, any vse, custome, bull, composition, prescription, or ordinãce heretofore had, obtained, or vsed to the contrary, within the foresaid Archdeaconry, in any wise notwithstanding. An.26.H.8.cap.15. See the statute.

¶ Right.

THe writte that is called Præcipe in capite, shalbe frō henceforth granted to no man vpon any freehold, whereby any freeman may leese his Court. Magna carta, cap.25.

¶ Riots, Routes, vnlawfull assemblies, and rebellions.

ANno 2.R.2.cap.6. an act was made concerning Routes, but An.2.R.2. stat.2. that act was repealed. Repealed

2 ¶ Where at the parliament holden An.5.R.2.cap.6. Forasmuch as villeines & other offendors had made insurrection, & had risen by assemblies in outragious number: It was straightly defended, that none from thencefoorth should make or begynne againe those Riots or Rumors, nor other like, vpon payne of being taken for a traitour: And neuertheless diuers haue made of late such assemblies in outragious number: Therefore the king in this present Parliament hath defended to all the liege people, as well Lords as other, of what soeuer estate they be, that none shall make such assemblies, ryot, or rumor, against the peace in no wise: And if any such assembly be begun, as soone as the shirifes & other the kings ministers, may thereof haue knowledge, they with the strength of the county & countrey, where such case shall happen, shall sett disturbance, against such malice with all their power, & shall take such offendors, and them put in prison, till due execution of the law be of them made. And all Lords and other liege people of the Realme, shalbe attending with all their strength & power to the shirifes and ministers aforesaid. Anno 17.R.2 cap.8. Assemblies Shirifes Imprison Lords

3 ¶ If any ryot, assembly, or route of people against the law be made in any parties of the realme, that the Justices of peace, iii. or ii. of them at the least, and the sheriffe or vnder sheriffe of the cōty, where such ryot, assembly, or rout shall be made hereafter, shall come with the power of the county (if neede bee) to arrest them, and shall arrest them, and the same Justices & shiriffe or vndershiriffe, shall haue power to record that, that they shal find so done in their presence against the law. And that by the record of the same Justices and Sheriffe or vndershiriffe, such trespassors and offendors shal be cōuict in the maner and forme as is contained in the Statute of Forcible entries. (before in Forcible Entrie. 2.) And if it happen that such trespassors & offendors be departed before the comming of the said Justices and sherife or vndersherife, that then the same Justices three or two of them shall diligently enquire within a moneth after of such riot, assemblie or rout of people so made, and shall heare and determine the same according to the lawe of the land. And if the trouth can not be found in the maner as afore is said, then within a moneth then next following, the iustices three or two of them, and the sherife or vnder sherife aforesaid, shall certifie before the king and his counsell al the deedes and circumstances thereof, which certificat shall be of like strength 2. Just of p. Shirife Arrest Record Conuict Enquire monethe. Diet & ter. 2. Just. of p. Shirife Certifie

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and force as the presentment of xii. men, vpon which certificat ꝯ said trespassors ꝑ offendors shalbe put to answere, and they which shalbe found guilty, shalbe punished after ꝯ discretion of the king ꝑ his counsell. And if such trespassors ꝑ offendors do trauers ꝯ matter so certified: the same certificat and trauers shalbe sent into the kings bench, there to be tried ꝑ determined as the law requireth. And if the same trespassors ꝑ offendors do not come before the king and his counsell at the first commandement, then there shalbe made an other commandement, directed to the sherife of the county, to take the said trespassors ꝑ offendors, if they may be found, ꝑ to bring them at a certaine day before ꝯ king and his said counsel, or in the kings bench. And if they can not be found, the sherife or vndersherife shall make proclamation in his full County, next ensuing the deliuery of the saide second commandement, that they come before ꝯ king and his saide counsell, or in the kinges bench, or in the chauncery in time of vacation, within three weekes then next following. And in case the same offenders come not as afore is said, ꝑ the proclamation made and returned, they shalbe conuict and attainted of ꝯ riot, assemblie or rout afore said, notwithstanding any article or ordinance made to the contrary. And moreouer that the Justices of peace dwelling most nighest in euery county where such ryot, assembly or rout of people shalbe made hereafter, together with the sherife or vndersherife of the same county, and also the Justices of assises for the time that they shalbe there in their sessions, in case that any such ryot, assemblie or rout be made in their presence, shall do execution of the same statute, euery one vpon paine of C. li. to be paied to the king as often as they shalbe found in default of execution of ꝯ same statute. Anno 13. H. 4. cap. 7. See after. 7.

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4 ¶ Forasmuch as many riots, routs, ꝑ assemblies haue bene made since ꝯ making of ꝯ statute of 13. H. 4. ca. 7. (before 3.) because it hath not bene put in due execution: Be it ꝛr, That if default before ꝯ said Iustices of peace, or Justices of assise (that is to say named in the sayd stat. An. 13. H. 4. ca. 7. before 3.) and the sherife or vndersherife of ꝯ county, where such riot, assembly, or rout should be made, touching ꝯ executiō ꝯ they ought to make by verme of ꝯ said statute, ꝑ wherof ꝯ said statute maketh mētion, ꝯ then at ꝯ instance of ꝯ party grieued, ꝯ kings cōmission shal goe out vnder his great seale, to enquire alwol of ꝯ trueth of ꝯ cause, ꝑ of the original matter for ꝯ party complaināt, as of the default or defaults of ꝯ said Justices, sherife or vndersherife, in this behalfe supposed, to be directed to sufficiēt ꝑ indifferēt persons, at ꝯ nominatiō ꝑ by ꝯ aduise of ꝯ Chancellor of ꝯ realme of Englād. And ꝯ the said cōmissioners incōtinent shal send into the chaūcery the enquests ꝑ matters before them in this behalfe takē ꝑ found. And moreouer ꝯ the coroners of the same coūtie for ꝯ time being, in which coūtie such riot, assemblie, or rout shalbe made, shal make ꝯ panel ꝯ shalbe vpon ꝯ said cōmissiō returnable, for ꝯ time ꝯ the sherife that is so supposed in default, shal stād in his office, which coroners shal returne no persons, but only such which haue lands, tenemēts, or rents, to the value of xl. li. by yere at ꝯ least. And also that ꝯ same coroners shal returne vpō euery of ꝯ said persons empanelled at ꝯ first day, whē issues be to be lost, xx. s. at the least, ꝑ at ꝯ secōd day xl. s. at ꝯ least, ꝑ at the third day C. s. at the least, ꝑ at euery day after ꝯ double at the least, which issues so returned because of non apparāce of such persōs empanelled, shalbe adiudged as forfait to the king, ꝑ leuable to his vse. And if default be found in ꝯ said coroners, touching the returne of such persōs to be empanelled, or touching ꝯ returne of such issues as afore is said, ꝯ euery of thē shall pay to the kings vse xl. li. And if it happē that ꝯ said sherife so reputed in default the discharged of his office at ꝯ time ꝯ such cōmissiō shal go out of the chaūcery, ꝯ then ꝯ new sherife of the same coūtie, his successor mediate or immediate for the time being, ꝑ not the coroners of ꝯ same county, shal make ꝯ panel vpō this cōmission returnable, in maner

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maner and forme as the saide coroners should do in time, when the sheriffe so reputed in default, stode in his office: And that the same newe sheriffe shall incurre like paine of xl. li. against the king, if any default in him be found touching ꝑ returne of any persons by him to bee empanelled, which haue not landes, tenements, or rents to the value of x. pound by yere, or for returning such issues as ꝑ saide coroners bee aboue charged to returne, as the saide coroners be to lose against the king in this behalfe. And that the Chauncellor of England for the time being, as sone as he may haue knowledg of such riot, assemblie or rout, he shall do to be sent the kings writ to the Justices of the peace, and to the shirife or vndersherife of the county, where they bee so made, that they shal put the statute thereof made in execution, vpon ꝑ paine contained in the same. And though that such writ come not to the said Justices, sherife or vnder sherife, they shall not be excused of the paine aforesaid, if they make not execution of the said statute.

Foyl.

x.li. Land Issues

Chauncellor

Just of p. Sherife

Justices

Prouided alwaies, that the Justices and other officers aforesaid, shal do their offices aforesaid at the kinges costes in going, tarying, and returning, in doing their said offices, by payment thereof to be made by the sherife of the same county for the time being, by indentures betwixt the sherife and the saide Justices & other officers aforesaid, to be made of the payment aforesaid: whereof the said sherife vpon his accompt in the eschequer, may haue due allowance. And that such ryotours attepned of great and heynous ryottes, shall haue one whole peres imprisonment at the least, without being let out of prison by baile, maineprise, or in any other maner during the pere aforesaid, and that the riotours attainted of pery riots shall haue imprisonmēt as best shall seeme to the king & to his counsell. And that the fines of such riotors attainted, shalbe by the said Justices encreased & put in greater summes then they were wont to be put in such cases before this time, in ayd & supportation of ꝑ costes of

R. cost

Shirife Indenture

Accompt

Imprison

Mainepryse

Imprison

Fines

Justices & other officers aforesaid in this behalfe. And that ꝑ kinges liege people being sufficient to trauaile in the county where such routes, assemblies or riotes be, shalbe assistant to the Justices, commissioners, sheriffe or vndersheriffe of ꝑ same coūty when they shalbe reasonably warned, to ride with the saide Justices, commissioners, and sherife, or vndersheriffe, in ayd to resist such ryotes, routes and assemblies, vpon paine of imprisonment, and to make fine & ransome to the king. And that the bayliffes of fraunchises shall doe to be impanelled sufficient people, as before, vpon payne to lose to the king xl. pound, in case that such sufficient persons may bee found within the same fraunchises. And that like ordinances and paynes shall hold place and take effect in Cities, Boroughes, and other places & Townes infraunchised, which haue Justices of the peace within the Cities, Boroughes, townes and other places aforesaid. And that this statute shall begin to hold place incontinent after the proclamation thereof made. Anno 2. H. 5. cap. 8.

Assist

Imprison

Bailife Empanell

Foyl.

Cities

5 ¶ Forasmuch as great & grieuous complaintes haue beene made to our soueraigne Lord the king by the cōmons in this present parliamēt of diuers murders, manslaughters, robberis, batteries, assemblies of people in great number, in maner of insurrection, and of diuers other rebellious riots, and after such offences the said felons & offenders flee, and withdrawe them to diuers woods & secret & vnknowen places, & else where, to the entent and purpose to auoid the execution of the common lawe, and that they shoulde not be brought to answere, whereupon our soueraigne Lord ꝑ king, considering ꝑ foresaid complaint, by the aduise and assent of the Lordes spirituall and temporall in the same Parliament assembled, hath ordeined and stablished at the request of the saide commons, that if any person in time to come, come into the chauncery, & make complaint duely, that any such felon or offendour as afore is said, flee or withdraw them to any such

Murders

Insurrection

Flo

Chauncery

place

Bill Chancelloz

place oz els where, to ꝑ entent afozesaid, vpon such complaint, a bill shalbe sufficiently made foz the king: And ꝑ Chancelloz of Englande foz the time being, after such bill to him deliuered (if hee may bee duely ensoymed, that such bill contayneth trouth) shall haue power to make accozding to his discretion, a writt of Capias at the kings suite, directed to the sheriffe of the county oz counties where the saide murders, manslaughters, robberies, batteries, & other offences be supposed by ꝑ said bill to be done and perpetrat, retournable in the saide chauncery at a certaine day. And if the persons in the said writte contained, be taken by the said sherife, oz yelde them in ꝑ same chancery, that then such persons shalbee put in warde, oz to maineprise after ꝑ discretion of ꝑ chauncelor. And moreouer that hee send to enquire of such offences, & vpon that shalbe done as the lawe requireth. And if ꝑ sherife returne at the day of ꝑ Capias returnable, ꝑ the persons in ꝑ same comprised foz any of these causes afozesaide, can not be by him taken, and the same persons do not yelde them in the said chauncery, that then the saide chauncellor shall doe to be made a writ of proclamation, directed to the said sherife, returnable in the kinges bench at a certaine day, that he shal make proclamation in two counties, that ꝑ persons named in the said writ, shall come at the said day in the bench afozesaide, there to answere to the matter comprised within ꝑ said bil, vpon paine to be conuict of ꝑ matter comprised in ꝑ saide bil. And that in euery such writ of proclamatiō shalbe contained the substance of the matter cōprised within the saide bill, and if they come not at the day of such proclamation returned, then shal they be holden and adiudged foz conuict and attainted as afoze is said. And if they come at ꝑ proclamation, ber it of them enquired and done in maner as aboue is said.

Capias Sherife

Imprison Maineprise

Proclamation

K. bench Answere Paine

Writ

Conuict Attaint

Prouided alwaies, that the suggestions of such riots be witnessed to ꝑ Chanceler of England by letters sealed vnder the seales of two Justices of peace at the least, and the sherife of the county, where such riots shalbe made, before that ꝑ writ of Capias be granted, in which writte of Capias the matter which is comprised within the same bil, shalbe aswell expressed as in the writ of Proclamatiō thereof to be made. And if such cause happen in the county palantine of Lancaster, oz els where in any fraunchise, where there is a Chaunceller & a seale, that then the Chauncellor of England shall doe to bee written oz sent by the kings writte to the Chauncellour of such County oz fraunchise, all the suggestion in the saide bill comprised, commaunding him to make such execution as in the said article is cōprised, so alwaies that the kinges writte doe not ren out of the chauncery of England in to such a cōty oz franchise, otherwise thē hath bene vsed in time past. And that this ordinance shall stand in his force vntil the end of the next parliament. An. 2. H. 5. cap. 9. This act is made perpetuall as appeareth here next following.

Lancaster Chauncellor Execution

6 ¶ The said late statute (S. An. 2. H. 5 ca. 9. before 5.) shal now be kept & firmly holden foz a statute foz euer, aswell of murders, manslaughters, robberies, batteries, assemblies of people in great number, in maner of insurrections, and diuers other rebellions & riots made & committed before the beginning of this present parliament as in time to come.

Murders Manslaughter

Prouided alwaies, that it be witnessed by ii. Justices of the peace of ꝑ Counties where such ryots shalbee supposed, that the common fame and voyce runneth in the same counties of the same riots, before ꝑ the writ of Capias shalbe awarded.

ii. Iust. of p.

Prouided also, ꝑ if any such case happen in the saide Countie palantine of Lancaster, oz els where in a place infraunchised, where there is a Chancelor and a seale, that then the said Chancellor of such County oz place infranchised foz the time being, after cōplaint to him duely made & witnessed by a Justice, oz the lieutenant of a Justice and the Sherife of such Cōty palantine oz place enfranchised, foz the time being, in the forme afozesaid, shall haue like power to award a Capias and a writte of Proclamation afozesaid,

Lancaster Chauncelor Sheriffe Capias Proclamatiō

ii. Iust. of p Sheriffe o

aforesaid, as the saide Chauncelour of England hath. Anno 8. H. 6. cap. 14.

¶ Because the statute of 13. H. 4. cap. 7. (before. 3.) is thought good and necessary: Therefore be it &c. That the said act made the said viii. yere of king H. the fowerth, concerning riots, assemblies or routs of people, and al & euery article and articles compiled in the same: And also all other statutes before this time made concerning the punishment of riotours at the time of ỹ making of this act being in force, from henceforth stand in their forces, and be duely put in execucõ after the tenors & purports of the same. And for as much as in the saide statute made in the saide viii. yere, it is not expressed of what sufficiency the iurors empanelled should bee, or what issues they should loose if they appeare not, nor no mention therein made of any punishmẽt of the maintaynors and embracers of the Jurors that shal so be empanelled, should haue for their misdemeanour if any bee: Jt is therefore en. that if any ryot, route, or vnlawfull assembly be committed and done at any time after ỹ first day of May next comming within this Realme of England, that the sheriffe hauing a precept direct to him, shall returne xxiiii. persons dwelling within the Shyre, where such ryot, route, or vnlawfull assembly shalbe so committed and done, whereof euery of them shall haue landes and tenementes within the same Shyre, to the yerely value of twenty shillinges of Charter hold, or free hold, or twentie fiue shillings eight pence of copy holde, or more, ouer and aboue all charges, for to enquire of the sayde ryot, route, or vnlawfull assemblie. And hee shall returne vpon euery person by him empanelled in issues, at the first day twentie shillinges, and at the second day forty shillinges, if that they appeare not, and be sworne to enquire of the premisses at the first day, and if default bee founde in ỹ sheriffe or vndersheriffe for returning of other persons not being of the sayde sufficyencie, or returne not issues in forme aforesaid, that then the said sheriffe shal forfait to our soueraigne Lorde the king for eyther yr. li. And if the said ryot, route, or vnlawfull assembly be not found by the said Jury, by reason of any maynteñce or embracery of the said Jurors, then the same Justices and the sheriffe or vndersheriffe, ouer and aboue all such certificat that they muste and be bound to make, according to the said statute made the said viii. yere, shal in the same certificat, certifie the names of the maintenors and embracours, in that behalfe, if any bee, with their misdemeanours that they knowe, vpon paine of euery of the said Justices and sheriffe, or vndersheriffe to forfait yr. li. if the same Justices and Sheriffe, and vndersheriffe haue no reasonable excuse for non certifying of ỹ same: which certificate so made, shalbe of like force and effect in the lawe, as if the matter contained in the same, were duely founde by the verdict of the twelue men. And euery person duely proued to bee a maintenor or embracor in the same, shal forfaite to our said soueraigne Lord yr. li. And as wel the same maintaynors as the embracors shalbe committed to warde, there to remayne by the discretion of the Justices. Anno 19. H. 7. cap. 13.

¶ An. 3. E. 6. cap. 5. a great act was made against rebellion and vnlawfull assemblies and riting of the kings people, to continue to the end of the next parliamẽt. And after An. 7. E. 6. cap. 11. it was continued to endure to the last day of the next parliament. And after An. 1. M. 1. parliamento cap. 12. it was repealed as hereafter followeth.

¶ For as much as it is most necessary at al a common weles, to prouide that peace may be continued in the realme, ỹ al things contrary thereto by forestalle be eschued: Be it &c. That if any persons to the number of xii. or aboue, being assembled together at any time after ỹ yr. day of December next comming, shal intend, go about, practise or put in vre with force of armes, vnlawfully, and of their owne authority, to alter or chaunge any lawes made or ordained for religion by authoritie of parliament, which shall stand

in

Jurors Issues

Sheriffe Precept Empanel

Landes

Issues

Default Sheriffe

Foyl.

Maintenance Embracery Just. of p. Sheriffe

Certifie

Foyl.

Maintenor Embracer Foyl.

Imprison

Rebellion

Repealed

xii. persons

Force Chaunge lawes Religion

in force after the saide twenty day of December, or any other lawes or estatutes of this Realme, or any of them, the same number of twelue or aboue, being commaunded or required by the sheriffe of the shyre, or by any Justice of peace of the same shyre, or by the Maior, Sheriffe, Justices of peace, or Bailiffes of any Citie, Borough, or Towne corporat where any such assemblies shall bee vnlawfully had or made, by proclamation in ỳ Queenes name, to retyre & repaire to their own houses, habitatiõs, or places from whence they came, & they or any of them notwithstanding such proclamatiõ shal remaine & make their abode or continue together by the space of one whole hower after such cõmandemẽt or request made by proclamation, or after that shall willingly in forcible and ryotous maner attempt to doe, or put in vre any thing aboue specified: that then aswel euery such abode or continuing together, as euery such act or offence, that after such cõmandement or request by proclamation had or made, shalbe attempted, to be done, practised, or put in vre by any persons, being of the number aforsaide, shalbe iudged felony in all and singuler those persons, that so shall make their abode, or continue together, or shall attempte, or commit any such act, and the offendours therein to bee adiudged felons, and shall suffer onely execution of death as in case of felony. And furthermore it is enacted, ordayned & established &c. that if any persons to the saide number of xii. or aboue, after the saide twenty day of December shall intend, goe about, practise or put in vre in maner & forme aforesaide, to ouerthrowe, cutte, breake, cast downe or digge vppe the pales, hedges, dyches or other inclosure, or any parkes, parke, or other groundes or grounde inclosed, or ỳ bankes of any fish ponde, or poole, or any conduit for water, conduit heads, or conduit pypes, hauing course of water, to ỳ intent ỳ the same, or any of thẽ from thence forth shoulde remaine open, not enclosed or voyde, or vnlawfully to haue common or way in the saide parke or parkes, or other ground or grounds inclosed, or in any of them, or to destroy in maner and forme aforesaid, the Deare in any mayer of parkes or parke, or any warrens or warren of conies, or any douehouses, or any fish in any fish pond or poole, or to pul or cutte downe any houses, Barnes, Mylls or Baies, or to burne any Stackes of Corne or Graine, or to abate, defaulke or diminish the rents or yerely value of any manors, lands or tenements, or the price of any victuall, Corne or graine, or any other thing vsual for ỳ sustenãce of men, & being required or commaunded by any Justice of ỳ peace, or by the sheriffe of ỳ Countie, or by the Maior, Bayliffe or Bayliffes, or other head Officers of any City or Towne corporat, where such assembly shalbe had by proclamation to be made in the Queenes name to retyre or retourne in peaceable maner to their habitations, places and houses, from whence they came, & they or any of them notwithstanding such proclamation shal remayne, or make their abode or continue together by the space of one whole hower, after such commaundement or request made by proclamation, or after that shall in forcible maner doe, or put in vre any of the thinges last before mencioned, that then aswel euery such abode, or cõtinuing together, as euery such act that after such commaundement or request, by proclamation had or made, shalbee done, practised or put in vre, by any persons, being aboue the number of xii, shalbe adiudged felony, and the offendours therein to bee adiudged felõs, and shall suffer onely the execution of death as in case of felony. And also it is &c. ỳ if any person or persons, after ỳ saide xx. day of December, vnlawfully and without auctority, by ringing of any belles, sounding of any trumpet, dyrime, hayne or other instrument whatsoeuer, or by fiering of any Beacon, or by malicious speaking or uttering of any words or making of any outcry, or by setting vp, or casting of any billes, byll or writing whatsoeuer, or by any other deede or act, shall raise or cause to bee raysed or assembled

Shyrife 1. Iust. of p.

Maior

Proclamation

1. hower

Felony

Ouerthrow Pales Hedges Inclosure Parke

Fish ponde Conduit

Claime Common way

Destroy Deare

Warrens Douehouses

Houses Mylles Burne Stackes

Victaile Corne

Any Iust. of p. Sheriff Maior Bailife

Proclamatiõ

One hower

12. Persons Felony

Ringing Trumpet Dymme Hayne

Woordes

Billes

xii. persons

assembled any persons to the number of twelue or aboue, to the intent, ỹ the same persons shoulde doe, commit or put in vre any of the actes or things aboue mencioned, and that ỹ persons to the number of xii. or aboue, so rayſed & assembled after request or commaundement had or geuen in forme aforesaide, shall make their abode or continue together as is aforesaid, or vnlawefully, and in forcible maner, perpetrate, do, commit, or put in vre any of the actes or things abouesaide: that then all and singuler persons, by whose speaking, deede, act, or any other the meanes aboue specified, any persons to the number of xii. or aboue, shalbe raised or assembled, for the doing, committing or putting in vre any of the actes or things aboue mẽcioned, shalbe adiudged for his so speaking or doing, a felon, and shall suffer execution of death as in case of felony. And also it is &c. ỹ if any wife, or seruant of any ỹ same persõs, or any other person whatsoeuer, shall willingly and without compulsion lying, send, deliuer or conuey any money, harnesse, artillery, weapon, meate, bread, drinke or other victuall, to any person or persons so being assembled, as is aforesaide, during such time as hee or they shall so bee assembled, or bee together as is aforesaid: that then euery wife, seruaunt or other person so bringing, sending, deliuering or conueying any money, harnesse, artillery, weapon, meate, bread, drinke or victuall, to the same persons so being assembled together in forcible maner, or to any of them, and not departing to their house or dwelling places, vpon request, or commaundement made vnto them as is aforesaide, shalbe adiudged a felon, and shall suffer execution of death, as in case of felony. And further more it is &c. that if any persons aboue the number of two, and vnder the number of xii. being assembled together at any time, after the said xx. day of December, shall intend, goe about, practise or put in vre with force of armes vnlawefully, and of their owne auctho[r]itie, to murder, kil, or slea any of ỹ Queenes maiesties subiects, or to ouerthrow, cut, breake, or cast downe, or digge vp the pales, hedges, ditches, wal or other closure of any parkes, parke, or other grounde enclosed, or the banke of any fish pond or poole, to thentẽt that the same, or any of thẽ, from thencefoorth should remaine opẽ, not enclosed or voyd, or to haue cõmon or way in ỹ same parke or parks, or other grouns or ground inclosed, or in any of thẽ, or to destroy any maner of parkes or parke, or fish pond or poole, or any warrens or warren of connies, or any douehouses, or to pull or cut downe any house, barne, mill, or to burne any stackes of corne or graine, or to alter, defalke, or abate the rents or perely value of any manours, landes or tenementes of any the Queenes subiectes, or the ỹes of any victuall, corne or grayne, or any other thing vsuall for the sustenance or apparel of men, and being required or commanded by any Iustice of ỹ peace, or the Sherife of the Countie, or by any Maiors, baylifes or bailife, or other head officer of any citie or towne corporat, where such assembly shall be had, by Proclamation to be made in the Queenes name to retire, or returne to their habitations, place, or houses, and they so required by such proclamation, shal not so doe, but after that shall in forcible maner in forme aforesayd, attempt to doe or put in vre any of the thinges last aboue mentioned: that then euery of the same persons, being aboue the number of two, and vnder the number of twelue, shall suffer imprisonment of his or their bodies, by the space of one yeere, without baile or mainprise. And also that if any person or persons at any time after the sayde xx. day of December, shall bee dampnified or hurted by the doing, committing, or putting in vre of any vnlawefull act, or thing aboue mentioned, that then all and singular persons so dampnified, and hurt, shall recouer and haue dammages with the costes of their suite susteyned in that behalfe trebled, against the offendours therein. And forasmuch as such euill disposed persons, which of late time made commotions and rebellion in certayne

places

xii. persons

After request

Felony Seruant

Money Armour Victuall

Wife

Felony

Aboue two persons

Force of armes Murder

Pales Hedge Enclosure

Parkes Ponds Coneis

Douehouses House Reines

Victuall Corne

Any Iust. of peace Sherife Maior Baylife

Proclamation

Imprison

Mainprise

Treble dammages Costes

places within this realme, being but fewe in number, at such time as they did begin the same commotion, were not in short time after ẏ beginning thereof suppressed by strength, for that ẏ louing subiectes at that time, for feare to incurre in danger of ẏ lawes of this Realme, durst not take vpon them so to doe, a great number of euill disposed persõs did cõe, and ioyne them selues to the saide smale number, whereby the same euil disposed persons toke vpon them such boldnesse that they woulde not be reduced to obedience without much bloudshedding, to the great daunger of the person of the Prince, where if the saide subiectes durst haue takẽ vpon them to haue suppressed them at ẏ beginning, such inconuenience and bloudshed should not haue folowed:

Therefore it is enacted &c. that if any persons aboue the number of two, that at any time after ẏ saide xx. day of December, shalbe vnlawfully, and of their owne auctoritie assembled together, to the intent with force and armes to do, practise or put in vre any of ẏ thinges aboue mencioned, that then it shall be lawful to euery Justice of peace, and to euery Shirife in any county being within ẏ Queenes dominions, & to euery Maior, Bayliffe & other head officer of any citie or towne corporat, for the time he shalbe in office, or any other person or persons, hauing the Queenes cõmission, or letters from her highnesse, as well to raise & assemble the Quenes louing subiectes, in maner of warre, to be arreared in such great nũber, as he or they then shall thinke meete or hable, to ẏ intent by violẽce & strength, to suppresse, apprehend and take the said persons that so shalbe vnlawefully assembled: And that if the said persons so vnlawfully assembled, after such commaundement or request by proclamatiõ made, shall continue together, and not endeuor themselues to retourne towardes their habitatiõs, houses or places, from whẽce they came, in such short time as they may conueniently, that then it shalbe lawefull to euery Justice of peace, Sheriffe, and also euery Maior, Bayliffe, and other head officer of any Citie or Towne corporate, and to euery other person, hauing auctoritie as is aforesaid, after such commaundement or request by proclamation made, and to such persons as shall be assembled with any Justice of peace, or Sheriffe, or with any Maior, Bayliffe, or other head officer of any Citie or towne corporate, and with euery other person, hauing auctoritie, as is aforesaid, to suppresse, apprehende, and take those persons so vnlawfully assembled, which after such Proclamation made shall continue together, and not endeuour themselues to returne towarde their habitations or places from whence they came, and that if the said persons so vnlawfully assembled together, or any of them shall fortune to be killed, slayne, maymed, or hurt, in, or about the suppressing or taking of them, that then euery such Justice of peace, Sherife, Maior, Bayliffe, and other head officer, and euery other person, hauing auctoritie as is aforesayd, and all and singular persons by him or them assembled, shalbe free, discharged, and vnpunishable, as well against the Queene, as against al & euery other person & persons, of, for, or concerning the killing, slaying, mayming, and hurting of any person or persons, so vnlawfully assembled, that shall fortune to be killed, slaine, maymed, or hurt, about or by occasion of suppressing or taking of them.

And furthermore be it &c. that all and euery copyholder, or customary holder, being yeoman, artificer, husbandman, or labourer, and being of the age of xviii. yeres or more, and vnder the age of three score yeres, not sicke, impotent, lame, maymed, ne hauing any other iust or reasonable excuse or cause to the contrary, & being required by the Sherife, Justice of peace, or other hauing auctoritie by this act, or by commission, or letters, as is aboue sayde in that behalfe, they declaring their sayde auctoritie, or being required by the immediate Lorde or Lordes, of whome such copy holdes, or customary holdes then shall be holden, to serue the Quenes maiestie for any ẏ causes aboue rehearsed,

2. Persons

Any Iust. of p. Sherife Maior Bailiffe

Proclamation

Any Iust. of. p. Sherife Maior Bailiffe

Suppresse

Slayne Iust. of p. Sherife

Discharged

Copyholder Artificer Labourer 18. yeres old

Sherife Iust. of p.

rehearsed, and refuse so to do, shall onely during the life of such person or persons, so refusing, forfait and loose to his or their Lord or Lords, of whom such copy, or Customarie holdes then shalbe immediatly holden and should be holden, during the life of such person or persons so refusing, in case he or they had not so refused, all their copie holdes, and customarie holdes. And that it shalbe lawfull to euery such Lord or Lordes, their Heires or assignes of whom such copie holdes or customary holdes shalbe immediatly holden, and should bene holden, in case that such person or persons had not so refused by vertue of this present act, to enter and take into his or their handes or possession, all such copie holdes, and customary holdes, so holden of them, or any of them immediatly, and to retayne the same during only the life of euery such offendour or offendours, in such maner and forme as he or they should haue had the rents or seruice of such copy hold and customarie hold, in case such person or persons so refusing, had not refused. And that all and euery fermour being a Yoman, husbandman, artificer or labourer, and being of the age of xviii. yeres or more, and vnder the age of three score yeres, not sicke, impotent, lame, maymed, ne hauing any other iust or reasonable excuse, or cause to the contrary, and being required by the Shirife, Justice or Justices of the peace, or other hauing authoritie by this act, or by cõmission, or letters as is aforesayd in that behalfe, they declaring their said authoritie, or being required by their landelord or landlords for the time being, to whom the rents of such fermes shalbe thē rising, comming or growing to serue the Queenes Maiestie for any the causes aboue rehearsed, and refuse so to doe, shall during onely the life of such fermour or fermours, so refusing, forfait and loose to such Landlorde and landlords as should haue had the rent of such Fermours during the life and liues of such person and persons, so refusing all their said fermes, and that it shalbe lawfull to euery such Landlord and Landlordes, their Heires and assignes to whom the Rents of such fermes should haue bene due, during the life of such person or persons so refusing, in case such person or persons had not so refused by vertue of this present act to enter & take into his or their hands or possession, all such fermes, and to retaine the same during onely the life of euery such offendour or offendours. Prouided alwaies, and be it &c. that after the death, expiration, or determination of the interest or terme of yeres, of euery such copy holder, customary holder, or fermour, as so shall offend and forfait any of the sayd copy holdes, customary holds, or fermes as is aforesaide, that then all and euery such person and persons, as should or ought to haue had the saide copiholds, customary holds, or fermes, after or by the death, expiration, or determination of the interest or terme of yeres, of such copy holder, customary holder or fermour, in case such copy holder, customary holder, or fermer had not so offended ne forfaited, shall and may haue the same copy holds, customary holds and fermes, by entrie, action, admission, or otherwise in like maner, forme, & condition, and by such waies & meanes as they and euery of them, should, might or ought to haue had, if no such forfeiture or offence had bene had, done, or committed.

And also be it &c. that if any person or persons, which at any time after the sayd twentie day of December shalbe spoken vnto, moued, or stirred to make any commotion, insurrection, or vnlawfull assemblie for any of the entents aboue mencioned, and do not within xviii. houres next after he or they shalbe spoken vnto, moued or stirred, vnlesse he haue a good reasonable cause of excuse, declare the same to one Justice of the peace, or Shirife of the said countie, or to the Maior, shirifes, bailifes, or other head officers of any citie or towne corporat, where such speaking, motion or stirring shalbe had, shall suffer imprisonment by the space of iii. moneths without baile or mainprise, vnlesse he shal be discharged by three Justices of Peace of the same shire, where ỹ offence shalbe, whereof one of the said Justices shalbe of

Foyt.

Lords Heires

Fermour Artificer Labourer

Shirife Iust. of p.

Seruice

Refuse

Foyt.

Commotion

24. Houres

Declare Iust. of p. Shirife Maior

Bailife

Imprison Mainprise

iii. Iust. of p.

Quorum

the Quorum. And it is ꝛc. that if any person or persons being aboue ꝑ age of xviii.

18. peres

peres, & vnder the age of three score peres, being able to serue, and not sicke, lame or impotent, shalbe required by any Justice

Just. of p.

of the peace, or any shirife of any countie,

Shirife

where any such assembly shalbe, or by any

Maior Bailife

Maior, baylife, or other head officer of any Citie, borough or towne corporate, or by any other by the commaundement of any such Justice of peace, shirife, Maior, bailife, or other head officer, to goe with him or them to suppresse the persons vnlawfully assembled, in maner and forme aforesaid, that then euery person which so being able and required, doth willingly and obstinatly refuse so to doe, shall suffer

Imprison

imprisonment of his body for one yeere

Mainprise

without baile or mainprise. Prouided alwaies and be it ꝛc. that if the Queenes highnesse shall by her Letters Patents

Lieutenant

make any Lieutenant in any Countie or counties of this realme, for the suppression of any Commotion, Rebellion, or vn-

Al Just. of p.

lawfull assembly, that then aswell all Justices of Peace, of euery such Countie,

Shirife Maiors Bailifes

and the shirife and shirifes of the same, as all Maiors, Baylifes and other head officers, and all inhabitants and subiects of any countie, citie, borough or towne corporat, within euery such countie, shall vpon the declaration of the said Letters patents, and request made, be bound to giue attendance vpon the same Lieutenant, to suppresse any Commotion, rebellion, or vnlawfull assembly, vnlesse he or they, being so required, haue any reasonable excuse for his not attendance, vpon paine of

Imprison

imprisonment for one whole yere.

Proclamation

And be it ꝛc. that the order and forme of the Proclamations that shall be made by the authoritie of this act, shalbe as hereafter foloweth, or with the like order and words in effect, that is to say, the Justices or other person authorised by this act to make the said proclamation, shall make or cause to be made an Oyes, and after that shal openly pronounce, or cause to be pronounced these words or like in effect. The Queene our soueraigne Lady chargeth and commaundeth al persons being assembled, immediatly to disperse themselues, and peaceably to depart to their habitations, or to their lawfull busines, vpon the paines contained in the act lately made against vnlawful and rebellious assemblies. And God saue the Queene. Prouided alwaies, and be it enacted by the authoritie aforesaide, that if any person or persons do or shall molest, let, hinder, or hurt any person or persons, that

Molest

shall proclaime or go to proclaime, according to the proclamation and order, made in the Statute aforesayde, whereby such proclamation shall not be made: that then all and euery such person and persons so molesting, letting, hindering or hurting, and hauing knowledge of his message, shall incurre and be in such daunger, and suffer such payne or paynes and forfai-

Fork.

tures, as the persons assembled, to whom the proclamation should haue bene made, should by this act incurre, for not obeying the proclamation if it had bene made, or for doing after the Proclamation of any the things before in this act expressed. And also all and euery such person and persons being assembled to the number aforesayde to attempt or doe any of the things aforesaid, to whom proclamation should or ought to haue bene made, if the same had not bene let as is aforesaid, shall likewise in case they do afterward cõmit, put in vre, ꝛ do any things aforesaid, they hauing any maner waies knowledge of ꝑ let so made, or by any meanes procuring the same let, incurre ꝛ be in like danger, and suffer like paine or paines and forfai-

Fork.

ture aforesaid in euery their degrees, as though the proclamation had bene made: Any clause, article or sentence heretofore in this act included, made to the contrary notwithstanding. And be it ꝛc. that this act, or the effect thereof shalbe openly read, published or declared, at euery quarter

Quarter sessions

sessions, and at euery leete and lawe day.

Leete Lawday

Prouided alwaies and be it ꝛc. that all

Prouiso Heire

and euery the heire and heires of all and euery the offendour or offendours in any the cases aforesaid, and all and euery person and persons, bodies politike and corporate, and their heires, succes-

Bodies politike

sours and executors,

executors, and euery of them, other then such person and persons only as shalbe attainted, conuicted, or outlawed, of any the aforesayde offences of felony, shall haue, hold, and enioy al such right, title, entrie, interest, leases, possessions, rents, conditions, profits, commodities, and aduantages, as they or any of them haue, or hereafter shall haue, or of right ought to haue, in, or to any honours, castels, mannours, lands, tenements, woods, rents, reuersions, seruices or hereditaments whatsoeuer, in, or to any part or parcell thereof, in as large & ample maner and forme, to all intents, constructions and purposes, as if such attaindour had neuer bene had ne made: Any thing in this act to the contrary in any wise notwithstanding. Hauing Sauing to all and euery person and persons, bodies politike and corporate, and Liberties their successours, their liberties and franchises, in such maner and forme, as if this act had neuer bene had ne made.

And be it enacted, that if any person or persons, after the sayde twentie day Procure of December do moue, stirre or procure, any person or persons, to cõmit or do any of the offences in this present act specified, that then euery such person which shal so procure, stirre or moue any person or persons so to offend, shal suffer such paine Imprison Mainprise and punishment by imprisonment, without baile or mainprise, as is before expressed in this present act against Counsailours of such offences. And that if any 40. Persons persons, to the number of xl. or mo, after the said xx. day of December, shall assemble together in forcible maner, vnlawfully and of their owne authoritie, to the intent to doe, exercise, or put in vre any of the things aboue specified, or to do other felonous or rebellious act or acts, and so shall 3. Howers continue together by the space of three howers after proclamation shalbe made, or nigh the place where they shal so be assembled, or in some market towne thereunto next adioyning, & after notice thereof to them giuen, that then euery person so willingly assembled in forcible maner, and so cõtinuing together by the space of Proclamation three howers, after such proclamation shalbe made, & notice therof giuen, shalbe adiudged a felon, & shal suffer death, as in Felony case of felony. And be it &c. that no lieutenant or lieutenants, that shalbe appointed Lieutenant or made by authoritie or colour of this act, or for to execute this act, shall in any wise make, put, or constitute vnder him or them, or in his or their place, any deputie Deputie or deputies, nor shall call, conuent, or appoint to apeare before him or them, by the Conuent only authoritie of lieutenancie, or of commission of lieutenancy, any person or persons, for any cause or matter whatsoeuer, saue onely for the causes and matters expressed in this present act, and for none other. And that no person or persons shalbe put to any losse, forfaiture, paine, or punishment, of life, land or goods, as acces- Accessary sary to any person or persons that shall commit any of the offences contained in this present act for receiuing, comforting, Receine or aiding of any such offendour after such act cõmitted or done. And that no attain- Attaindor der or cõuiction of any person or persons Conuiction for any offence or offences herein contayned, shall be any maner of corruption of Blood bloud betweene the offender and any of his auncestors, or such person and persons as should haue bene heire to such offẽder, if no such attainder or cõuiction had bene had, sauing to all & euery person and persons, body and bodies politike and incorporat, & their successours, their liberties Franchises and franchises, in such maner and forme, as if this act had neuer bene had ne made. And be it &c. that one act of Parliament made in the session of the parliament holden vpon prorogatiõ at Westminster the fowerth day of Nouember, in the third yere of the raigne of king Edward ỹ sixt, An. 3. E. 6. and there continued and kept to the first Repealed day of Februry in the fowerth yeere of the raigne of ỹ said king, intituled by the name of an act for the punishment of vnlawful assemblies and rising of the kings subiects, and all and euery branch, clause, sentence and article therein cõtained, shal be frõ the twentie day of December next comming, vtterly void and of no force, to Void all intents, constructions, and purposes. And this act onely to be put in execution,

for, and concerning the offences mencioned in the said former act. This act to cõtinue vnto the end of the next parliament. An. 1. M. 1. Parliamento cap. 12. And after An. 1. M. 2. parliamento cap. 12. this act is continued to the last day of the next parliament. And after An. 1. & 2. P. & M. cap. 16. it is continued to the last day of the next parliament. And after An. 2. & 3. P. & M. ca. 21. it is continued to the last day of the next parliament. And after An. 4. & 5. P. & M. it is continued to the last day of the next parliament. And it is continued. 1. El. cap. 17. as followeth.

10 ¶ Forasmuch as experience hath made manifest that the statute of Anno 1. Mar. Parl. 1. cap. 12. (before 9.) is a very good and benefitiall law, for the common wealth & quiet of ꝑ realme: Be it ꝛc. that the said act and statute and euery branch, clause, and article therein contained, shall stand, remaine, continue and be in full force and strength, to all intents and purposes, for and during the naturall life of the Queenes most excellent maiestie that now is, (which almighty God long preserue and continue) and to the ende of the next Parliament then next following. And that the saide act and statute, and the words and sentences mencioned and contained in the said act, shal extend and be in the Queenes highnes that now is, as fully & amply, as euer the same did extend to ꝑ said late Queene Mary. An. 1. E. ca. 17.

11 ¶ An. 11. H. 7. ca. 7. an act was made against riots and rowtes, to endure to the next parliament.

¶ Robberies.

FOrasmuch as the peace of this realme hath bene weakely kept heretofore for lacke of quicke and fresh suit making after Felons in due maner, and namely because of franchises, where the Felons are receiued: it is prouided, that all generally be ready and apparailed at the commaundement and summons of shirifes, and at the crie of the countrey, to pursue and arrest Felons (when any nede is) as well within franchise as without, and they that will not so do, and ther of be attainted, shal make a greeuous fine to the king. And if default be found in the Loyde of the franchise, the king shall take him to the same franchise: And if default be in the Bailife, he shal haue one peres imprisonment, and after shall make a greeuous fine: And if he haue not whereof, he shall haue imprisonment of two peres: And if the shirife, Coroner, or other bailife within franchise or without, for reward or for praier, or for any maner of affinitie, concreale, consent, or procure to conceale the felonies done in their Bayliwikes, or otherwise doe forbeare to attache or arrest such felons (there as they may) or otherwise to doe their office for fauour borne to such misdoers, and be attainted thereof, they shal haue one peres imprisonmẽt, and after make a greeuous fine. And if they haue not whereof to make fine, they shall haue imprisonment of three peres. W. 1. ca. 9. An. 3. E. 1. And after. An. 23. H. 6. cap. 5. it is enacted that this statute shalbe put in execution.

Franchises
Refuse
Fine
Franchises
Bailife
Imprison
Fine
Shirife
Coroner
Conceale
Attach
Office
Fauour
Imprison
Fine

2 ¶ For as much as from day to day robberies, murders, and burning of houses, be more often vsed then they haue bene heretofore, and felons can not be attainted by the oth of Jurours, which had rather suffer Felonies done to straungers to passe without paine, then to indict the offendours, of whom a great part be folke of the same countrey, or at the least if the offendours be of an other countrey, the receiuours be of places nere. And they doe the same, because the othe is not now put vnto Jurours, nor vpon the countrey where such felonies were done, as to the restitution of dãmages hitherto no paine hath bene limitted for their cõcealement & latches: Our lord the king, for to abate the power of felons, hath established a paine in this case, so that frõ henceforth, for feare of the paine more then for feare of any othe, they shall not spare any, nor cõceale any felonies. And cõmandeth that proclamation be solẽnely made in all cõtries, hundreds, markets, faires, & al other places, where great resort of people is, so that

Murderers
Felony
Jurours
Counties
Hundreds
Markets
Faires

that none shall excuse him selfe by ignorance, that from henceforth euery coūtrie be so well kept, that immediatly vpon robberies and felonies committed, such fresh suit be made from towne to towne, and from countrey to coūtrey. Likewise, whē neede require, that inquests be made in Townes by him that is Loyde of the Towne, and after in the hundred, and after in the Franchise, and in the Countie, & sometime in two, three, or fower counties, in case where felonies be committed in the Marches of shires, so that the trespassors may be attainted. And if the countrey doe not answere for such maner of mislooers, the paine shall be such, that the countrey, that is to wit, the people dwelling in the countrey shall answere for the robberies done, and also for the dammages, so that the whole hundred, where the robbery happeneth to be done with the fraunchises, being within the precinct of the same hundred shall answere for the robberies done. And if the robbery chaūce to be done in ỳ diuision of two hundreds, in such case both hundreds together with the fraunchises, shall answere it. And after that the felony or robbery is done, the countrey shall haue no longer space then fourty dayes, within which it shall behoue them to agree for the robbery and trespalle, or else that they answere for the bodies of the offenders. And for as much as the king will not that his people should be sodainly put in feare of this penaltie, that seemeth very hard to many, the King graunteth that they shal not incurre it immediatly, but it shalbe respited vntill the Easter next following, and within that time the king shall see how the countrey will order them selues, and whether such felonies and robberies doe cease. After which terme let all bee assured, that the forelayd penaltie shall renne generally, that is to witte, that euery countrey, that is to say, the people of the countrey shall answere for the felonies and robberies done among them.

Fresh suit

Inquests

Marches

Dammages

Hundreth

Fraunches

ii. Hundreds

xl. daies

And for the more suertie of the countrey, the king hath commanded, that in great Townes being walled, the gates shalbe closed from the sonne setting vntil the sonne rising, and that no man do lodge in the suburbes, nor in any forrein part of the Towne but in the day time, nor yet in the day time without his host will answere for him, and the bailifes of townes euery weeke, or at the least euery xv. day, shall make inquiry of all persons being lodged in the suburbes and in the forrein parts of the townes. And if they doe finde any that doe lodge or receiue in any maner, men, of whom there is suspicion, that they be people against the peace, the Baylifes shall do right therein. And the king commandeth, that from henceforth watches be made as it hath bene vsed in times passed, that is to wit, from the feast of Ascenсion, vnto Michaelmas, in euery Citie by sixe men at euery gate, in euery borough by xii. men, in euery towne by vi. or iiii. according to the number of inhabitāts of the towne, and they shal watch al night from the sonne resting vnto the sonne rising. And if any straunger doe passe by them, he shall be arrested vnto the morning: And then if no suspition be found, he shal go quite, and if they find suspition, they shal forthwith deliuer him to the shirife, and he shall receiue him without dāmage, and shall keepe him safely vntill he be deliuered in due maner: And if they will not obey the arrest, hue and crie shall be leuied vpon them, and the Watchmen shall follow them with all the towne and the neighbour townes, with hue and crie from towne to towne, vntill that they be taken and deliuered to the shirife, as before is sayde, and for the arrestments of such straungers none shalbe punished.

Walled townes

Host

Bailiff

Enquire

Watch

Arrest

Shirife.

Hue and crie

And further it is commaunded, that the high waies, leading from one market towne to another, shalbe inlarged, where as woods, hedges or dikes bee, so that there be neither dike, vnderwood, nor bush, whereby any may escape to doe euil within two hundreth foote of ech side the way, so as this statute doe not extend vnto ashes nor vnto great wood, so as it bee there vnderneath. And if by the default of of the Lord, that will not auoid the dyke, vnderwood, or bushes in the maner a-

High wayes

Woods

200. Foote

Dike

Vnderwood

And 27 Eliz. 13. it is further enacted that the Hundred to the franchises therein wherein negligence of fresh suite after huy and cry made shall happen to be, shall answere the moitie of the roberies and damages. Huy & cry must be made

Lord

foresaide, any robberies be done, the lorde shall answere it. And if murder be done, the lord shall make fine for it at the kings pleasure. And if the lord be not able to fell the vnderwoods, the countrey shall aide him therein. And the king willeth, that in his demeane lands and woods within forest and without, the waies shalbe enlarged (as before is saide.) And if percase a Parke be neere to the high way, the lorde must inuiron his Parke the space of CC. foote from the high wayes, as before is said, or els must make such a wall, dyke or hedge, that the euil doers may not passe ne returne for to do euill.

K. demeans
Waies

Parke
200. Foote

And further it is commaunded, that euery man haue his househarneis for to keepe the peace after the auncient assise, that is for to say, that euery man betwixt fifteene yeres of age and lx. yeres, shall be assessed and sworne to armour, according to the quantitie of their lands and goods, that is to wit, for fifteene li. lands & goods of xl. markes, an Hawberke, Helme of yron, a Sword, a knife, and an horse. And for tenne pound of lands and xx. markes goods, a Hawberke, a Helme, a Sword, and a knife, and for v. li. lands, a doublet, a helme of yron, a sword, and a knife, and from xl. s. land & more vnto C. s. of land, a sword, a bowe and arrowes, and a knife. And he that hath lesse then xl. s. yeerely, shalbe sworne to keepe gisarmes, knives, and other lesse weapons. And he that hath lesse then xx. markes in goods, shall haue swords, knives, and other lesse weapons, and all other that may haue them, shall haue bowes & arrowes out of the forest, and in the forest Bowes and Bolts. And that view of armour be made euery yeere two times. And in euery hundred and franchises two constables shall be chosen to make the viewe of armour, and the constables aforesayd shall present before Justices assigned, when they shall come into the countrey, such defaults as they shall haue found of armour, and of suites, and of watches, and of high waies, & also shal present all such as do lodge strangers in vplandish Townes, for whom they will not answere. And the Justices assigned, shall present the same at euery parliament vnto the king, and the king shall prouide remedy therein. And from henceforth let shirifes and bailiffes of franchises & without, greater or lesser, that haue any bayliwike or forestry in fee or otherwise, take good heede, that they follow the cry with the countrey, and as they are in ability to keepe horses and armour so to do. And if there be any, that do not so, that the defaults be presented by the constables to the Justices assigned, and after by them to the king, as before is said. And the king commandeth and forbiddeth, that from henceforth nether Faire nor market be kept in churchyards, for the honor of the church. Geuen at Winton the viii. day of October the xiii. yere of king Edwar. reigne. An. 13. E. 1. Stat. de Winton. See part of this statute concerning Armour altered & repealed, in Playes 2. & in Armour. 8. And part of it confirmed & changed in peace. 1. And see here following. 3. 4. and 5. more.

Harneis

Othe

Lands
Goods

Armour

Bowes
Arrowes
Viewe

Hundreds
Constables

Justices

Present

Parliament

Shirifes
Bailifes

Defaultes

Faires
Markets
Churchyards

3 The maner of enquiring vpon the statut of Wincheſter (before 2.) whether it is obserued, & when not, and of such as haue not obserued the contents therof to be obserued: Of felonies and robberies committed after Easter in the xiii. yere of the raigne of king Edward, and in what maner such felonies were done, where, and by who, & of their suites by inquests, according to the tenour of the statutes made therupon afterward. And if the shiriffe haue answered for the bodies of such offenders or not. Also if the gates of the Cities or great Townes were shut from the time of the sonne going downe, vntill the sunne rising. And if any strangers were lodged in the suburbes or in the out parties of the city, but in the day, for whom their hostes will not answere. And also how bailiffes and other officers of Townes haue made inquirie thereof. And if watches haue bene kept as is contained in the said statute or not, and howe the Watchmen haue kept their Watch. And if the kings high waies from one merchant towne to an other be inlarged, as well in the Kings owne Townes, as els where, according to the statute, and

Felonies

Shiriffes

Cities
Townes

Strangers

Hostes

Bailifes

Watches

High waies

if

if they be not inlarged to inquire what wayes, and where they be, and who ought to haue inlarged them. And of such as let such inlargements aswell in parkes as in other woods. Also if al men betweene the age of xv. and lx. be swoone to keepe the peace. Also if they haue weapons in their houses according to the quantitie of their lands and goods for maintenance of the peace according to the statute. And also if cõstables do make view of armour in due maner, and of other things belonging to their office or not. Also if sherifes, hundredors, baylifes of liberties, and fosters come at hue and cry leuied, & if they make pursuit for keeping the kings peace, according to the statute or not. Articles vpon the statute of Winton, Anno 13. E. 1. This seemeth not to be any statute.

Othe Armour

Constables

Shirifes Bailifes Hundredors

☞ 4 ¶ Whereas in the statute made at Winchester, in ꝑ time of king Edward, graundfather to the king that now is (before 2.) it is contained, that if any straunger passe by the countrey in the night, of whom any hath suspection, he shalbe arrested and deliuered to the shirife, and remaine in ward till he be duely deliuered. And because there hath bene diuers manslaughters, felonies, and robberies done in times past, by people that be called Roberdsmen, walkers, and Drawlatches: It is accorded that if any man haue any euill suspectiõ of such, be it by day or by night, they shalbe incontinently arrested by the constables of the Townes. And if they be arrested within franchises, they shal be deliuered to the bailiffes of the fraunchise. And if in the guildable, they shall be deliuered to the shirifes, and kept in prison til the cõming downe of the Justices of the gaole deliuery, and in the meane time the shirifes and bailiffes of the franchises shal cause enquiry to be made of such persons arrested, and at the comming of the Justices, they shall returne their enquestes before them, and that that they haue found, and the cause of the takings with the bodies, and that the Justices shall proceede to the deliuerance of such persons arrested after the law. And in case that the shirifes or bailiffes of the fraunchises haue not enquired of such persons arrested, they shalbe amerced, and neuertheless the Justices shal make enquirie, and further proceede to ꝑ deliueracce as before is sayd. An. 5. E. 3. cap. 14.

Nightwalkers Arrest Shirife Imprison

Roberds men Drawlatches

Constables Franchises

Guildable Shirifes

Bailifes

Enquire

Inquestes

Just of g.

Amerce

5 ¶ Because that great clamour and greeuous complaints be made aswell by aliens, as by denizens, that merchãts and other passing through the Realme of England with their merchandises and other goods, be slaine and robbed, and namely now more then they were wont, whereof remedy hath not bene made to the complainants: Our soueraigne lord the king considering the profit which may come to the said realme by comming and abiding of merchants aliens in the same Realme, and the dammage and mischief, which to them & other is done dayly by such manslaughters and robberies, and willing to prouide for the suertie and indempnitie of merchants and other aforesaid, hath ordeined and stablished, by the assent of all his parliament, to the intent that merchants aliens shal haue the greater will and courage to come into the said realme of England, and that remedy from henceforth be speedely made to such merchants and other robbed, according to the forme contained in the Statute late made at Winchester, (before 2.) that is to say, that solempne crie be made in all counties, hundreds, and markets, faires and all other places, where solempne assemblie of the people shalbe, so that none by ignorance shal excuse him, that euery countrey from henceforth be so kept, that immediatly after felonies and robberies done, fresh suit be made fro towne to towne, and fro countrey to countrey, and enquests, if need be, shall be also taken in the townes by him which is soueraigne of the towne, & after in hundreds, franchises, and in the county, and sometime in. ii. iii. or. iiii. counties, in case whẽ felonies shalbe done in the marches of the counties, so that the offenders may be attainted: And if the countrey do not answere of such maner offenders, the paine shalbe such, that euery countrey, that is to say, the people dwelling in the countrey, shal answere of the robberies, done,

Merchants

Proclamation

Fresh suit

Enquests

Hundred Franchises

and of the dammages, ſo that all the hundred, where the robbery ſhalbe done, with the frãchiſes which be within the precinct of the ſame hundred, ſhall anſwere of the robbery done. And if the robbery be done in the deuiſes of two hundreds, both hundreds ſhal anſwere together with the frãchiſes. And longer terme, ſhall not the countrey haue after the robbery or felony done, then xl. daies, within which them behoueth to make gree of the robbery or of the offence, or that they anſwere of the bodies of the offenders. An. 28. E. 3. ca. 11.

40. Dayes

¶Rocheſter.

Wyttes

ALL wittes to be purchaſed by the wardens of the newe bridge of Rocheſter and their ſucceſſors, or by other againſt them to be purchaſed, ſhalbe mainteined and ſuſtained by ẏ lawe of England. And

Wardens

although that the ſaide wardens or any of them be remoued or expulſed from their ſaid office, or do die, hanging ẏ ſaid wits, neuertheleſſe the ſame wits ſhall ſtand and be good and effectuall in the lawe for euer. An. 9. H. 5. cap. 12.

¶Royſton.

WHere the towne of Royſton was in fiue ſeueral Pariſhes, after by

An. 32. H. 8. cap. 44.

the Church of the late Priorie in Royſton is made the pariſh Church of Royſton, and a Vicar perpetuall made for the ſame Pariſh, and the King made patron of the Vicarage, and the Vicarage made vnder the Diocẽſe of the Biſhop of London, and the Tithes of the corne, Hey, wooll, Lambe, and calfe, appointed to the parſons of the fiue pariſhes, as before this act, and the Vicar of Royſton to haue other tithes, offerings, oblations, obuentions, or other eccleſiaſticall duetes and rights, and the fiue parſons to haue like remedy for their Tithes of corne, the wooll and Lambe, and Calfe, as before this Statute.

Vicar perpetual

K. Patron

B. of London

Tithes Oblations

¶Rome.

Clergie

WHere the kings humble and obedient Subiects, the Clergie of this Realme of England, haue not onely knowledged, according to the trueth, that the conuocations of the ſame Clergie is, alwaies hath bene, and ought to be aſſembled only by the kings writ, but alſo ſubmitting them ſelues to the kings maieſtie, hath promiſed In verbo Sacerdotii, that they will neuer from henceforth preſume to attempt, alleage, claime, or put in vre, or enact, promulge, or execute any new cannons, conſtitutions, ordinances prouinciall or other, or by whatſoeuer other name they ſhalbe called in ẏ cõuocation vnleſſe the kings moſt roiall aſſent & licence may to them be had, to make, promulge, and execute the ſame, and that his Maieſtie do giue his moſt royall aſſent & authoritie in that behalfe. And where diuers conſtitutions, ordinances, and cannons prouincial, or ſinodal, which heretofore hath bene enacted, & be thought not only to be much preiudiciall to the kings prerogatiue royall and repugnant to the lawes & ſtatutes of this Realme, but alſo ouermuch onerous to his highneſſe & his ſubiects, the ſaid Clergie hath moſt humbly beſought ẏ kings highnes, ẏ the ſaid conſtitutions & cannons, may be committed to the examination and iudgement of his highneſſe, & of xxxii. perſõs of ẏ kings ſubiects, whereof xvi. to be of the vpper and neather houſe of the Parliament, of the temporaltie, and other xvi. to be of the Clergie of this Realme. And all the ſayd two and thirty perſons to be choſen & appointed by the kings Maieſtie. And that ſuch of the ſayd conſtitutions and cãnons as ſhalbe thought and determined by the ſaide xxxii. perſons, or the more part of them worthy to be abrogated and annulled, ſhalbe abolished and made of no value accordingly. And ſuch other of the ſame conſtitutions and canons, as by the ſaide xxxii. or the more part of them ſhalbe approued to ſtand with the lawes of God, and conſonãt to the lawes of this realme, ſhal ſtand in their full ſtrẽgth and power, the kings moſt royall aſſent firſt had and obtained to the ſame. Be it therefore now enacted, by authoritie of this preſent parliament, according to the ſaid ſubmiſſion & petition of the ſaid clergy, that they nor

Conuocation

K. writ

Licence

Aſſent

Conſtitutions Cannons King.

32. Perſons

16. Temporal

16. of the Clergie

Clergie

any of them from henceforth shall presume to attempt, alleage, claime, or put in vre any constitutions or ordinances prouinciall, or Synodals or any other canons, nor shal enact, promulge, or execute any such canons, constitutions, or ordinance prouincial, by whatsoeuer name or names they may be called in their conuocations in time cõming, which alway shall be assembled by authoritie of the Kings writ: vnlesse þ same clergy may haue the kings most royal assent & licẽce to make, promulge, & execute such canons, constitutions & ordinãces prouincial or Synodal, vpõ paine of euery one of þ said clergy, doing contrary to this act, and being thereof conuict, to suffer imprisonment & make fine at þ kings wil. And forasmuch as such canons, constitutions, & ordinãce as heretofore hath bene made by þ clergy of this realme can not now at þ session of this present parliamẽt, by reason of shortnes of time, be viewed, examined, and determined, & xxxii. persons to be chosen & appointed, according to þ petition of the said clergy, in forme aboue rehearsed: Be it therefore enacted by authoritie aforesaid, þ the kings highnes shal haue power & authoritie to nominate & assigne at his pleasure the said xxxii. persons of his subiects, wher of xvi. to be of þ clergy, & xvi. to be of the temporalty, of the vpper & neather house of the Parliament. And if any of þ said xxxii. persons so chosen, shal hap to die before their full determination, thẽ his highnesse to nominate other frõ time to time of the said two houses of the parliament to supply the number of the saide xxxii. And that the same xxxii. by his highnesse so to be named, shal haue power and authoritie to viewe, search, & examine the said canons, constitutions, & ordinance prouinciall & synodall, heretofore made: & such of them, as the kinges highnes and the said xxxii. or the more part of them, shal deeme & adiudge worthie to be continued, kept, & obeyed, shall be from thencefoorth kept, obeyed, & executed vnto this Realme, so that the kings most royal assent vnder his great seale be first had to the same. And the residue of the sayde canons, cõstitutions & ordinãces, prouincial, which the king & the said xxxii. persons, or þ more part of them shal not approue, or deeme & iudge worthie to be abolite, abrogate, and made frustrate, shall frõ henceforth be void & of none effect, & neuer be put in executiõ vnto this realme.

Conuocation.

Void.

Prouided alway, that no canons, constitutions or ordinance, shall be made or put in execution within this realme, by authoritie of the cõuocation of the Clergie, which shalbe cõtrariant or repugnãt to the kings prerogatiue royal, or the customes, lawes or statutes of this realme: Any thing contained in this act to the cõtrary hereof notwithstanding. And be it further enacted by authoritie aforesaide, that from the feast of Easter, which shalbe in the yeere of our Lord God 1534. no maner of appeales shalbe had, prouoked, or made out of this realme, or out of any the kings dominions to the bishoppe of Rome, nor to the sea of Rome, in any causes or matters happening to be in cõtention, and hauing their commencemẽt and beginning in any of the courts within this realme, or within any the Kings dominions, of what nature, condition, or qualitie so euer they be of, but that all maner of appeales, of what nature, or cõdition soeuer they be of, or what cause or matters soeuer they concerne, shall be made & had by the parties grieued, or hauing cause of appeale, after such maner, forme & condition as is limitted for appeals to be had & prosecuted within this realme in causes of matrimonie, tithes, oblations, & obuentions, by a stat. therof made & established sithen þ beginning of this present parliamẽt, & according to the forme & effect of þ said stat. any vsage, custome, prescriptiõ, or any thing or things to the contrary hereof notwithstanding.

R. prerogatiue

Appeales.

Pope.

And for lacke of Iustice at or in any þ courts of the Archbishops of this realm, or in any the kings dominions, it shalbe lawful to the parties grieued to appeale to the kings court of Chauncery. And þ vpõ euery such appeale a cõmission shall be directed vnder the great seale, to such persons as shall be named by the Kings highnesse,

Impriſon. Fine.

King.

32. Persons.

Authoritie.

Iustice. Courtes.

Chauncery.

highnesse, his heires or successors, like as in case of appeale frō the Admiral courte to heare and definitiuely determine such appeales, and the causes concerning the same: Which commissioners, so by the kinges highnes, his heires or successors to be named or appoincted, shall haue full power and authoritie to heare, and definitiuely determine euery such apeale, wth the causes & all circumstances concerning ỹ same: And ỹ such iudgement and sentence as the said cōmissioners shall make & decree in and vpon any such appeale, shall be good & effectual & also definitiue. And no further appeales to be had or made frō the said commissioners for the same.

Diet & ter.

Commissioners

Judgement

And if any person or persons at any time after ỹ said feast of Easter, prouoke or sue any maner of appeales, of what nature or condition soeuer they be of, to the said bishop of Rome, or to ỹ sea of Rome, or doe procure or execute any maner of proces from the sea of Rome, or by authoritie thereof, to the derogation or let of ỹ due execution of this acte, or contrary to the same: that then euery such person or persons so doing, their aidours, counsailours and abettours, shall incurre & run into the dangers, paines & penalties conteined & limitted in the act of prouision & premunire, made in the xvi. peere of the kings most noble progenitour, king Richard the second, against such as sue to ỹ court of Rome, against the kings crown and prerogatiue royall.

Premunire

Prouided alwayes, that al maner prouocations & appeals hereafter to be had, made or taken, from the iurisdictions of any abbots, priours or other heades, any gouernours of monasteries, abbeis, priories and other houses & places exempt in such cases, as they were wont or mought afore the making of this act by reason of graunts or liberties of such places exempte, to haue or make immediatly any appeale or prouocations from the bishop of Rome, otherwise called the Pope, or to the sea of Rome, that in all these cases euery person or persons, hauing cause of appeale or prouocation, shall & may take and make their appeales & prouocations immediately to the kings maiestie of this realme into the courte of chauncerie, in like maner and fourme as they vsed afore to do to the sea of Rome, which appeales and prouocations so made, shall be definitiuely determined by authoritie of the kinges commission, in such maner and forme as in this act is aboue mentioned. So that no Archbishop nor Bishoppe of this realme, shal intermitte or meddle wt any such appeales otherwise or in any other maner, then they might haue done before ỹ making of this acte, any thing in this act to the contrary thereof notwithstanding.

Chauncerie

Archbishop Bishop

Prouided also, that such canons, constitutions, ordināces, & sinodals prouincial, being already made, which be not contrariant nor repugnant to the lawes, statutes, & customes of this realme, nor to ỹ damāges or hurt of ỹ kings prerogatiue royal, shal now still be vsed & executed as they were afore ỹ making of this act, till such time as they be viewed, serched or otherwise ordered or determined by ỹ said 32. persons, or the more part of thē, according to the tenor, forme and effect of this present act. An. 25. H. 8. ca. 19. This act is repealed by 1. & 2. P. & M. and reuiued by. An. 1. El. cap. 1.

Canons

Repugnant

Prerogatiue

2 ¶ Where sithen the beginning of this present Parliament, for represse of the exaction of annates and first fruits of archbishoppricks & bishoppricks of this realme wrongfully taken by the bishop of Rome otherwise called the Pope and the sea of Rome: It is ordeined & established by an act amongst other things, that ỹ paimēts of the annats or first fruits, and al maner cōtributiōs for ỹ same, for any such archbishoppicke or bishoppicke, or for any buls to be obteined frō the sea of Rome, to or for ỹ saide purpose or intent, should vterly cease, & no such to be paid for any archbishoppick or bishoppick wthin this realme other wise thē in the same act is expressed. And that no maner of person or persons to be named, elected, presented, or postulated to any archbishoppick or bishoppicke within this realme, should pay the saide annates or first fruites, nor any other

Annates First fruits Archbishops Bishops

Buls

ther maner of ſumme or ſummes of money, pencions, or annuities for the ſame, or for any other like exaction or cauſe, vpon payne to forfait to our ſoueraigne lord the king, his heires and ſucceſſors, al maner his goods and catels for euer, and al the temporall lands and poſſeſſions of the ſaid archbiſhoprick or biſhoprick, during the time ỳ he or they ỳ ſhould offende contrary to ỳ ſaid act, ſhould haue, poſſeſſe & enioy ỳ ſaid archbiſhoprick or biſhoprike.

Fait.

And it was further enacted, that if any perſon named or preſented to the ſea of Rome by the kings highnes, or his heires or ſucceſſors to be biſhop of any ſea or dioces within this realme, ſhould happen to be letted, delayed, or deferred at the ſea of Rome, from any ſuch biſhoprike whereunto he ſhoulde be ſo preſented, by meane of reſtraint of buls of the ſaid biſhoppe of Rome, otherwiſe called the Pope, & other things requiſite to ỳ ſame, or ſhould be deemed at the ſea of Rome, vpon conuenient ſuit for any bulles requiſite for any ſuch cauſe: that then euery perſon ſo preſented, mought or ſhould be conſecrated here in Englande by the Archbiſhop, in whoſe prouince the ſaid biſhoprick ſhal be: ſo alwayes that ỳ ſame perſon ſhould be named and preſented by the King for the time being, to ỳ ſaid archbiſhop. And if any perſon being named and preſented as is aforeſaid, to any archbiſhoprike of this realme, making conuenient ſuite as is aforeſaide, ſhould happen to be letted, delayed, deferred, or otherwiſe diſturbed from the ſaid archbiſhoprike, for lacke of palle, bulle, or other things to him requiſite to be obteined at the ſea of Rome, that then euery ſuch perſon ſo named and preſented to be archbiſhop, mought & ſhould be conſecrated and inueſted, after preſentation made as is aforeſaid, by any other two biſhops within this realme, whom ỳ kings highnes, or any his heires or ſucceſſors, kings of Englād, would appoint and aſſigne for the ſame, according, & after like maner as diuers archbiſhops and biſhops haue bene heretofore in auncient time, by ſundry ỳ kinges moſt noble progenitours made, conſecrated and inueſted within this Realme.

Archbiſhop Conſecrated

And it was further enacted by the ſaid act, that euery archbiſhop and biſhop being named & preſented by the kings highnes his heires and ſucceſſours kinges of England, and being conſecrated and inueſted as is aforeſaid, ſhalbe inſtalled accordingly, and ſhould be accepted, taken & reputed, vſed and obeyed, as an archbiſhop or biſhop of the dignitie, ſea or place whereunto he ſhalbe ſo named, preſented and conſecrated as other like prelats of ỳ prouince, ſea or dioces haue bin vſed, accepted, taken & obeyed, which haue had & obteined compleetely their buls and other things requiſite in that behalfe from the ſea of Rome, and alſo ſhould fully and entirely haue & enioy all the ſpiritualties & temporalties of the ſaid archbiſhoprike, or biſhoprike, in as large, ample and beneficial maner, as any of his or their predeceſſors had or enioyed in the ſaide archbiſhoprike or biſhoprike, ſatisfying and yeelding vnto ỳ kings highnes, & to his heires & ſucceſſors, all ſuch duties, righes and inueſts as before time hath bin accuſtomed to be paid for any ſuch archbiſhoprike or biſhoprike, according to the ancient lawes and cuſtomes of this realme, and the kings prerogatiue roial, as in the ſaid act amongſt other things is more at large mentioned. And albeit the ſayd biſhop of Rome, otherwiſe called the pope, hath bene informed and certified of the effectuall contents of the ſaid acte, to the intent that by ſome gentle wayes the ſaid exactions might haue bene repreſſed and reformed: yet neuertheles the ſaid biſhop of Rome hitherto, hath made none anſwere of his minde therein to the kinges highnes, nor deuiſed or required any reaſonable ways to & vnto our ſaid ſoueraigne Lord for ỳ ſame, wherfore his moſt excellent goodneſſe, for the wealth & profite of this his realme, and ſubiects of the ſame, hath not onely put his moſt gratious and royall aſſent to the foreſaid acte, but alſo hath ratified and confirmed the ſame, and euery clauſe and article therein contayned as by his letters patentes vnder his great ſeale enrolled in the Parliament

rolle

rolle of this present Parliament more at large is conteined. And for as much as in the said act it is not plainely and certainly expressed, in what maner and fashion Archbishops and Bishops shal be elected, presented, inuested and consecrated within this realme, and in all other the kings dominions: Bee it now therefore enacted, by the king our soueraigne lorde, by the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, that the saide act, and euery thing therein contained, shal be and stand in strength, vertue & effect, except onely that no person or persons hereafter shall be presented, nominated or commended to the said bishop of Rome, otherwise called the Pope, or to the sea of Rome, to or for the dignitie or office of any archbishop or Bishop, within this realme, or in any other the kings dominions, nor shall send nor procure therefore any maner of bulles, breues, palles, or other things requisite for an Archbishop or Bishop, nor shall pay any summes of money for annats, first fruites, or otherwise for expedition of any such bulles, breues or palles, but that by the authoritie of this acte such presenting, nominating or commending to the said Bishop of Rome, or to the sea of Rome, and such bulles, breues, palles, annates, first fruits, & euery other summes of money heretofore limited, accustomed or vsed to be paid at the said sea of Rome, for procuration or expedition of any such bulles, breues, or palles, or other thing concerning the same, shall vtterly cease, and no longer be vsed within this realme or within any the kinges dominions, any thing conteined in ỳ said act afore mencioned, or any vse, custome, or prescription to ỳ cõtrary thereof notwithstanding.

First fruites

And furthermore be it ordeined and established by the authoritie aforesaid, that at euery ordinãce of any archbishoprick or bishoprick within this realme, or in any other the kings dominions, the king our soueraigne lorde his heyres and successors may graunt ỳ priour and couent, or the Deane and Chapiter of the cathedrall churches or monasteries, where the sea of such archbishoprick or bishoprick shall happen to be voyd, a licence vnder the great seale, as of olde time hath bene accustomed, to proceede to election of any archbishop or bishoppe of the sea so being void with a letter missiue, conteining the name of the person which they shall elect and chose: by vertue of which licence, the said deane and chapter, or priour and couent, to whom any such licence and letters missiues shalbe directed, shal with al speede and celeritie in due forme elect, and chuse the said person named in ỳ said letters missiues to the dignitie and office of the archbishoprick so being voide and none other. And if they doe or differre or delay their election aboue xii. dayes next after such licence and letters missiues to them deliuered, that then for euery such default the kings highnes his heires and successours, at their libertie and pleasure, shall nominate & present by their letters patents vnder their great seale, such person to the saide office and dignitie, so being voyde, as they shall thinke able and conuenient for the same. And that euery such nomination and presentment to be made by the kings highnesse his heires & successours, if it be to the office and dignitie of a bishop, shall be made to the archbishop and metropolitan of the prouince where the sea of the same bishoprick is voyd, if the sea of the said archbishoppe be then full and not voyde: and if it be voide, then to be made to such archbishop or metropolitan within this realme, or in any the kinges dominions as shall please the kings highnesse, his heires or successors. And if any such nomination or presentment shall happen to be made for default of such elections to the dignitie or office of any archbishop, then the kinges highnesse, his heires and successors, by his letters patentes vnder his great seale shall nominate & present such person as they will depose to haue the said office and dignitie of the archbishoprick being voyde, to one such archbishop, and two such bishops, or els to foure such bishops in this realme, or in any the kings dominiõs, as shall

Licence

Letters missiue

Delay 12 Dayes

Default

L. patents

Archbishop

L. Patents

Deane

shall be alligned by our sayde soueraigne Lord his heires or succeſſours. And be it enacted by the authoritie aforesayde, that whensoeuer any such preſentment or nomination shalbe made by the kings highneſſe, his heires or succeſſours, by vertue and authoritie of this act, and according to the tenour of the same, that then euery archbishop and bishop, to whose handes any such preſentment & nomination shall be directed, shall with all speede and celeritie, inueſt, and conſecrate the person nominate and preſented by the kinges highneſſe his heires or succeſſours, to the office and dignitie that such person shall be so preſented vnto, and giue and vſe to him palle and all other benedictions, ceremonies and thinges requiſite for the same, without suing, procuring, or obteining hereafter any buls or other things at the sea of Rome, for any such office or dignitie in any behalfe. And if the saide Deane and Chapiter, or priour and couent, after such licence and letters milliues to them directed within the said twelue dayes, do elect and chose the said person mencioned in the said letters milliues, according to the requeſt of the kings highnes his heirs and succeſſours thereof to be made by the letters milliues in that behalfe: then their election shall stand good and effectuall to all intents, and that the person so elected after certification made of the same election vnder the common and couent seale of the electours, to the kinges highneſſe his heires or succeſſours, shall be reputed and taken by the name of lorde elected, of the said dignitie and office, that he shal be elected vnto. And then making such othe and fealtie onely to the kinges Maieſtie, his heires and succeſſours, as shall be appointed for the same the kinges highneſſe by his letters patentes vnder his great seale, shall signifie the saide election, if it be to the dignitie of a bishop, to the archbishop and metropolitane of the prouince where the sea of the saide bishoprick was void, if the sea of the said archbishop be ful and not void, and if it be voide, then to any other archbishop within this realme, or in any other the kinges dominions, requiring & commanding such archbishop, to whome any such signification shall be made, to confirme the said election, and to inueſt and conſecrate the said person so elected to the office and dignitie that he is elected vnto, and to giue and vſe to him al such benedictions, ceremonies and other things requiſite for the same, without any suing, procuring and obteyning any bulles, letters or other thinges from the sea of Rome for the same in any behalfe. And if the person be elected to the office and dignitie of an archbishop, according to the tenour of this act, then after such election certified to the kings highneſſe in forme aforesaide, the same person so elected to the office and dignitie of an archbishop, shal be reputed and taken lord elect to the saide office and dignitie of Archbishoppe, whereunto he shall be so elected. And then, after hee hath made such othe and fealtie onely to the kinges Maieſtie his heires and succeſſours, as shall be limitted for the same, the kinges highneſſe by his letters patentes vnder his great Seale, shall signifie the saide election to one archbishop and two other bishops, or elſe to foure bishops within this realme, or within any other the kings dominions to be alligned to the kinges highneſſe, his heires or succeſſours, requiring and commaunding the said archbishoppe and Bishops with all speede and celeritie to confirme the saide election, and to inueſt and conſecrate the saide person so elected to the office and dignitie that he is elected vnto, and to giue and vſe to him such palle, benedictions, ceremonies, and all other things requiſite for the same without suing, procuring or obteyning any bulles, breefes, or other thinges at the said sea of Rome, or by the authoritie thereof in any behalfe. And be it further enacted by authoritie aforesaide, that euery person and persons being hereafter chose, elected, nominate, preſented, inueſted, & conſecrate, to the dignitie or office of any archbishop or bishoppe, within this realme, or within any other the kings dominions according to the fourme, tenure and effecte of this preſente Acte, and suyng their temporalties

Conſecrate

Bulles

Deane Priour

Othe Fealtie

Confirms

Lords elect

Othe Fealtie

L. patents

ralties out of the kings hands, his heires or successours, as hath bene accustomed, and making a corporal othe to the kings highnesse, and to none other, in forme as is afore rehearsed, shall and may from henceforth be chosen or installed as the case shall require, and shall have and take their onely restitution, out of the kinges handes, of all the possessions and profites spirituall and temporal belonging to the said archbishoprick or bishoprick, whereunto they shall be so elected or presented, and shall be obeied in al maner of things, according to the name, title, degree and dignitie, that they shal be so chosen or presented vnto, and doe, and execute in euery thing and things touching ỳ same, as any Archbishoppe, or Bishoppe of this Realme, without offending of the prerogatiue royall of the crowne, and ỳ lawes and customes of this Realme mought at any time heretofore doe.

Priour Deans

And be it further enacted by the authoritie aforesayde, that if the priour and couent of any Monasterie, or Deane and Chapiter of any cathedrall church where the see of any Archbishop or Bishop is, within any the kinges dominions, after such licence as is afore rehearsed shall be deliuered to them, procede not to election, and signifie the same according to the tenour of this act, within the space of twēcie daies next after such licence shal come to their handes, or else if any archbishop or bishop within any the kinges dominions, after any such election, nomination or presentation shall be signified vnto thē by the kinges letters patents, shall refuse and doe not confirme, inuest and consecrate with al due circumstance as is afore said, euery such person as shall be so elected, nominate or presented, and to them signified, as is aboue mentioned, within twentie daies next after the kings letters patents or such signification or presentation shall come to their handes, or else if any of thē or any other person or persons admit, maincteine, allow, obey, do, or execute any censures, excommunication, interdictions, inhibitions or any other proces or acte, of what nature, name or qualitie soeuer it be, to the contrary or let of due execution of this acte, that then euery prior and particuler person of his couent, and euery Deane & particuler person of the Chapter, and euery Archbishop and bishop and all other persons so offending & doing contrary to this act or any parte thereof, and their ayders, counsailours and abettours, shal runne in the dangers, paines and penalties of the estatute of the prouision and premunire made in the siue and twenty yeere of ỳ raigne of king Edward the third, and in the sixteene yere of king Richard the second. Anno. 25. H. 8. capitulo 20. This acte was repealed by Anno 1. and 2. P. and M. and renued by 1. Eliza. cap. 1.

20. Daies Licence

Refuse

20. Dayes L. patents

Excommunication

Archbishop Bishop

Premunire

3 That no person or persons of this your realme, or of any other your dominions, shall from henceforth pay any pencion, censes, porcion, peter pence, or any other impositions, to the vse of the said bishoppe of the Sea of Rome, like as heretofore they haue vsed by vsurpation of the said Bishoppe of Rome and his predecessours, and sufferaunce of your highnesse and your most noble progenitours to do, but that all such pencions, censes, portions, and peter pence, which the saide bishop of Rome, otherwise called the pope, hath heretofore taken and perceiued, or caused to be taken and perceiued to his vse, and his Chambers which he calleth Apostolique, by vsurpation & sufferance, as is aboue said within this your realme, or any other dominions, shal from henceforth clerely surcesse, and neuermore be leuied, taken, receiued nor payde, to any person or persons in any maner of wise, any constitution, vse, prescription or custome to the contrary thereof notwithstanding.

Pencion

Pope

And be it further enacted by the authoritie aforesayd, that neither your highnesse, your heires nor successours, kings of this Realme, nor of any your subiectes of this realme, nor of any other your dominions, shall from hence forth sue to the said bishop of Rome called the Pope, or to the Sea of Rome, or to any person or persons, hauing or pretending any authoritie

Sue Pope

thozitie by the same, foz licences, dispensations, impositions, faculties, graunts, rescripts, delegacies oz any other instrumentes oz writings, of what kind, name, nature oz qualitie soeuer they be of, foz any cause oz matter, foz the which any licence, dispensation, composition, faculties, graunt, rescripte, delegacie, instrument, oz other writing, heretofoze hath bene vsed and accustomed to be had and obteined at the sea of Rome, oz by authoritie thereof, oz of any Prelate of this realme, noz foz any maner of other licences, dispensations, compositions, faculties, grauntes, rescriptes, delegacies oz any other instrumentes oz writinges that in causes of necessitie may lawefully be granted without offending of holy scripture and lawes of God: But that from henceforth euery such licence, dispensation, composition, facultie, graunt, rescripte, delegacie, instrument and other writing afoze named and mencioned necessary foz your highnesse, your heires oz successours, and your and their people & subiectes, vpon the due examination of the causes & qualities of the persons procuring such dispensations, licences, compositions, faculties, grauntes, rescriptes, delegacies, instrumentes, oz other writinges shall be graunted, had, and obteined from time to time, within this your Realme, and other your dominions, and not elsse where in maner and fourme following & none otherwise: that is to say, the Archbishop of Caunterburie foz the time being, and his successours, shal haue power and authozitie from time to time, by their discretions, to giue, graunt, and dispose, by an instrument, vnder the seale of the saide Archbishoppe vnto your Maiestie, and to your heires and successours, kinges of this realme, as well all maner such licences, dispensations, compositions, faculties, grauntes, rescriptes, delegacies, instrumentes and all other writings, foz causes not being contrary noz repugnant to the holy scriptures & lawes of God, as heretofoze hath bene vsed and accustomed to be had & obteyned by your highnesse oz any your most noble progenitours, oz any of yours oz their subiectes at the sea of Rome, oz any person oz persons by authozitie of the same: and all other licences, dispensations, faculties, compositions, graunts, rescriptes, delegacies, instruments, and other writings, in, foz and vpon all such causes and matters as shall be conuenient and necessarie to be had, foz the honour & suretie of your highnesse, your heyres and successours, & the wealth & profit of this your realme: So that the said archbishoppe, oz any his successours, in no maner wise shall grant any dispensation, licence, rescript, oz any other writing afoze rehearsed, foz any cause oz matter repugnant to the lawe of almightie God. Be it also enacted by authozitie afozesaide, that the sayde Archbishoppe and his successours after good and due examination by them had, of the causes and qualities of ỳ persons procuring foz licences, dispensations, compositions, faculties, delegacies, rescriptes, instrumentes oz other writinges, shall haue ful power and authozitie by themselfe, oz by their sufficient and substanciall commissarie oz deputie by their discretions from time to time to graunt and dispose by an instrument vnder the name and seale of the said archbishop, as wel to any of your subiects, as to the subiects of your heires and successors, al maner licences, dispensatiõs, faculties, cõpositions, delegacies, rescriptes, instruments oz other writings foz any such cause oz matter, wherof heretofoze such licences, dispensations, cõpositiõs, faculties, delegacies, rescriptes, instruments oz writings haue bene accustomed to be had at ỳ sea of Rome, oz by authoritie thereof, oz of any Prelate of this realme. And that the sayd archbishop and his commissarie shall not graunt any other licence, dispensation, composition, facultie, writing oz instrument in causes vnwont and not accustomed to be had oz obteined at the Courte of Rome, noz by authozitie thereof, noz by any Prelate of this Realme, vntill your Grace, your Heires oz Successours, oz your oz their counsaile shal first be aduertised thereof, and determine whether such Licences, dispen-

Archbishop of Caunterburie

Licences

dispensations, compositions, faculties or other writings, in such cases vnwont and not accustomed to be dispensed withal, or obteyned, shall commonly passe as other dispensations, faculties or other writings shal or no, vpon paine that the graunters of euery such licence, dispensation, or writing in such cases vnwont contrary to this act, shall make fine at the will and pleasure of your grace, your heyres and successours. And if it be thought and determined by your grace, your heyres or successours, or your or their Counsayle, that dispensations, faculties, licences, or other writings, in any such cause vnwont shall passe, then the said archbishop or his commissarie, hauing licence of your highnesse, your heires or successors for ỹ same by your or their bil assigned, shal dispence with thẽ accordingly. Prouided alwayes that no maner of dispensations, licences, faculties or other rescriptes or writings, hereafter to be graunted to any person or persons, by vertue or authoritie of this act by the said archbishop or his commissarie, being of such importance, that the taxe for the expedition thereof at Rome extended to the summe of foure poundes or aboue, shall in any wise be put in execution, till the same licence, dispensation, faculte, rescript or other writing, of what name or nature soeuer it be of, be first confirmed by your highnesse, your heires or successours, kinges of this realme vnder the great seale, and enrolled in your chalcerie in a rolle by a Clerke to be appointed for the same. And that this act shall be sufficient warrantie to the Chauncellor of England for the time being, or to him whom your grace, your heires or successours shall depute to be the keeper of the great Seale, to confirme in your name, your heires or successours, the foresayde writings passed vnder ỹ said archbishops Seale, by letters patentes in due fourme therof to be made vnder your great seale, remitting as well the sayde writing vnder the Archbishoppes seale, as the sayde confirmation vnder the great seale, to the parties from time to time, procuring for the same. And that all such licences, dispensations, faculties and other rescripts and writinges, for the expedition of the which, the sayde taxes to be paid at Rome was vnder foure pounde, which be matters of no great importaunce, shall passe onely by the Archbishoppes Seale, and shall not of any necessitie be confirmed by the great seale, vnlesse the procurours of such licence, faculte or dispensation, desire to haue them so confirmed: In which case they shal pay for the said great seale, to the vse of your highnesse, your heires and successours, fiue shillings sterling, and not aboue, ouer and beside such taxe as shall be hereafter limitted for the making, writing, registring, confirming & inrolling of such licence, confirmations and writings, vnder the said taxe of foure poundes. And that euery such licence, dispensation, composition, facultie, rescript and writing, of what name or nature soeuer it be, for such causes as the taxe was wont to be, foure pound or aboue so grãted by the Archbishop, and confirmed vnder the great seale, and al other licences, dispensations, faculties, rescriptes, and writings, hereafter to be graunted by the archbishop, by vertue and authoritie of this act, whereunto the great seale is not limitted of necessitie to be put to, by reason that the taxe of them is vnder foure pound, shallbe accepted, approued, allowed and admitted good and effectuall in the lawe, in all places, courtes, and iurisdictions, as well spirituall as temporall within this realme, and elsewhere within your dominions, and as beneficiall to the persons obteyning the same, as they should haue bene, if they had bene obteyned with al thinges requisite, of the See of Rome, or of any other person by authoritie thereof without any reuocation or repeale hereafter to be had of any such licences, dispensations, faculties, rescript or writinges, of what nature soeuer they be: And that all children procreated after solemnization of any marriages to be had or done by vertue of such licences or dispensations, shall be admitted, reputed, and taken legitimate in all Courtes, as well spirituall as temporall, and in all other

Fine

licence

tit. II.

Warrant

Seale

Children

Legitimate

ther places, and inherite the inheritance of their parentes and auncestours within this your Realme, and all other your dominions, according to the lawes and customes of the same, and all actes to be done, had, or executed according to the tenour of such licences, dispensations, faculties, writings, or other instruments to bee made or graunted by auctoritie of this act, shall bee firme, permanent, and remayne in force, any forein lawes, constitutions, decrees, canons, decretalles, inhibitions, vse, custome, prescription, or any other thing had, or hereafter to be made, to the contrary notwithstanding. And bee it further enacted, that the sayde Archbishoppe and his successours shall haue power and auctoritie to ordayne, make, and constitute a Clerke, Register which shall write and register euery such licence, dispensation, facultie, writing, or other instrument to be graunted by the sayd Archbishoppe, and shall finde parchment, waxe, and siluer laces conuenient for the same, and shall take for his paynes such summes of money as shall be hereafter in this present act to him limitted in that behalfe for the same. And that likewise your grace, your heires and successours, shall by your letters patents vnder your great Seale ordayne, depute, and Clerke constitute one sufficient Clerke, being learned in the course of the Chauncery, which alwayes shalbe attendant vpon the sayd Lord Chauncelour, or the Lord keeper of the great seale for the time being, and shal make, write, and enrolle the confirmations of all such licences, dispensations, instruments and other writings, as shalbe thither brought vnder the Archbishops seale, there to be confirmed and enrolled. And shal also enrolle in his bookes and enrolle of record, such other writings as thither shalbe brought vnder the archbishops seale not to be confirmed, taking for his paynes such reasonable summes of money, as hereafter by this act to him shall be limitted for the same. And that as well the sayde Clerke appoynted by the sayd Archbishops, as the said clerke to be appoynted by your highnesse, your heires or successours, shall subscribe their name to euery such licence, dispensation, faculties, or other writing that shall come to their handes to be written, made, graunted, sealed, confirmed, registred, and enrolled by auctoritie of this act, in forme as is before rehearsed. And forasmuch as the charges of obtayning the sayde licences, dispensations, faculties, and other rescriptes, or writings afore named, at the court of Rome, by the losses and exchanges, and in conducting of curours, and waging solicitours to sue for any such licences, dispensations, faculties, instrumentes, and other rescripts or writings, haue bene grieuous and excessiue to your people, & many times greater summes haue bene demaunded, for the speedy expedition in the court of Rome, then be expressed in the old tare, limitted to be payd for the sayde expeditions, whereby your people haue byn brought to an incertaintie vpon the payment for expeditions of such thinges, and by reason thereof haue bene constrayned to pay more then they were wont to doe, to the great impouerishing of this Realme, as is afore sayde; And sometime the speeding of such dispensations, faculties, licences, and other writings at Rome, haue bene so long differred, that the parties labouring for the same, haue suffered great incommodities and losse for lacke of quicke speede, which hereafter may bee had within this your realme, to the great commoditie of your people. Whereby the charges of making exchaunges, conducting of curours and solicitours for the sayd dispensations, shal be abated, and your people so much relieued and eased, to the entent that all ambiguitie and incertaintie of payments for dispensations, faculties, licences, and other rescripts and writings, may be taken away, that no fraude nor exaction shalbe exercised vpon your people, by such officers as shall be appoynted by this act, to take paynes in speeding such dispensations, faculties, and licences, but that your people may be sure & certaine what they be appoynted to pay for the same: Bee it enacted by this present parliament, and

by aucthozity of the same, that there shall
Bookes Taxes be two bookes drawen, & made of one te-
nour, in which shalbe contcyned the taxes
of all customable dispẽsations, facultie,
licẽces, & other writings, wont to be sped
at Rome, which bookes & euery leafe of
those bookes, & both sides of euery leafe,
Subscribed shalbe subscribed by the Archbishoppe of
Canterbury, the Lord Chauncellour of
Englãd, the Lord Treasorer of Englãd,
& the two chiefe Justices of both benches
for the time being, to the which bookes al
suters for dispensations, faculties, licen-
ces, and other writings afore rehearsed,
shal haue recourse, if they require it. And
one of the sayde bookes shall remayne in
the handes of him, which shalbe appoyn-
ted to be register and scribe of the sayde
dispensation, faculties, and licences un-
der the sayd Archbishop of Canterbury,
in forme as is before sayd: And that other
booke shall remayne with the Clerke of
the Chancery which by your grace, your
heires or successours, shall be appoynted
Clerke as is before rehearsed. Which Clerke of
the Chauncery shall also inticle and note
particularly & dayly in his booke, orday-
ned for that purpose, the nũber & qualitie
of the dispensations, faculties, licences, &
other rescripes & writings, which shall be
sealed onely with the seale of the sayde
Archbishop, and also which shall be sealed
with the sayd seale, & confirmed with the
great Seale, in forme as is before sayde,
and that all fraude and concealement in
this behalfe may be auoyded. And bee it
enacted by this present Parliament, and
by thaucthozitie of the same, that no man
Faculties suyng for dispensations, faculties, licen-
ces, or other rescripe or writings, which
were wont to be sped at Rome, shall pay
any more for their dispensations, licences
or rescripts, then shalbe contayned, taxed,
and limitted in the sayd duplicate bookes
of taxes, onely compositions excepted, of
which being arbitrary, noe taxe can bee
made. Wherefore the taxe thereof shalbe
set and limited by the discretion of the
Archbishop sayd Archbyshop of Canterbury, and the
Chauncelor Lorde Chauncellour of England or the
L. Keper Lorde keeper of the great Seale for the
time being. And that such as shal exact or Exact
receiue of any suiter more for any dispen-
sation, faculty, or licence, then shalbe con-
tayned in the sayde bookes of taxes, shall
forfaite tenne times so much, as he shal so Forf.
extoꝛciously exact and receiue: The one
halfe of the which forfaiture to bee to the Partie
vse of your grace, your heires or succes-
sours, and the other halfe thereof to bee to
such of your subiectes, as will sue for the
same by action, byll, or playnt, in any of
your graces courtes, wherein the defen-
daunt shall haue none essoyne nor protec-
tion allowed, neyther shall be admitted to
wage his lawe. Be it also enacted by this
Parliament and aucthozitie of the same,
that the taxe or summe appoynted to bee
payed for euery such dispensation, licẽce,
facultie, instrument, rescript, or other
writing to be graunted by aucthozitie of
this act, shalbe employed, and ordered, as
hereafter ensueth, that is to say: If the
taxe extend to foure li. or aboue, by reason iiii.li.
whereof the dispensation, licence, faculty,
reseript or writing, which shall passe by
the sayde Archbishops seale, must be con-
firmed by thappencion of the great seale,
then the sayde taxe so extending to foure
pound or aboue, shalbe deuided into thee Deuided
partes, whereof two shall be receiued by
the sayd Clerke of the Chauncery, to be
appoynted as is afore sayde, to the vse of
your highnesse, your heires & successors,
and to the vse of the lord Chauncelour or
the keeper of the great seale for the time
being, and to the vse of the sayd Clerke,
in such wise as hereafter shalbe declared,
and that the thirde part shall be taken by
the said Clerke of the Archbishop, to the
vse of the said Archbishope and his Com-
missarie, and his said clerke and register,
in such wise as hereafter shall be ordered
& limitted by this act, that is to say: The
saide two partes shall be deuided in foure
partes, of which three partes shall be ta-
ken to the onely vse of your highnesse,
your heires and successours, & the fourth
part shall bee deuided in three partes,
Archbishop whereof the Chauncelor of England, or Chancelor
Chauncelor the Lord keeper of the great Seale for the
L. Keper time being, shal haue two partes, and the

sayd

sayd Clerke of the Chauncery the thirde part for his paynes, trauaile and labours, that he is limitted to write & do by vertue of this act. And the sayd thirde part of the whole taxe appoynted to the sayd Archbishop and his officers (as is aforesayd) shal be deuided into three partes, whereof the Archbishoppe shall haue to his vse two parts, and his officers shall haue the third part thereof, of which third part to be deuided into two partes, the sayd clerke or register which shal find parchment, waxe, and silke, and shall deuise and write the sayd dispensations, licences, faculties, rescriptes, or other writings, & register the same, shal haue for his said labour, and for receiuing & repaying of the summes of money, that shall come to his handes for dispensations, faculties, licences, & other rescripts aforesayd, the one moitie thereof, & the commissary of the sayd Archbishop, appoynted to seale the said dispensations, faculties, licẽces, & other rescripts, shal haue the other part. And if the taxe be vnder iiii. li. & not vnder xl.s. thẽ the said taxe shall be deuided into three partes, as is aforesaid, whereof the kings highnesse, his heires & successors shal haue ii. partes thereof, abating iii.s. iiii.d. which shall be to the sayd Clerke of the Chauncery for subscribing, enditeling, and enrolling the sayd dispensations, licences, faculties, rescripts, & other writings aforesayd, & receiuing of the kings money so taxed: And the Archbishop and his officers shal haue the third part, which third part shalbe deuided into two partes, whereof the Archbishop shall haue the one entirely to himselfe, his scribe and commissary shal haue the other part thereof, egally to be deuided amongst them, for their costes and paynes in that behalfe. And if the taxe be vnder fourty shillings, and not vnder sixe & twentie shillings eight pence, the same taxe shalbe deuided into two parts, whereof the one part shalbe to your grace, your heires and successors, deducting thereof two shillings for the clerke of the Chauncery for his paynes, as is aforesayd: And the other part shall be to the sayd Archbishoppe and his officers, which other part shall be deuided into two partes, whereof the Archbishop shal haue the one, and his commissary and scribe shal haue the other part egally deuided amõgst them. And if the taxe be vnder sixe & twenty shillings eyght pence, and not vnder twenty shillings, the same shall be deuided into two partes, whereof your grace, your heires, and successors, shall haue the one part entierly, abating two shillings therof to the sayd clerke of the Chauncery, & the archbishop and his officers shal haue the other part, and the same other part shalbe deuided into three partes, whereof the Archbishop shal haue one, his commissary the second, and his scribe or register the third. And in case the taxe bee vnder xx.s. the same shalbe perceiued to the vse of ỹ sayd cõmissary, clerke of the said archbishop, and clerke of the Chauncery, to be egally deuided amongst them, for their paynes and labours by them to bee sustayned by auctoritie of this act, as is aforesayde. Prouided alwayes, that this act shall not be prẽiudiciall to ỹ Archbishop of Yorke, or to any Bishop or prelat of this realme, but that they may lawfully (notwithstanding this act) dispense in all cases, in which they were wont to dispense by the common lawe, or custome of this realme afore the making of this acte. Prouided also and bee it enacted by auctoritie aforesayde, that if it happen the Sea of the Archbishoppicke of Caunterbury to be voyde, that then all such maner licences, dispensations, faculties, instrumentes, rescriptes, and other writings, which may bee graunted by vertue and auctoritie of this act, shall (during the vacation of the same Sea) be had, done, and graunted vnder the name and seale of the gardian of the spiritualties of the sayd Archbishoppicke for the time being, according to the tenour and forme of this act, and shall be of like force, value, and effect, as if they had bene graunted vnder the name and Seale of the Archbyshoppe for the time being.

And be it further enacted, that if the aforesayde Archbishoppe of Caunterbury for the time being, or the sayde gardian

xl.s. Deuided

xxvi.s.viii.d.

Archbishop of Yorke

Sea voyde

Gardian

of the ſpiritualties for the time beyng,
Refuſe hereafter refuſe or deny to graunt any li-
cences, diſpenſations, faculties, inſtru-
mentes, or other writings, which they be
auctholiſed to doe by vertue and auctho-
rite of this act, in ſuch maner and fourme
as is afore remembred, to any perſon or
perſons, that ought of a good, iuſt, and
reaſonable cauſe to haue the ſame, by rea-
ſon whereof this preſent act by their wil-
fulneſſe, negligence, or default, ſhoulde
Chauncelor take none effect, then the Chauncellor of
England, or the Lord keeper of the great
Seale for the time being, vpon any com-
plaint thereof made, ſhal direct the kings
writte to the ſayd Archbiſhoppe or gar-
dian, denying, or refuſing to graunt ſuch
licences, diſpenſations, faculties, or o-
ther writings, enioyning him by the ſayd
writte, vpon a certaine payne therein to
bee limitted by the diſcretion of the ſayde
Chauncelor, or keeper of the great ſeale,
that he ſhall in due forme graunt ſuch li-
cence, diſpenſation, faculty, or other wri-
ting, according to the requeſt of the pro-
curers of the ſame, or elſe ſignifie vnto
your highneſſe, your heires or ſucceſſors
in the Court of Chauncery, at a certaine
day, for what occaſion or cauſe he refuſed
and denyed to graunt ſuch licences, fa-
culties, or diſpenſations. And if it ſhall
appeare to the ſayd Chauncellor, or Lord
keeper of the great Seale, vpon ſuch cer-
tificat, that the cauſe of refuſall or deny-
all of graunting ſuch licences, facultie,
or diſpenſation, was reaſonable, iuſt, and
good, that then ſo being proued by due
ſearch & examination of the ſayd Chaun-
celour, or Lord keeper of the great ſeale,
to be admitted and allowed. And if it ſhal
appeare vpon the ſayd certificat, that the
ſaid Archbiſhop or gardian of the ſpiritu-
alties for the time being, of wilfulnes in
cõtemning the due execution of this act,
without a iuſt and reaſonable cauſe, refu-
ſed or denyed to grant ſuch licence, faculti-
tie, or diſpenſation, that then your high-
neſſe, your heires and ſucceſſours, being
thereof informed, after due examination
had, that ſuch licences, faculties, or diſ-
penſations, may be graunted without of-
fending the holy Scriptures, and lawes
of God, ſhall haue power and auctholitie
in euery ſuch caſe, for the default, negli-
gence and wilfulneſſe of the ſayd Archbi-
ſhop or gardian, to ſend your writ of In- Iniunction
iunction, vnder your great Seale, out of
your ſayd court of Chauncery, comman-
ding the Archbiſhop or gardian, ẏ ſo ſhall
deny or refuſe to graunt ſuch licence, fa-
culty, or diſpenſation, to make ſufficient
graunt thereof, according to the tenour
and effect of this act, by a certaine day, &
vnder a certaine payne in the ſayd writ to
be contayned, and to be limitted by your
highnes, your heires & ſucceſſours, kings
of this realme. And if the ſayd archbiſhop
or gardian, after the receipt of the ſayde
writ, refuſe or deny to graunt ſuch licen-
ces, faculties, or diſpenſations as ſhall be
enioyned him by vertue of the ſaid writ, &
ſhewe & proue before your maieſtie, your
heires, or ſucceſſors, no iuſt or reaſonable
cauſe why they ſhould ſo do, then the ſayd
archbiſhop or gardian, that ſo ſhall refuſe Refuſe
to put this act in execution, according to
ẏ ſaid writ of Iniunction, ſhal ſuffer, loſe
& forf. to your highnes, your heires & ſuc- Forf.
ceſſors, ſuch payne & penalty as ſhalbe li-
mitted & expreſſed in ẏ ſaid writ of Iniũc-
tion. And ouer ẏ it ſhalbe lawfull to your
highnes, your heires & ſucceſſors, for euer
ry ſuch default & wilfulnes of ẏ ſaid arch-
biſhop or gardian for ẏ time being, to giue
power & auctholity by commiſſion vnder Commiſſion
your great ſeale, to ſuch ii. ſpirituall pre-
lates or perſõs, to be named by your high-
nes, your heires or ſucceſſors, as wil do &
grant ſuch licẽces, faculties, & diſpenſati-
ons, refuſed or denyed to be granted by ẏ
ſaid archbiſhop or gardian, in cõtempt of
this act. And be it further enacted by the
auctholity afore ſaid, ẏ the ſaid ii. ſpiritual
prelats or perſons, to whõ in ſuch caſes, a-
ny ſuch cõmiſſiõ ſhalbe directed, ſhal haue
power & auctholity to grãt euery ſuch li-
cẽce, faculty, diſpẽſatiõ, inſtrumẽt, & other
writings ſo refuſed to be granted by the
ſaid archbiſhop or gardian for the time be-
ing, by an inſtrumẽt vnder ẏ ſeales, takig
like fees & charges for ẏ ſame, as is afore
rehearſed, & not aboue, vnder the paynes

afore

afore remembred. And that euery such licence, faculties, & dispensation so granted for any causes or matters, whereunto any confirmation vnder the kings great seale is appointed by this act, to be had in maner and forme afore declared, shalbe had & obteyned accordingly. And such licences and confirmations shalbe had for like fees and charges, as they are afore specified, & not afore, vnder the paynes afore mentioned, & that euery such licence, faculty, dispensation, & other writing to be granted by the said prelats, or persons to be assigned by ỳ kings highnes, his heires & successours, as is aforesayd, shalbe of as good value, strength, & effect, & as beneficial & profitable to the persons procuring the same, as if they had bene made, graunted & obteyned vnder the name & seale of the said archbishop. Prouided alwaies, ỳ this act, nor any thing or thinges therein contayned, shalbe hereafter interpreted or expounded, that your grace, your nobles, & subiectes, intend by the same to decline or vary frō the congregation of Christes church, in any things cōcerning the very articles of the catholike faith of Christendome, or in any other thinges declared by holy scripture, and the worde of God, necessary for your and their saluations, but onely to make an ordinaunce by policies necessary and conuenient to repelle vice, and for good conseruation of this realme in peace, vnity, and tranquilitie from rapine and spoyle, eschuing much the olde auncient customes of this realme in that behalfe: Not minding to seeke for any reliefes, successours, or remedies for any worldly thinges & humaine lawes in any cause of necessitie, but within this realme, at the handes of your highnes, your heires & successors kings of this realme, which haue & ought to haue an imperial power & auctority in ỳ same, and not obliged in any worldly causes to any other superior.

Prouided alway, that the said archbishop of Canterbury, or any other person or persons, shal haue no power or auctoritie by reason of this act, to visite or vexe any monasteries, abbeys, priories, colledges, hospitals, houses, or other places religious, which be or were exēpt before ỳ making of this act, any thing in this act to the contrary thereof notwithstanding, but that reuelle, visitation, & cōfirmation shalbe had by ỳ kings highnes, his heires and successours, by commission vnder the great seale, to be directed to such persons, as shalbe appointed requisite for ỳ same, in such monasteries, colledges, hospitals, priories, houses and places religious exempt: So that no visitation nor cōfirmation shal from hēceforth be had nor made, in or at any such monasteries, colledges, hospitals, priories, houses & places religious, exempt by the said bishop of Rome, nor by any of his auctoritie, nor by any out of the kinges dominions. Nor that any person religious, or other resiant in any the kings dominions, shall frō henceforth depart out of the kings dominions, to or for any visitation, congregation, or assemblie for religion, but that all such visitations, congregation & assemblies shal be within the kings dominions. Visitation Pope

Prouided also, that this present act or any thing therin cōtained, or any licence or dispensation hereafter to bee made by vertue & auctoritie thereof, shall not extend to the repeale or derogation of ỳ late act, made sith ỳ beginning of this present parliamēt, for reformation of pluralities of benefices, & for non residentes of spirituall persons vpō their dignities or benefices, nor to any things contained or mentioned in ỳ said act. Nor that this act, nor any thing to be done by auctority thereof, shal not be taken, expouded, nor enterpreted, to giue licēce to any person or persons, to haue any more nūber of benefices then is limitted in the said act. And that the same act for pluralities and non residents of benefices, & euery thing therein contained, shal stand good & effectuall to al intents, according to the true meaning thereof, any thing in this present act, or any licence or dispensation to bee had by auctoritie thereof in any wise notwithstanding. Pluralities

And bee it further enacted by auctoritie aforesayd, that if any person or persons, subiect or resiant within this Realme, or

within any the kinges dominions, at any time hereafter sue to the court of Rome, or the sea of Rome, or to any person clayming to haue his auctholitie by the same, for any licēce, facultie, dispensation, or other thing or things cōtrary to this act, or put in execution any licēce, facultie, or dispensation, or any other thing or thinges hereafter to be obtained frō Rome, or the sea of Rome, or frō any claiming auctority by the same, for any of ꝑ causes aboue mēcioned in this act, or for any other causes ꝑ may be grāted by auctority of this act, or attempt or do any thing or thinges cōtrary to this act, or maintaine, allowe, admit, or obey any maner of censures, excommunications, interdictions, or any other proces from Rome, of what name or nature soeuer it be, to ꝑ derogation or let of the execution of this act, or of any thing or things to be done by reason of the sayd act, that thē euery such person or persons so doing, offending, & being thereof conuict, their aydours, counsellors, & abbettors, shal incurre & runne into the payne, losse & penalty compised and specified in the act of prouision & premunire, made in the xvi. yere of your most noble progenitor king Richard the second, against such as sue to the court of Rome against your crowne and dignitie royall. Prouided alway, that this act, or any thing therein cōtained, shal not hereafter be taken nor expounded to ꝑ derogation or taking away of any grauntes, or confirmations of any liberties, priuiledges, or iurisdictiōs of any monasteries, abbeis, priories, or other houses or places exēpt, which heretofore the making of this act hath bene obtained at the sea of Rome, or by auctholitie thereof, but that euery such grant & confirmation shall be of the same value, force & effect as they were afore the making of this act, & as if this act had neuer bene made. Prouided alwayes, that ꝑ abbots, priors, & other chiefe rulers & gouernors of such monasteries, abbeies, & other houses and places exempt, shal not hereafter pay any pencion, portion, or other rente to ꝑ sea of Rome, nor admit or accepte any visitatiō, nor any cōfirmation frō or by ꝑ said sea of Rome, or by auctholitie thereof, of or for any person to be elect, named or presēted, to be heades of any such monasteries, abbeis, priories, places or houses exēpt, nor shal make any corporal othe to ꝑ bishop of Rome, otherwise called ꝑ Pope, vpon ꝑ paines limited in this act: But that euery such visitation and confirmation of such heads elect in any such monasteries, abbeis, priories, houses or places exempt, where after their election they were bounden to haue and obtaine any cōfirmation of their election, or of the person named, presented or elect, shalbe from henceforth had, made, and done within this realme, at & within euery such abbeis, monasteries, priories, and other houses and places exempt by such person & persons, as shall be appoynted by auctholitie of the kings commission from time to time, as the case shall require, and not by the sea of Rome, nor by auctority thereof, any thing in this prouiso next aboue specified to the contrary thereof notwithstanding.

Pencion

Premunire

Prouided alwayes, that in such monasteries, abbeis, priories, & houses exempt, where after election, presentation, or nomination of their heads, no such cōfirmation is requisite to bee had, nor hath bene vsed to be taken, by reason of such priuileges as they haue concerning ꝑ same, that in euery such monasteries, abbeis, priories, and places exempt, they shall not be bounden to obtaine, haue or take any confirmatiō for ꝑ same within this realme, by auctholitie of this act, but vse their priuileges therein, as they haue done before ꝑ making of this act, any thing in this act, or any the prouisoes next aboue rehersed, to the contrary thereof notwithstanding. Prouided also and be it enacted, that this act, or any thing or things, word or words therein, or in the preamble thereof mentioned or contained, is not ment or meant, or shalbe exponed nor interpreted, ꝑ any dispensations, licences, or confirmations for mariages graunted to any the kinges subiectes borne vnder his obeysance, at any time before ꝑ twelfe day of March, in ꝑ yere of our Lord God M.D.xxxiiii. shall bee appaired, or of any lesse value, strength,

Mariages

strength, force or effect, then they were at the said xii. day of March. And ꝑ this act, or any thing therein contayned, shall not extend to the derogatiō, appairing, or annullation of any licences, dispensations, confirmations, faculties or indulgēces, at any time before ꝑ sayd xxi. day of March, in ꝑ yere of our Lord God M. D. xxxiii. had or obtained at the sea of Rome, or by auctho-ritie thereof, to or for any subiects borne in this realme, or in any the kings dominions, or to or for the hospital of the ꝓior of S. Iones Ierusalem in Englād, or any cōmaundries, or members thereof, or to or for any other cathedrall churches, hospitals, monasteries, abbeis, ꝓiories, colledges, conuentual churches, parochiall churches, chappels, fraternities, brotherheads, or bodies politike within this realme, or in any other the kings dominions, but that euery such licence, dispensation, confirmation, facultie, & indulgēce, granted before the said xii. day of March, to any such subiect, or to the said hospital of the ꝓior of saint Iones Ierusalem in England, & commaundries or members thereof, or to any other cathedral church, hospitall, monastery, abbey, ꝓiory, colledge, church conuentual, parochial churches, chappel, fraternitie, brotherhead, or body politike, or to their predecessours or auncestours within this realme, or in any other the kinges dominions, shalbe of the same force, strength, value and effect, and may be from time to time put in execution at all times hereafter, by & to them that will vse, & haue the same as they mought haue bene before the making of this act, and as if this act had neuer bene had ne made, any thing in the said act to the contrary hereof notwithstanding. Prouided alwayes, that such licēces, dispensations, confirmations of faculties, heretofore obtayned at the sea of Rome, or by auctho-ritie thereof, cōtrary to the expresse prouis-ions of the lawes & statutes of this realme heretofore made, shall not at any tyme hereafter be vsed, or put in execution in any case to the derogation, or contrary to the sayd lawes & statutes of this realme, & the prouisions of the same, any thing in this prouiso to the contrary thereof notwithstanding. And be it enacted by auc-thoritie of this present parliament, that ꝑ king our soueraigne lord, by thaduice of his honorable counsaile, shall haue power & auctho-rity from time to time for the or-dering, redresse, & reformation of all ma-ner of Indulgences & priuiledges there-of within this realme, or within any the kings dominions heretofore obtayned at the sea of Rome, or by auctho-ritie thereof, & of the abuses of such Indulgences and priuiledges thereof, as shall seeme good, holsome, and reasonable for the honour of God, and weale of this people. And that such ord-er and redresse as shalbe taken by his highnesse in that behalfe, shalbe obser-ued and firmly kept by on the paynes li-mited in this act for the offending of the contents of the same. An. 25. H. 8. ca. 21. This act was repealed by 1. & 2. P. & M. and reuiued by 1. El. cap. 1.

¶ An. 28. H. 8. cap. 10. & 35. H. 8. cap. 1. actes were made against thauctho-rity of the sea of Rome, wherein some of-fences were made offēces of premunire, & some made treason, & others appointed to be giuē against ꝑ sea of Rome to Iud-ges & officers & diuers other degrees: but they be repealed by 1. & 2. P. & M. cap. 8.

¶ Where in the parliamēt begunne & holden at Westm. in the xxi. yere of the raigne of ꝑ late king of most famous me-mory king H. 8. (ca. 13. which is in Rob-dēce 2.) one act was then & there made, a-gainst pluralities of benefices, for taking of fermes by spirituall men, & for non re-sidence, in the which act amongst other things it was ordained & enacted, ꝑ if any person or persons, at any time after ꝑ first day of April, in the yere of our Lord God 1530. cōtrary to the same act, should pro-cure & obtaine at ꝑ court of Rome or else where, any licēce or licences, vnion, tolle-ration, dispēsation, to receiue & take any more benefices w cure, then was limitted & appointed by the same act, or els at any time after ꝑ said day, should put in execu-tiō any such licēce, tolleratiō, or dispēsatiō before ꝑ time obtained, cōtrary to the said act, that thē euery such person or persons

fo after the said day, sueing for himselfe, or receiuing and taking such benefice by force of such licence, or licences, vnion, collacion, or dispensation, that is to say, the same person or persons only, & no other, should for euery such default incurre the danger, paine & penalcie of xx. li. sterling, & should also lose the whole profites of euery such benefice or benefices, as he receiueth, or taketh by force of any such licence or licences, vnion, collacion or dispensation. And where also in the said act it was ordeyned & enacted, that if any person or persons did procure or obtayne at the court of Rome, or else where any maner of licence or dispensation to be non residente at their dignities, prebends or benefices contrary to the said act, that then euery such person or persons putting in execution any such dispensation or licence for himselfe from the said first day of Aprill, in the said yere of our Lord God M. D. xxxi. should run & incurre in the penaltie, damage & paine of xx. li. sterling for euery time so doing, to be forfaited & recouered, as by the said act is declared. And yet such licence or dispensation so procured, or to be put in execution, to be voyd & of none effect, as by the same act more plainly it doth & may appeare. Be it ord. that as much only of the said act concernyng the articles & clauses aforesaid, & all & euery the words & sentences, contayned in the said act concerning the said articles and clauses, and euery of them, shal from henceforth be repealed, annulled, reuoked, abolished, & vtterly made void for euer: Any thing in the said act to the contrary in any wise notwithstanding: And where also at the session of the same Parliament, holden vpon prorogation in the three & twentie yere of the raigne of the said late king Henry the eight (cap. 9. which is in citation 2.) one act intituled, the act that no person shalbe cited out of the diocelle where he or she dwelleth, except in certaine cases: And where also at the said Parliament in the session holden at Westm. vpō prorogation in the xxiii. yere of the raigne of the said late king Henry the eight, one act was made, that appeales in such cases as hath

Fol.

Citation

Appeales

beene vsed to be sued to the sea of Rome, should not from thenceforth be had nor vsed, but within this realme: In which also at the said parliament holden at Westm. in the xxi. yere of the raigne of the said late king Henry the eight, and there continued by diuers prorogations vntill the xviii. day of Aprill, in the xxiii. yere of his raigne, an act was made concerning restreintes of payments of annates and first fruites of Archbishoppricks and Bishoprickes to the sea of Rome: And where at a session of the said parliament holden in the xxv. yere of the raigne of the said late king, there was also made one act entituled, the submission of the clergy to the kings maiestie: And one other act entituled, one act restreyning the said payementes of annates or first fruites to the bishop of Rome, and of the electing & consecrating of the archbishops & bishops within this realme: And one other act was then & there made entituled, an act concerning the exoneration of the kings subiects from exactions, & impositions before the time paied to the sea of Rome, and for hauing licence, and dispensations, within this realme, without suing further for the same: Be it ord. that the said seuerall actes made for the restraynes of the payment of the said annates and first fruites, and all other the said actes made in the said foure & twentie and fiue & twentie yeres of the raigne of the said late king, and euery of them, and all and euery branch, article, matter, and sentence in them and euery of them contayned, shall be by the auctoritie of this present parliament from henceforth vtterly voide and frustrate, and repealed to all intents, constructions & purposes: And be it further ord. that al & euery these actes folowing, that is to say, one act made at the session of the said parliament holden vpō prorogation at Westm. in the xxvi. yere of the raigne of the said late king Henry the eight (cap. 1.) intituled an act concerning the kings highnesse to be supreme head of the church of England, & to haue auctoritie to reforme & represse all errours, heresies & abuses in the same: And one other act made in the same session of the same parliament

Annates
First fruites

Clergie

Consecrating of archbishops

Impositions

Repealed

Supreme head

ment

ment (S. An. 26. H. 8. ca. 14) entituled an act for nomination & cõsecrations of suffragans within this realme: And one other act made in the seuen & twenty yere of the raigne of the saide late king Henry the eight (cap. 15.) entituled an act wherby the king shoulde haue power to nominate xxxii. persons of his clergie and laye for making of Ecclesiastical lawes, & also one other act made at the parliamẽt holden at Westminster in the xxviii. yere of the raigne of the said late king Henry the eight (cap. 10.) entituled, an act extinguishing the auctoritie of the bishop of Rome: And one other act made in the same Parliamẽt (S. An. 28. H. 8. cap. 16.) entituled an act for the release of such as then had obtained pretended lycences, & dispensations from the See of Rome: And also all that part of the act made in the said xxviii. yere of the said king (capitulo 7.) entituled an act for the establishment of the succession of the imperiall Crowne of the realme, that concerneth a prohibition to mary within the degrees expressed in the saide act: And also one other act made at the parliamẽt holden at Westminster, in ỳ xxxi. yere of ỳ raigne of ỳ said late king Henry ỳ eight (cap. 9.) entituled, an act authorising the kinges highnesse to make bishops by his letters patents: And one other act made in ỳ session of ỳ same parliament, begũne in the said xxxi. yeere, holden vpon prorogation the said xxxii. yere of ỳ raigne of the saide king Henry ỳ eight (ca. 38.) entituled, an act concerning precõtracts of mariages, and touching degrees of cõsanguinitie, & one other act made in ỳ parliamẽt holden at Westm. in the xxxv. yere of the raigne of the saide late king Henry the eight (capitulo 3.) entituled an act for the ratification of the kinges maiesties title, shall from henceforth be repealed, made frustrate, voide and of none effect: And where also at the saide parliament holden at Westminster in the xxxv. yere of the raigne of the said late king Henry the eight (capitulo 1) one other act was made, entituled, an act concerning the establishment of the succession of the said king in the imperiall Crowne of this realme: In the which act there is a forme of a corporall othe deuised & set forth, that euery subiect of this Realme should bee bound to take against the power, auctoritie and iurisdiction of the sea of Rome: Be it &c. that so much of the sayde act as toucheth the said othe against the Supremacie, & all othes thereupon had, made, & giuen, shalbe frõ henceforth vtterly void, repealed, & of none effect. And where also one other act was made in the xxvii. yere of the raigne of the sayd late king Henry the eyght (cap. 17.) entituled an act that doctors of ciuil law being marped, might exercise ecclesiasticall iurisdiction: Be it &c. that the sayde act last before mentioned, and all and euery branch, article, sentence and matter contayned in the same, shall from henceforth be repealed and vtterly made voyde and of none effect. And where one other act was made at the first session of the parliamẽt holden at Westminster, in the first yeere of the raygne of king Edward the first cap. 12. entituled an act for the repeale of certaine statutes concerning treasons, felonies &c. In the which act amongst other thinges there is contained certaine prouisions, paines, penalties, and forfaitures, for and against such as should by opẽ preachings, expresse wordes, sayings, writing, printing, ouert deede or act, affirme, or set forth that the king of this realme for the time being, is not or ought not to bee supreme head in earth, of the churches of England & Ireland, ne of any of them, or that the bishop of Rome, or any other person or persons, other then the king of Englãd for ỳ time being, is or ought to be supreme head of ỳ same Churches, or any of them, as in the same act last before rehearsed, more at large is contained, & may appeare: Be it &c. that these clauses before rehearsed, and other of the sayd act cõcerning the supremacie, & al & euery branch, article, words, and sentence in the same sounding or tending to the derogation of the supremacie of ỳ Popes holines, or of ỳ sea of Rome, & al paines, penalties & forfaitures made against thẽ, that should by any meanes set forth

Suffragans

Ecclesiastical lawes

Pope

Dispensations

Succession

Bishops

Precontractes

Stile repealed

Succession

Civilians

Repealed

Treasons Felonies

Supreme head

forth or extol the said supremacie, shalbe from henceforth vtterly void & of none effect. And be it &c. that al clauses, sentences, & articles of euery other statute, or act of parliament made sithence ỳ said xxv. yere of the raigne of king Henry the eight against the supreme auctority of the Popes holines, or Sea apostolike of Rome, or contayning any other matter of the same effect onely, that is repealed in any of the statutes afore said, shalbe also by auctoritie hereof from henceforth vtterly void, frustrate and of none effect. And where wee your most humble subiects, the lordes spirituall, & temporall, & cõmons in this ỳ^{nt} parliamẽt assembled, haue exhibited to your maiesties one other supplication in forme following: And conformably hereto ỳ Bishopps & clergy of ỳ prouince of Cãterbury haue presented to your maiesties a supplication, in this tenour that followeth.

Void

Void

For asmuch as the saide most reuerend Father the Lord legate, at ỳ intercession of your maiesties hath by the auctority of the sea apostolyke, sufficiently dispensed in the matters specified in the said seueral supplications, as in his saide letters of dispensation is contained more at large. The tenor whereof ensueth.

Lord legate

Wee the said lords spirituall & temporall, & commons in this ỳ^{nt} present parliament assembled, rendring most humble thankes to your maiesties, by whose intercession & meanes wee haue obtayned ỳ said dispẽsatiõs of ỳ Popes holines by the said most reuerend Father in god, his legat, most humbly beseecheth the same that it may be ordayned as followeth.

Dispensations.

And it is &c. that al & singuler articles & clauses contained in ỳ said dispensatiõ, aswel touching ỳ establishment of bishoppickes, & Cathedral Churches, as also the confirmation of mariages in degree, prohibited by ỳ Cannons of the Church, the legitimation of children & ratificatiõ of proces, & of sentẽces in matters Ecclesiastical, touching the inualiditie of them for want of iurisdiction, and the institutions & restitutions of & in benefices and promotiõs Ecclesiastical, dispensations, & graces giuen by such order, as the publike lawes of the realme then approued, & all other things before contained in the said letters of dispensation, shall remaine & be reputed and taken to all intents and cõstructions in the lawes of this realme, lawful, good & effectual to be alledged & pleaded in all courts ecclesiastical & temporal, for good & sufficient matter, either for the plaintife or defendãt, without any allegatiõ, or obiection to be made against ỳ validitie of them by pretence of any generall counsaile, cannon or decree to the cõtrary made, or to be made in ỳ behalfe. And whereas diuers & sundry late monasteries, priories, commaundries, nunries, deanries, prebends, colledges, hospitals, & houses of friers, chauntries, & other religious & ecclesiasticall houses & places, & the manors, granges, messuages, lands, tenementes, rectories, tythes, pencions, portions, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities, rents, reuersions, seruices, and their possessions, & hereditamentes to the sayde late monasteries, priories, nunries, commaundries, deanries, chauntries, prebends, houses of fryers, colledges, hospitals, & other religious and ecclesiasticall houses & places, & to sundry archbishopricks & bishoppickes within this realme, late appertayning & belonging, came as well to the hands & possession of the sayd king of famous memory Henry the eight, father vnto your Maiesty, our sayd soueraigne Lady by dissolution, gift, graunt, surrender, attaynder or otherwise, as also to the hands & possession of diuers & sundry other persons & bodies politike & corporate, by sundry meanes, conueyances, & assurãces, according to ỳ order of ỳ lawes & statutes of this realme. And where also diuers manors, lands, tenements, and hereditaments, parcell of the possessions of archbishoppickes, & bishoppickes, & many and sundry late deanries, colledges, chauntries, rectories, prebendes, free chappels, guyldes, and fraternities, manors, granges, landes, tenementes, rentes, seruices, and other ecclesiasticall possessions, and hereditaments, goods and cattell, to the said

Lawfull

Monasteries

Archbishopricks Bishoppicks

Landes

Bishoppicks Cathedrall churches

Mariages

Legitimation

Dispensations

said archbishoppricks, bishoppricks, deanries, colledges, chaunries, free chappels, rectories, guildes and fraternities, late appertaining and belonging or appointed, to & for the fluing of pirtles, obytes, lightes, or other like purpose, came aswell to the handes and possession of the late noble king Edward the first, brother unto your maiestie, soueraigne lady, by vertue of an act of Parliament thereof made, or otherwise, as also to the handes and possession of diuers & sundry other persons, & bodies politike & corporat, by sundry meanes, conueyances, and assurances, according to the order of the lawe of this Realme, a great number of which saide late monasteries, priories, nunries, commundries, deaneries, colledges, hospitalles, prebendes, chasteries, free chappels, guildes, and fraternities, and the manours, graunges, measuages, landes, tenementes, rents, reuersions, seruices, tithes, pencions, porcions, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities & hereditamēts, goods & rattels to ꝑ said monasteries, priories, nunries, commundries, deanries, colledges, hospitalles, chasteries, free chappels, guildes, fraternities, and other ecclesiastical houses, Archbishoppricks & Bishoppricks belonging, as wel for greate summes of money, as for other good & reasonable causes & cōsideracions, haue bene chaūged & assured to diuers the subiects & bodies politike of this realme, as wel by ꝑ said king Henry ꝑ viii. the said king Edward ꝑ first, & by your highnes our soueraigne Lady, and iointly by both your maiesties, as also by diuers ꝑ owners of ꝑ said Ecclesiasticall possessiōs, which said chaūgeīces & assurāces by their seuyll letters patēts, & other writings more plainly do & may appere.

For as much as the said most reuerend father, hath also by the said dispensation, remoued and taken away all maner of empechment, trouble and danger, which by decision of any general counsel, canon or decree ecclesiasticall, might touch and disquiet the possessions of such goods, moueables, landes, tenements, possessions, and hereditamēts, as were of late belonging to any of the saide archbishoppricks, bishoppricks, monasteries, priories, nunries, commundries, deanries, colledges, chauntries, prebendes, rectories, hospitales, houses of fryers, or other religious & ecclesiastical houses & places, of what nature, name, kinde, or qualitie soeuer they be of: Yet for ꝑ ꝑ title of all lāds, possessions & hereditamēts in this your Maiesties Realmes and dominions is grounded in the lawes, statutes and customes of the same, and by your high iurisdiction, auctority royal, and crowne imperiall, and in your Courtes onely to be empleaded, ordered, tried & iudged, and none otherwise, and vnderstanding that the whole, full and most gracious intent, minde and determinacion of your most excellent maiesties be, that all and euery person & persons, bodies politike and corporate, their heires, successours and assignes, & euery of them shal haue, keepe, retayne and enioy al & euery their estates, rightes, possessions & interestes, that they and euery of them now hath or hereafter shall haue, of and in all & euery the manours, graunges, messuages, landes, tenements, tythes, pencions, porcions, aduowsons, nominations, patronages, annuities, rentes, reuersions, seruices, hundreds, wapentakes, liberties, fraunchises, and other the possessions and hereditamēts of ꝑ said monasteries, abbeis, priories, nunries, cōmaūdries, deanries, colledges, prebends, hospitales, houses of friers, chaunries, rectories, vicarages, churches, chappels, archbishoppricks and bishoppricks, & other religious and ecclesiastical houses and places, or any of thē, within this realme or the dominions of ꝑ same, by such lawes and statutes as were in force before the first day of this present parliament, and by other lawfull conueyances to them thereof made:

Title of Lands

That it may be therefore enacted by the auctoritie of this pr. that aswell your maiestie our soueraigne lady, your heires and successours, as also all and euery other person & persons, bodies politike and corporat, their heires, successours

and

and assignes now hauing, or that hereafter shal haue, hold & enioy any of ꝑ sites, of the said late monasteries, and other the religious or ecclesiasticall houses or places, & al ꝑ said manors, graunges, messuages, lands, tenements, tyths, pencions, portcions, glebe landes, aduowsons, nominations, patronages, annuities, rents, reuersions, seruices, hundreds, wapentakes, liberties, fraunchises, profits, cõmodities, and other the possessions, and hereditaments, of the saide late monasteries, abbeies, priories, nunries, cõmaundries, deanries, colledges, prebends, hospitalles, & houses of fryers, rectories, vicarages, chauntries, churches, chappels, archbishoprycks, bishoprycks, & other religious & ecclesiastical houses & places, or any of them, of what name, nature or kind so euer they be, shall haue, hold, possesse, retayne, keepe and enioy, all and euery the saide sites, mannours, graunges, messuages, lands, tenements, possessions, profits, commodities and other hereditaments, according to such interest and estates, as they & euery of them now haue or holde, or hereafter shall haue or holde of in the same by the due order and course of ꝑ laws & statutes of this realm, which now bee or were standing in force before ꝑ first day of this present parliamẽt in maner and forme as they shoulde haue done, if this act had neuer beene had ne made: This act or any thing therein contained to ꝑ contrary in any wise notwithstanding. Sauing to you our saide soueraigne lady, your heires & successors, and euery of them, and to all and euery other person & persons subiectes of this realme, and bodies polityke & corporat, and to their heires and successours, and to the heires and successors of all & euery of them, other then such whole right, title or interest is bound or taken away, vndone, or extinct by any act of parliament heretofore made, or otherwise all such right, title, claime, possessiõ, interest, rentes, annuities, cõmodities, cõmons, offices, fees, leases, liueries, tenures, penciõs, portciõs, debts, duties, & other profits, which they or any of them lawfully haue or of right ought to haue or might haue had, in, of or to any of the premisses or in, of or to any part or parcell thereof, in such like maner, forme and condition, to all intentes, respectes, constructions & purposes, as if this act had neuer beene had ne made. And that it may be further enacted by aucthority aforesaid, that all & euery article, clause, sentence and prouiso contayned or specified in any act or actes of parliamẽt concerning or touching the assurance or conueiance of any ꝑ said monasteries, priories, nunries, cõmaundries, deanries, prebẽds, colledges, chauntries, hospitals, houses of friers, rectories, vicarages, churches, chappels, archbishoprickes and Bishoprickes, and other religious and ecclesiasticall houses and places or any of them, or in any wise concerning any manours, lands, tenemẽts, profits, commodities, hereditaments, or other the thinges before specified to the said king Henry ꝑ viii. or king Edward the first, or either of thẽ, or any other person or persons, or bodies politike or corporat and euery of them, and al & euery writing, deede, and instrument concerning the assurance of any of ꝑ same, shall stand, remaine, and be in as good force, effect and strength, and shalbe pleaded & taken aduantage of, to all intents, constructions and purposes, as the same should, might or coulde haue beene by the lawes and statutes of this realme, in case this present act had neuer beene had ne made. And ꝑ al feoffments, fines, surrenders, forfaitures, assurances, cõueiances, estates & interests in any wise conueied, had or made to our saide late soueraigne lord king Henry ꝑ viii. or to our said late soueraigne lord king Edward ꝑ first, or either of them, or to any other person or persons, bodies politike or corporat, or to any of them by deede or deedes, act or acts of parliament or otherwise, of any the sites, manours, landes, tenementes, possessions, profites, commodities, or hereditamentes of any the saide archbishoprickes, bishoprickes, late monasteries, priories, nunries, cõmaundries, deanries, houses of friers, colledges, chauntries,

Lands

Enioy

Assurance

tries, hospitals, prebends, free chappels, or of any manors, lands, tenements, reuersions, seruices, tithes, pentions, portions, annuities, or of any other hereditaments, of, by, or from any ecclesiasticall or spirituall person or persons, or by or from any spirituall or ecclesiasticall corporatiō, or body politike, shalbe as good and available in the lawe, to all intents, constructions, & purposes, as they were by the lawes and statutes of this realme standing in force before the first day of this present parliament. And that ỳ same may and shalbe pleaded, alleaged, & take aduantage of, in such sort & to such effect as they should, could or might haue beene by ỳ lawes & statutes of this realme, standing in force before ỳ said first day of this present parliament. And that all and euery clause and article of sauing, contained in al and euery the said acts and statutes, shall stand, remayne, & be in such force, strength and effect, as they were before the sayde first day of this present parliament: Any thing contayned in this present act to the contrary in any wise notwithstanding. And that it may bee &c. ỳ whosoeuer shal by any proces obtained out of any Ecclesiasticall Court within this realme or without, or by pretence of any spirituall iurisdiction, or otherwise contrary to the lawes of this realme, inquiet or molest any person or persons, or body politike for any of the sayde manours, lands, tenements, hereditaments or things aboue specified contrary to the wordes, sentences and meaning of this act, shal incurre the daunger of the act of premunire, made in the fifteenth yere of king Richard the second (cap. 5. which is in prouision 14.) and shall suffer and incurre the forfaitures and paynes contayned in the same.

Prouided alway, that it shall and may be lawful for any person or persons, bodi politike & corporat, to sue in any competent ecclesiastical, or spirituall court within this Realme, for tithes, rightes & dueties ỳ they or any of them shall pretend to haue, of, or out of any ỳ saide manors, lands, tenements, & other the premisses, & to haue ful & perfite remedy for ỳ same, in such maner & forme as they or any of thē might or ought to haue done or had by ỳ lawes & statutes of this realme, before ỳ making of this act, & as though this act had neuer bene had or made. And that it may bee &c. that albeit the title or stile of supremacy or supreme head of the church of England & of Irelād, or either of them, neuer was ne could bee iustly or lawfully attributed or knowledged to any king, or soueraigne gouernour of this realme, nor in any wise coulde or might righteully, iustly, or lawfully by any king or soueraigne gouernor of ỳ same realme be claymed, challenged or vsed: Yet forasmuch as the sayd title & stile, sithence the third day of Nouember, in the xxvi. yeere of the raygne of the sayd king Henry the eight, hath bene vsed, and is mentioned & contayned in diuers & sundry writs, letters patēts, records, exēplificatiōs, court rolles, charters, deedes, instruments, euidences, bookes and writings, it shall be lawfull as well to and for your maiesties, and your soueraygne Ladies heires and successours, as to and for euery other person and persons, and bodies politike and corporat, at all time and times hereafter to haue, retaine and keepe the sayd writs, letters patentes, recoydes, exemplifications, court rolles, charters, deedes, instruments, euidences, bookes, & writings, & thē to shew, exhibit, vse, alleadge & plead in all times & places requisite or needeful, without any daunger, penalty, losse, forfaiture, trouble, vexation, or impeachmēt for the same. Any thing in this act, or in any other act or acts to the cōtrary thereof in any wise notwithstanding. And wherevpon your highnesse our soueraigne lady, since ỳ diuine comming to the crowne of this realme, of a good and Christian conscience, minded to vnite the sayd stile of supremacy, specified in one act made in ỳ parliament holden at Westm. by prorogation, in the 35. yere of the raygne of your late father king Henry ỳ eight cap. 3. as wel in gifts, grants, letters patents, as in commissions, & other writings, & also other haue in their writings pone ỳ same, aswell

Good

Supremacie

Proces

Premunire

Bone

Tythes

alwel in your time as before. And for as-
much as notwithstanding any law made
concerning the saide stile of supremacy it
was in the free choise, liberty, & pleasure
of the king of this Realme, and of your
highnes, whether ye would expresse the
same in the saide stile or not: Be it there-
fore &c. ꝑ al grants, letters patents, com-
missions, indictmentes, records and wri-
tings made in your our soueraigne ladi-
es name, or in ꝑ names of your our sou-
eraigne lord & lady, or any other wherein
ꝑ said stile of supremacy is omitted, is &
shalbe, to al intẽts & purposes, as good &
effectual, as if ꝑ same had beene therein
expressed, & may be detayned, kept, plea-
ded and alleaged, without any daunger,
paine, penaltie, or forfaiture to ensue
to any person or persons, or body poli-
tike, for, or concerning ꝑ omission of the
same stile, or any part thereof, in any such
writings, & ꝑ no person ne persons, shal-
be impeached, molested, or dampnified,
for or by reason of any such omission.

Grants L. patents

And where in an act of parliamẽt made
since the sayde twentieth yere of king
Henry the viii. (S. An. 23. H. 8. cap. 16.)
all buls, dispensations, and writinges
which were before that time obtained frõ
the Sea of Rome, should be void, aboli-
shed and extinguished, with a clause, ne-
uertheles, that the matter of them by
vertue of letters patentes from the king
then being, shoulde and might bee alleag-
ged, pleaded and allowed, as if the same
had not bene so abolished, or extinguish-
ed: Forasmuch as the saide act is here be-
fore amongest other repealed and made
void: Be it therefore enacted &c. that all
bulles, dispensacions and priuiledges ob-
tained before the saide yere, or at an-
y time sithence, or which shall hereafter
bee obtayned of the Sea of Rome, not
containing matter contrary or preiudi-
cial to the auctoritie, dignity, or preemi-
nence royall or imperiall of the realme,
or to the lawes of this realme now being
in force, and not in this parliament re-
pealed, may be put in execution, vsed and
alleaged in any court within this realme
or elsewhere, whether the same remaine

Bulls

Bulls Dispensations

yet whole, or can appeare to haue bene
cancelled, in as vayleable and effectuall
maner to all intentes and purposes, as if
the sayd act had neuer bene had or made:
Any obiection by pretence of extinguish-
ment, or cancelling of the sayde bulles,
dispensations, or priuiledges, or of any
other matter or cause, by the pretence of
the lawes of this Realme, whatsoeuer in
any wise notwithstanding. And where-
as by dissolution of monasteries, and o-
ther religious houses, certaine parish
Churches and Chappels, which were
before exempt from the iurisdiction of
the Archbishoppe and Bishop of the dio-
ceese, and by speciall exemption and pri-
uiledge from Rome, were vnder the go-
uernment & order of the Abbots & priors
of those religious houses, which sayde
Churches by colour of the sayde exemp-
tions bee nowe of speciall graunt from
king Henry, and king Edward, vnder
the rule and gouernment, and iurisdicti-
on of temporall and lape men, who can
no more enioy the supremacie ouer those
particular churches, then the king might
ouer the whole Realme: Bee it therefore
&c. that all Archbishoppes and Bishops,
in their diocese, and all other spirituall
person and persons hauing iurisdiction,
and their ministers and officers, and no
lay person or persons in euery Church
and place, within the precinct of the same
being exempt, or not exempt, may free-
ly and without impediment execute their
spirituall iurisdiction in all poynctes and
articles, as though no such exemption
or graunt had neuer bene made. Pro-
uided alwap and bee it &c. that this act ex-
tend not to take awap or diminish the pri-
uiledge of the Vniuersities of Oxforde
and Cambridge, the priuiledges or prero-
gatiues graunted heretofore to the chur-
ches of Westminster, and Windsore, ne
the Tower of London, ne priuiduall co
such temporall Lordes and possessions in
this Realme, as by auncient custome
haue enioyed probate of testamentes, of
their tenauntes or other. And forasmuch
as after this reconciliation, and vnity of
this noble realme, to the body of Christes

Monasteries
Parish churches

Archbishops Bishops

Oxford Cambridge Westminst. Windsor Tower of London

Probate of testaments

Church

Church, it is to bee trusted that by the aboundance of gods mercy & grace, deuotion shall encrease & grow in the heartes of many subiects of this realme, with desire to giue & bestowe the worldly possessions for the resuscitating of almes, prayer, & example of good life in this realme, to the intent such godly motions & purposes shoulde be aduanced: Be it therefore &c. that it shalbe lawefull to such as shalbe seised of any manors, lands, tenements, parsonages, tithes, pencions, porcions, or other hereditamentes whatsoeuer in fee simple, in possession, reuersion or remaynder, in their owne rightes, not being copyholde, may thereof make

Feoffements Grauntes Will Fee simple

feoffementes, grauntes, or any other assurances, or by his last will and testament in writing, may bequeath and giue in fee simple all and euery the sayde manours, landes, tenements, Parsonages, tythes, pencions, porciõs, or other hereditamẽts to any spirituall body, politike or corporat, in this Realme or dominions of the same, nowe erected or founded, or hereafter to be erected or founded without any licence of mortmaine therein to be obtayned, or any writ of Ad quod dampnum to be sued out of the same, the acts de terris ad manum mortuam non ponendis, or any other act or statute heretofore had or made in any wise notwithstanding.

Licence of mortmayne Ad quod dampnum

Sauing to the lords of the fee, all rents, seruices, due or going out of any of the said lands, tenements, or hereditaments so to be amortised as is aforesaid.

Prouided alway, that this clause of this act for giuing the liberte of, or for the amortising of landes or tenementes, shall continue for and during the space of twenty yeres next & immediatly following, and no longer.

xx. yeres

And for as much as wee your maiesties humble & obedient subiects, ỳ lords spirituall & temporall, & cõmons in this present parliamẽt assembled, neyther by the making or deliuering of eyther the supplications aforesaide, nor by any clause, article or sentence thereof, or of any other clause, article or sentence of this or any other statute of any of ỳ preambles of the same, made or agreed vpon in this session of this present parliament by any maner of interpretation, construction, implication or otherwise, entend to derogat, empaire, or diminish any of the prerogatiues, liberties, fraunchises, preeminẽces, or iurisdictions of your crowne imperial of this realme and other the dominions of the same belonging, we do most humbly beseech your Maiestie, that it may bee declared and ordayned. And be it &c. that neither the making, exhibiting or inserting in this present statute, or in the preambles of the same, of the supplications or promise aforesaide, or either of them, nor any other thing or things, words, sentences, clauses, or articles in the preambles or body of the act aforesaid, shalbe construed, vnderstanded or expounded to derogat, diminish or take away any the liberties, priuiledges, prerogatiues, preeminences, authorities or iurisdictions, or any part or parcel thereof, which were in your imperial crowne of this realme, or did belong to your saide imperiall crowne the xx. yere of the raigne of your ỳ Queenes maiesties most noble father, or any other your most noble progenitors, before the saide twenty yeres. And the popes holines, and sea Apostolike to be restored, & to haue and enioy such authoritie, preemiñce & iurisdiction as his holines vsed and exercised, or might lawfully haue vsed and exercised by the authority of his supremacy, the said twenty yere of the raigne of the king your father within this your Realme of England, and other your dominiõs without diminution, or enlargement of the same and none other. And the Ecclesiasticall iurisdiction of the Archbishops, Bishops, & ordinaries to be in the same state for processe of suites, punishment of crimes and execution of censures of the church, with knowledge of causes belonging to the same, and as large in these points as the said iurisdiction was the said xx. yere.

Pope Restoyd

Iurisdiction

Prouided alwaies and be it &c. that in and vpon euery such giftes and deuises to be made to such spirituall corporations

or

or persons as is aforesaide, the donour, feoffour or deuisour thereof may reserue to him and to his heires for euer a tenure in Franke almoygne, or a tenure by diuine seruice. And to haue all remedies & actions for and vpon the said gifts or deuises and tenures in like maner & forme as was vsed before the statute of Westminster 3. commonly called Quia emptores terrarum, The said statute or any other lawe or custome nowe being to the contrary in any wise notwithstanding.

Franke almoigne

Prouided alwaies & be it &c. that all and euery person and persons, & bodies politike and corporat, which now haue or hereafter shall haue any estate of inheritance free hold, terme or interest, of, in or to any porcion, pencion, tithes, glebe lands or other ecclesiasticall or spiritual profit, which by this act, & the letters of dispensation rehearsed in the same, be permitted and suffered to remaine and continue in lay mens possessions, shall and may haue like remedy, for the recoueries of the same and euery part thereof, as they and euery of them might haue had before the first day of this present parliament: Any thing in this act cantayned to the contrary in any wise notwithstanding. Anno 1. & 2. P. & M. cap. 8. This act is for þ moste part repealed by 1. of Queene Elizabeth cap. 1. which is in Crowne 6.

¶ Safe conduites.

WIll and hath commaunded by the auctority aforesaide, to þ keepers of his great & priuie seale, þ they shal not suffer such clause Vidimus to be put in any safe conduit from henceforth to bee graunted, vnlesse it so be, þ some great or notable cause or matter moue the same our soueraigne Lord the king to graunt the same in such wise. And will also that in all safe conduits, to be graunted from henceforth to any person or persons, the names of thē, of the ships & of þ masters, and the number of the mariners, with the portage of the ships shalbe expressed. An. 15. H. 6. cap. 3.

K. keeper

Vidimus

Ships Mariners Master

¶ The saide merchants aliens at their pleasure may charge such shippes & vessels of Spayne, & of other parties aduersaries and enemies of the king, if the masters, owners, or merchants of such vessels & ships, hauing letters patents of the king and of his safe conduite, suerty or safegard for such shippes or vessels and merchandises, making mention of the name of the shippes or vessels, and of the name of the same master of þ ships & vessels as the maner is, and if any such shippes or vessels charged with any merchandises of such merchants aforesaid, be taken vpō þ sea by þ kings liege people, not hauing þ kings letters patents, as afore is said, within þ boyde of such ships or vessels, at þ day of the taking, nor that such letters patents at þ day of þ taking be in the kings chauncery enrolled of record, that then þ takers possessing of the goods & merchandises so taken, may enioy & hold þ same, any statute or ordinace made to the contrary notwithstanding. Anno 18. H. 6. cap. 8.

K. patents

Ships Maister

Enrolled Chauncery

¶ All letters of safe conduit to bee graunted to the kinges enemies and aduersaries, or any other people, shalbe enrolled in the Chauncery of our sayde soueraigne Lord the king of record, before that any such letters shalbe in any wise deliuered to them, to whome the same letters shalbe granted. And that all such letters of safe conduit hereafter to bee graunted, not inrolled of record in the sayde chauncery, before the deliuery to them, to be made in þ maner as is sayde, shalbe voyde, and of no force nor effect. And moreouer, if hereafter any goods or merchandises be taken by the said subiectes of our Soueraigne Lord the king vpon the sea, or the costes of the same, charged in any shippe or other vessell, which is belonging to þ enemies or aduersaries of our soueraigne Lord þ king for þ time being, not hauing sufficient letters of safe conduits enrolled in þ forme aforesaide, þ they þ so shall take the same goods & merchandises, shal then enioy without any restitution therof to be made in any wise, to whatsoeuer person þ same goods & merchandises so taken at þ time

Enemies

Enrolled Chauncery

Voyd

Enioy

Merchants

of

of the taking of the same, or before were belonging. Prouided alwaies, that if the subiects of our soueraigne lord the king, taking such ships charged with marchandises, not hauing nor shewing such letters of safe conduit within the same ships at the time of the said taking, & bringing them by force to a certeine porte or place within the said realme, shall not be endãmaged in their person nor goods for such taking, if they be ready to make full restitution of the same shippes and merchandises within reasonable time after that ỹ full knowledge is made to them of ỹ letters of safe conduit, suffising for the same ships and marchandises, enrolled in the said chauncerie of record before the taking of thẽ. Prouided also that this ordinance shall begin to hold his force at the feast of saint Michaell the archangell nexte comming. Anno 28. H. 8. cap. 1.

¶ Sacramentum Iusticiariorum

ANnno 8. R. 2. cap. 3. an oth is for the Iustices, but it is repealed.

¶ Saint Iohns.

AN. 32. H. 8. cap. 24. an act was made whereby the corporation of Saunte Johns of Ierusalem in England & Ireland was dissolued, and that none of the priours and confreres should weare the marke &c. And that the king should haue their houses, churches, landes, gooodes, cattels and debtes and all other things of theirs. And there be diuers seuerall pencions appointed seuerally to the priours, chapleins and confreres of the Religion. And that all of the order to be discharged of their obedience for their religion, and to be enabled to sue and take and haue libertie as other religious persons were enabled by the act made Anno 31. H. 8. ca. 6. in Abilitie 5. And their places of sanctuaries to be voyde, sauing the common priuiledge of churches and churchyards, and the landes to be in the suruey of the augmentations, and the confreres out of England to returne before Pentecost. 1541. or else to leese their pencions appointed to them. An. 32. H. 8. cap. 24. See Templers 1. concerning the beginning of the order of Saint Iohns.

Enabled sue

Sanctuaries Churches Churchyardes

¶ Sanctuaries.

NOne offendour in any kinds of high treasons whatsoeuer they be, their ayders, consenters, counsellours, nor abbettours shall be admitted to haue the benefite or priuiledge of any maner of sanctuarie, considering that matters of treason toucheth so nigh both the suertie of ỹ king our soueraigne lords person, and his heires and successours. An. 26. H. 8. ca. 13. Traytors

2 ¶ Al and singuler person or persons which now bee, or at any time hereafter shall be priuiledged in any sanctuarie within any of the kings dominions, for murder or felonie from the first day of May nexte comming, shall dayly, whensoeuer he or they be without ỹ house or mansion wherein they haue their lodging, weare a badge or cognisaunce, by the gouernor of euery sanctuarie to be assigned and appointed, openly vpon their vpper garment of the compasse in length & breth of 5. inches, vpon paine that they and euery of them whensoeuer and as often as any of them being out of the said house or mansion, wherein he hath his sayd lodging, shalbe founden & taken without the same badge or cognisance, clerely to lose and forfait his or their priuiledge and aduantage of sanctuarie. And that it shall be laweful to al and singuler the kings subiectes to apprehende and take euery such offender or offenders, being without his badge or cognisaunce, as aforesayde, and him to bring out of the sanctuary into the next gaole, there to remayne vnto ỹ next gaole deliuery, and then to be tried according to the true course & order of the law, as though he had neuer bene priuiledged in any such sanctuarie. And also be it &c. that no maner of the said priuiledged persons, at any time hereafter, beare, occupy, or weare vpon them any maner of sword, knife or other weapon, other then their meat knifes, and the same meat knifes, but at three meales only vpon paine as is aboue rehearsed. Furthermore be it &c. that if any of the Murder Felonie Badge Forfait Apprehend Gaole Weapon

saide priuileged persons at any time after the sayde first day day fortune to be found, apprehended or taken out of his or their lodging, before the sunne rising in ỳ morning, or after the sunne going downe in the euening, the same priuileged person so found, apprehended or taken, shall at the first time, for his so offending, suffer imprisonment within the same sanctuarie, by the space of two dayes, and at the second time to haue imprisonment by the space of vi. dayes, and at the third time that he shall be so founden, apprehended or taken out of his said lodging, contrary to the order aboue mencioned, and ỳ same being substantially proued by indifferent proues thereof to be made before the lord Chauncellour of Englande for the time being, to forfaite and lose his or their priuiledge of sanctuarie. Also be it &c. that if any maner of sanctuary person or persõs of prepensed malice, at any time hereafter doe rescue or resist any of the gouernors afore saide or their deputies, in executing of their office, in taking and imprisoning of any of the persons priuileged, offending contrary to the tenour of this act: ỳ then he or they that shall fortune to make rescues, shalbe hereafter taken out of sãctuarie, & to suffer and be tryed as felons in euery thing. And ouer that, be it &c. ỳ all maner of contracts of debt vnder xl.s. trespasses and couenants that at any time hereafter shal happen to be made or grow within any of ỳ said sanctuaries between any of the sayde priuileged person or persons, and other inhabitaunes within any such sanctuarie, ỳ the gouernors or their deputie of any of the same sanctuaries where any such contract, trespasse, or couenaunt shall fortune to be made, growe or be, as is afore saide, shall haue full power and authoritie by this present act, to order, iudge and determine the same, according as it shall be duely there proued afore the said gouernour or gouernours. Anno 27. Henri. 8. cap. 19.

Sunne rising
Sunne setting
Imprison
Forf.
Resist
Forf.
Debt xl.s.
Trespasses
Gouernors

3 ¶ No person or persons offending in any the treasons conteyned and limitted by this act, or in any other treasons, shall in any wise haue and enioy ỳ priuiledge,

Treason

immunitie of any maner sanctuarie within this Realme, or els where, within any the kinges dominions, but shall vterly lose and be excluded of the same, any vse, graunt, custome, prescription, confirmation, or any other thing or thinges to the contrary hereof in any wise notwithstanding. Anno 28. H. 8. cap. 7.

4 ¶ All maner of sanctuaries and places priuileged, which heretofore haue bene vsed, reputed or taken for any maner of sanctuarie, except parish Churches, & their churchyardes, cathedrall churches, hospitals, and churches collegiate, and al chappels dedicated, vsed as parishchurches, and the sanctuaries to them and euerie of them belonging, and except such places and territories, as hereafter shal be declared, appointed and named to be places of tuitiõ and priuiledge by this present act, shall be vterly extinguished, annulled, void and of none effect, for any such libertie or priuiledge of sanctuaries to all purposes and intentes: Any lawes, licences, estatutes, customes, priuiledges, prescriptions, allowances, or any other thing or things heretofore vsed or admitted to the contrary notwithstanding. And furthermore the kings royall maiestie of his accustomed goodnes, mercy & benignitie, is pleased & contented, ỳ it be &c. ỳ from hẽceforth these places & territories hereafter expressed & declared, ỳ is to say, Welles in ỳ cõtie of Somerset, Westminster, Manchester, Northãpton, Norwich, Yorke, Darby and Lancester, shall be from henceforth admitted, allowed and taken to be places of priuiledge and tuition for terme of life, of and for all & singuler offenders & malefactours, of what soeuer qualitie, kind or natures all and euery their offences be, for the which their said offences and crimes, the paynes and punishment of death shoulde ensue by the statute lawes or customes of this realme, other then such as hereafter by this present act be excepted and forexpised, that is to say, that it be &c. that from henceforth the said parish churches or churchyards, cathedrall churches, hospitals, churches collegiate, & al other chappels dedicated, vsed

Churches Churchyards
Word
Places of sanctuarie

vsed as parish churches, nor any of them, nor the cemitories to them or any of them belonging, nor the saide places and territories before in this present act rehearsed and declared for places of refuge and tuition, shall not in any wise extend to giue any maner tuition, defence, immunitie, libertie or priuiledge to any maner of person or persons, which at any time hereafter shall perpetrate, cõmit or doe any maner of wilful murder, or which shal commit or do any rauishment to any woman, or which shall commit any maner of burgularie, or which shall commit or doe any maner of robberie in ỳ high way, or nere vnto ỳ same, or to any person which shall commit or doe any robbery in any house, putting the owner, his wife, children, seruants or any other person within ỳ same, in feare of life. And also excepted and forprised all felonious burning of houses or barnes with corne, and also all robberies of churches, chappels or other hallowed places. And also forprised and excepted, al and singuler abbettours, procurours & counsellours to any of the foresaid offences before specified and excepted, before ỳ said offences committed & done. And also excepted and forprised all other offenders, committing or perpetrating any offences where sanctuarie or clergie is not allowable by the lawes of this realme, or where sanctuarie or cleargie is taken away by any former statute or lawe.

Wilful murder, Rape
Burgularie
Robberie
Felonie
Abbetters
Sanctuarie
Cleargie

And be it &c. that if at any time hereafter, any person or persons do take any refuge or sanctuarie in any parish Church or churchyard, cathedral church, hospital, church collegiate, or other chappell dedicate, commonly vsed as parish churches, or in the countrey to any of them belonging, for any offence, other then such as be excepted and forprised by this act: that then the said person or persons, so taking sanctuarie & refuge, shal & may abide and remaine there by the space of xl. dayes, as hath bene heretofore vsed, vsing himselfe in all pointes according to the lawes and statutes of this realme, vnlesse the Coroner, in the meane time repayre vnto him for the taking of his abiuration, in which

Church
Churchyard
40 Daies
Coroner

case vpon repayre of the said Coroner, he shall and may abiure after the lawes and estatutes of this realme, to any of the said territories and priuiledged places before named, not being full of the number, as hereafter to euery of ỳ said places by this act shall be appointed, there to abide and remaine during his life, vsing himselfe in such like order, condition and fashion in all things and pointes as heretofore hath bene ordered & appoynted by the statutes and lawes of this realme, for and concerning the good order of sactuary persons, to be obserued, vsed and kept within priuiledged sanctuaries, (videlicz. 27. H. 8. cap. 19. before 2.) or else to lose the benefite of their said priuiledge, and vpon the penalties compised in the saide estatute. And it is &c. that if ỳ coroner of the shire or place where any persõ or persons shall take any refuge or sanctuarie in any of ỳ said churches or churchyardes, cathedrall churches, hospitals, churches collegiate, chappels dedicate, commonly vsed as parish churches, or any cemitories to thẽ or any of them belonging, vpon reasonable requeſt made, doe refuse to come in conuenient time vnto such person being in sanctuarie as afore is sayde, there to take his confession and abiurations, according to the lawes of this realme, that then the said coroner for euery such default shall lose and forfaite to our soueraigne lorde the king C. shillings.

Abiure
Coroner
Refuse
Forf.

And be it &c. that the chauncellour of Englande for the time being within the space of one yeere next following, shall haue power and authoritie by this acte to awarde seuerall commissions vnder the kings great seale of England, vnto such discreet persons as he shall thinke meete by his discretion, to make perambulations, & to appoint, set forth & limit certeinly how farre, and where the bondes & limits of euery of the said priuiledged places & territories before rehearsed shal extend, & that the same bonds & limites so by the saide commissioners to be set forth, limitted & appointed, shalbe returned vnder the Seales of the sayde Commissioners into the Kinges Courte of Chaun-

Chauncellor
Commissions
Perambulations

Bouds

terrie there to remayne of Recorde for the certayne knowledge of the boldes and limittes of the said priuiledged places and territories. And that after the same limitations so to be made and returned, ꝑ said priuiledged places appointed by this act, shall serue & be allowed onely within the same limits & bōds so returned, & not elsewhere wtin the residue of ꝑ citie or towne where such limits shalbe appointed.

Gouernour

And further be it ꝛc. that in euery of ꝑ said priuileged places and territories, the officer or gouernour of the said priuiledged place & territorie by the kings highnesse to be appointed, and euery of them for the gouernaunce and ordering of the same places and territories, shall dayly call and cause to be called by himselfe or his deputie, al and euery of the said priuileged persons in euery of the sayd places and territories by their names, and if any of the said priuiledged persons doe make default at three seuerall dayes together, & do not personally appeare at any of the said three daies, hauing no lawful excuse to the contrary, ꝑ thē euery such priuiledged person, making default of his appearance, as is aforesaid, shal lose & forfait ꝑ priuiledge of al & euery of the saide priuiledged places & territories: Any thing in this act to the contrary notwithstanding.

Default

Forf.

Priuiledged persons

And further it is ꝛc. that if any of the said abiured or priuiledged persons within the time he shalbe in any of the said priuiledged places or territories, as a priuiledged man, fortune to committe, perpetrate or doe any maner of felonie or other offences, for the which the penaltie of death should ensue by the laws and statutes of this realme, that then euery such offender shall for euer lose the benefite and priuiledge as well of the said place, as of all other priuiledged places and sanctuaries before named: any thing in this acte to the contrary notwithstanding. And it is ꝛc. ꝑ there shall not be at any one time aboue the number of xx. of the saide priuiledged persons hereafter to be admitted and receiued into any one of the saide priuiledged places and territories aforesaid.

Felonie

20. priuiledged persons

Abiure

And that if any person hereafter doe abiure to any of the saide priuiledged places & territories, according to the puruey of this act, the person so abiuring shalbe vsed, conducted, conueyed and brought frō constable to constable directly according to the order of the lawes heretofore vsed, for the conducting of abiured persons to their portes after their abiurations, vntil such time as the said person so abiuring, be brought to the gouernour of the sayde priuiledged place, whereunto he shall so be abiured, or to his deputie. And if at the bringing thither of the sayde abiured person, it shal appeare and be truely declared by ꝑ register there to be kept of ꝑ names of the said priuiledged persons, thē being in the said priuiledged place, that the said priuiledged place is then full of his said number of the said priuiledged persons, being then there lawfully priuiledged according to the puruiewe of this act: then the said gouernor of the saide priuiledged place, or his deputies, shall declare and shew vnto ꝑ said abiured person so being brought thither, and to ꝑ saide officer that bringeth and conducteth him there, that ꝑ saide abiured person may not be there receiued, for that the said priuiledged place is then already full of his sayde number, and thereupon shall commaund the sayde constables or other officer, to conduct, leade and deliuer the saide abiured person to ꝑ constable or other officer or officers of the next towne, adioyning to the sayde priuiledged place, leading directly towards the next of the said other priuiledged places or territories. And ꝑ same abiured person so to be deliuered from constable to constable, officer or officers of euery township, tending toward the same next priuiledged place, vnto such time as the same person be thither conducted, and there deliuered to remayne, as is aforesaid. And that the gouernour of ꝑ said priuiledged place, where such refusall was had, or his deputie, shal make an entrie in the said register of ꝑ whole matter, ꝑ is to say, what day & yeere ꝑ said abiured person was brought thither vnto him, & by what officer, & for what cause he did refuse ꝑ receiuing of him, & to which of ꝑ other said priui-

Constable

Gouernour.

priuiledged places ꝑ ſayd abiured perſon was from thence appointed to be brought and conueied, and ſhall before the departure of the ſaid abiured perſon, deliuer to him a true copie of ꝑ ſaid entrie, to the intent he may deliuer ꝑ ſame to ꝑ gouernor of the ſaid other priuileged place, to the which he ſhalbe cõducted & brought, or to his deputy: And that the ſaid gouernor of the ſame priuileged place, if ꝑ ſame place be not then ful of his number, as is afore rehearſed, ſhall receiue the ſayde abiured perſon vpon the ſight of his ſaid bil, there to remaine during his life, as a priuileged perſon, according to the puruiewe of of this eſtatute. And that like order and faſhion be alwayes obſerued and kept for the conducting and conueying of all abiured perſons from euery of the ſaide priuileged places, being full of their ſaide number, at the time of the bringing thither of any ſuch abiured perſon to ꝑ next other of the ſaid places, vntil ſuch time as the ſayde abiured perſon be receiued into one of the ſayd priuileged places, not hauing his full number, according to ꝑ puruiewe of this acte: And that euery gouernour of the ſaid priuileged places, being negligent and not doing his duetie, according to the puruiewe of this acte: And euery conſtable and other of the kinges officers, refuſing to receiue or to conducte ſuch abiured perſon as is afore ſaide, ſhall forfaite and loſe to our ſoueraigne Lorde the king for euery of their defaults in that behalfe xl.s. Prouided alwayes that this act nor any thing therein conteined, ſhall extend or be taken to minish or apayre or augment or enforce the priuiledge or libertie which any perſon or perſons haue already taken, claimed, or obteyned in any place or places, within this Realme heretofore vſed, allowed or admitted for places of ſanctuarie, priuiledge or tuitiõ, but ꝑ ſame to ſtand for them in like force and effect, neither better nor worſe then it was before the making of this act: any thing herein conteined to ꝑ contrary notwithſtanding. An. 32. H. 8. cap. 12. See next following how ꝑ ſanctuary of Manchester is determined, and for that Weſtchester appointed.

Copie

Gouernour

Conſtable Refuſe

Forf.

5 The ſaid former act of parliament (5. An. 32. H. 8. cap. 12. before 3.) concerning the priuiledge, ſanctuarie and tuition for the ſaid offenders onely within the ſaid towne of Manchester, ſhall and may be from the feaſt of the Natiuitie of S. Iohn Baptiſt now next cõming, repealed, annihillate, & made fruſtrate. And ꝑ ſaid towne of Mãchester frõ the ſaid feaſt of S. Iohn Baptiſt, ſhal be of like condition, eſtate, and qualitie, diſcharged of the ſayd ſanctuarie and priuiledge, as the ſaid towne was before the making of the ſaide former acte, any thing, ſentence, clauſe or article in the ſaid former acte, to the contrary notwithſtanding. And that &c. ꝑ the citie of Weſtchester, in the cõtie of Cheſter, which is wel inhabited, hauing no ſuch trade of marchandiſe, & hath a ſtrong gaole within the ſame Citie, for puniſhmẽt of malefactors, and alſo there is in the ſame citie a Maior, bailife, and other head officers, amongſt other townes and places frõ henceforth may be admitted, allowed, and taken to be ſanctuarie, and a place of priuiledge and tuition for terme of life, of al and ſinguler offenders and malefactours, of what ſoeuer qualitie, kind and nature al and euery the ſaid offences be, for the which ſayde offeuces and crimes, the paynes and puniſhment of death ſhoulde enſue by the eſtatutes, lawes and cuſtomes of this realme, other then ſuch, as by, and in the ſaid act of parliament be expreſſed and foreprized. Prouided alwayes that this acte or any thing therein conteined ſhall not extende to repeale, annihillate or make voide the ſaide former act of parliament, made in the ſaid 32. yeere of our ſaid ſoueraigne lorde the king cap. 12. before 3. concerning any ſanctuary or priuiledged places, limitted in the ſaid former act, other then only the ſaid town of Manchester. And be it &c. ꝑ the conſtables of the ſaid towne of Manchester, for the time being, taking and aſſociating with thẽ xx. of the inhabitantes of ꝑ ſame towne, by their diſcretions ſhal haue the ſafe conduction, leading & bringing of al ſanctuary men, now & hereafter

Manchester

Repealed

Weſtchester

Conſtables

before the feast of the Natiuitie of saint John Baptist next comming, being in the sayd towne to conduct, leade and safe bying from the sayd Towne of Manchester, to the foresaid Citie of Westchester, there to remaine as sanctuarie men, and to be deliuered to the Maior and shiriffes of the said City of Westchester, by Indenture to be made betweene the foresaid constables and the sayd Maior, and shiriffes there for the time being, in which Indentures shalbe compiled and specified the names of all such sanctuary persons, as shalbe so deliuered: and that the said sanctuary persons and euery of them shalbe in al places meane betweene Manchester & Westchester, in the time of their sayde conduction, leading and bringing frō Manchester to Westchester as they & euery of them hau bene & remained sanctuary persons in Manchester aforesaid.

Maior Shiriffe Indenture

Prouided alwaies and be it &c. that if hereafter vpon any reasonable matter or cause, it shall appeare to the kings Maiestie by information or otherwise, that the sayd Citie of Chester is not meete to be sanctuary, nor for a place of priuiledge and tuition for the said offenders and malefactours, as bene aboue remembred, as for such like of their conditions, that then it shalbe lawfull to the kings highnes by his graces proclamation, to extinct and determine the saide sanctuarie within the said Citie of Chester, and clearely to discharge the same citie thereof: and thereupon to appoint, ordeine, and make one other towne or place to be sanctuarie, and a place of priuiledge and tuition for the said offendours and malefactours, any thing in this act contained to the contrary notwithstanding. An. 33. H. 8. cap. 15.

Chester

Proclamation

¶ Scarborough.

AN. 37. H. 8. cap. 14. an act is made for the repairing of the Key and Pier of Scarborow with diuers clauses concerning that matter.

¶ Schooles and Schollers.

ANno 14. of Eliz. an act was made for the better assurance of certayne lands and Tenements to the maintenance of the free Grammer schoole of Tunbridge in the Countie of Kent, which is not published in print.

Tunbridge

¶ Scotland & Scots.

FRom henceforth no person, alien nor denizen, of whatsoeuer estate or condition that he be, shal carie nor send, nor doe to be caried nor sent by Land nor by sea out of ỳ realme of Englād, to any parties of Scotlād, priuily nor apertly, any manor of armour, corne, malt, or other vitailes, or any other refreshing, vpon paine of forfaiture of the same vitailes, armours, and other things aforesaide together with the ships, vessels, carts and horses, which shal bring or cary the same, or of the very valour of the same, except so it be ỳ the king do giue his speciall licence to the cōtrary.

Alien Denizen

Armour Corne Vitaile Fors.

Licence

And to the intent that these ordinances be duely kept and put in due execution, it is also assented, that he which after proclamation thereof made, espie and proue, that any hath offended or forfait in any point against the forme of this ordinance, shal haue the thirde part of the said forfeitures wholy to his owne vse. An. 7. R. 2. capitulo 16.

Third part

2 ¶ It was not his intent at the making of the said statute (before. 1.) ne yet is, that they that haue caried or taken, or from henceforth shal take or cary vitailes or merchandises to the Towne of Berwike vpon Twede, which is the kings towne, and of his ligeance, shall incurre that paine of the said statute, ne shall not be bound to pay customes and subsidies graunted to our Soueraigne Lorde the king of merchandises that be, or shalbe caried out of the Realme. Prouided alway, that they that take any Cloth, Vitailes, or other merchandises out of the sayd Towne of Berwike, to any parties of the kings friends, shall pay the Subsidies, customes, and other dueties therof to our soueraigne Lorde the king, and if they doe cary to any parties of the kings enemies, they shall incurre the paine of the said statute. An. 15. R. 2. cap. 7.

Berwike

Customes

Cloth Vitaile

Customes

Enemies

3 ¶ Anno

Auoyd 40. Daies Hearth Arrest Goods Constable

3 ¶ An. 7. H. 7. cap. 6. it was enacted that all Scottes dwelling within England, and Wales should auoid the realme within fourtie dayes after Proclamation made, and after the xl. daies searche to be made for Scottes, and they to be arrested, and their goods seased, and they to be conueyed from Constable to Constable, to Scotland, and other articles concerning this matter.

4 ¶ Forasmuch as great care hath bene heretofore taken for maintenance of good strength and force vpon the borders and frontiers against Scotland, and to the end that Inhabitants and Tenants there, might be better able, and more encouraged for the defence of the same borders, when any occasion should be offered in that behalfe, all charges of Subsidies and taxes haue bene borne, to be laied or charged vpon the sayde Inhabitants, and for like respect it hath bene heretofore also vsed in diuers places within the Cõtries of Northumberland, Cumberland, Westmerland, and the Bishoprieke of Durham, that diuers, and a great part of the inhabitants there, haue enioyed their Tenements and Fermeholdes in diuers fauourable sortes and formes of tenure. And for that the Queenes Maiestie hath of late yeres bene oftentimes informed by report and certificate of her principall officers hauing charge of her borders, that the force of her sayd borders both of horsemen and footemen are greatly decayed, and likely daily to growe weaker by many occasions, and among other by decay and ruine of sundry the habitations of those borders, whereby the number of the auncient inhabitants able for seruice, haue bene diminished, and that part of the same Habitations, Tenauncies and Farmes, haue bene reduced rather to pasturing of cattel, then to the maintenance of men of seruice: And that also in some parties the Tenaunts and Inhabitaunts themselues haue diminished their owne strength, by diuiding their houses and farmes, which were meete onely for one able householder & family, into ỹ occupation of sundry persõs cõmonly being their Children or other kinsfolkes, So as by the smalnesse and meanenesse of the holding, no one of them is able to furnish a man for seruice: And that also diuers owners and tenaunts vpon the borders, haue for more gaine then they could haue of naturall Subiects, letten their Lands or feedings, or some part thereof to Scottishmen, thereby not only weakening the strength of her Maiesties naturall Subiects, but strengthening Forreners.

For remedy whereof, be it enacted by the authoritie of this present Parliament, that the Queenes Maiestie shall and may from time to time, as neede shall require, by Commission vnder the great Seale of England, make and appoint such and so many Commissioners as to her Maiestie shall be thought conuenient, giuing vnto them or fiue of them (whereof two to be of Quorum) full power and authoritie in all and euery of the said Counties of Northumberland, Cumberland, Westmerland, and the Countie Palantine of Durham, or in any one of them, or in any part of any of thē, to inquire by the othes of twelue men or moe, or by other good meanes according to their discretions, what tenauncies and houses of habitacions bee since the seuen and twentieth yere of king Henry the eight ruined and decayed, and not held or occupied by men able to serue as horsemen or footemē, according to the auncient duetie of those tenauncies, and in like maner to examine and search out the full or probable causes of those ruines and decaies, and of the wants and euill furnitures of the sayde horsemen and footemen, and to giue order and direction for reformation thereof with all speede reasonable. And to that ende if it shall appeare to the sayde Commissioners or such fiue of them as is aforesaid, that the fault of the saide ruines or decayes haue bene onely in the Lords and owners, or their principall officers, or in the officers and Farmours of her Maiesties Mannours, Lands or Tenements, or any their assignes, then the sayd Commissioners, or such fiue as is aforesaid, shall order, commaund & iniopne all

Queene
Commission
6. Commissioners
Two of the Quorum
Northumberland
Enquire
Tenancies decayed 27. Hen. 8.
Hearth caules
Reforme
Lords default
Iniopne

well her Maiesties officers, Farmors or their assignes, as others the Lordes and owners, and their officers or Farmors, to reedifie or repaire the same tenements and houses of habitatiō, and specially the capitall houses and Barnekyns within a conuenient time at their owne charges, with restoring like quantities of landes thereunto, as with the same hath bene occupied in the saide twenty seuenth yeere of King Henrie the eight, And shall set paynes for euery default of such reedifying or restoring in reasonable time, not exceeding one hundreth marks for euery such default: And if they shall find default of furniture of the tenaunts with horse, weapon or Armour according to their duelies, the they shal by perswasion in respect of the Queenes Maiesties seruice, and the defence of their native countrey, treate with such lords and other whom it may concerne, and the freeholders, Leassers or tenaunts, for order to be taken by their mutuall assents for the renewing and continuance of the sayde seruice, and for want of reasonable conformitie on either part, may inioyne the sayde Lordes and al others vnder them, and also all the Queenes Maiesties officers, Farmors, and their assignes, to giue such helpe as the sayde Commissioners or such sire as afore sayd shall thinke fit, towards the inabling of the sayd tenaunt or tenaunts, to be furnished according to the auncient duety of the saide Tenement, and to take order how the said Tenant shall there by be furnished and bee able for seruice, and so to see that the same be duely executed, and the saide Commissioner shall take bonds in good summes to her Maiesties vse, of euery such person of whom it shall be requisite that the saide auncient duetie of such Tenements respectiuely shall bee furnished, kept and executed, on payne of reasonable forfaitures, not exceeding fortie pounds for euery defaulte, and shall assesse fines, or set downe paines for such defaults or wants of furniture, as shall in that behalfe be requisite. And if the vnhablenes of the sayd tenaunts shalbe founde to haue growen, or to growe hereafter by their owne default or wilfulnes, without iust occasion: The sayd Commissioners of such sire of them as is aforesaid, shall order, inioyne and direct the said tenants within some reasonable speedy time, to furnish themselues with Horse, Armour, and weapon, or with armour and weapon according to their auncient vsage, and their vttermost reasonable abilitie, at their owne charges without any contribution of the Lordes, but at their owne good willes, vpon payne to be expelled by the Lord, owner or superior Farmors or their assignes, which so expelling, shall place in such holding or Farme another tenaunt, that shalbe furnished and ready for such seruice as is aforesaide, or else shall within one moneth giue notice to the Commissioners, or to the Warden of the same Marches, of his not placing of such tenaunt, vpon such payne as the Commissioners, or such sire of them as is aforesaid, shall assesse, not exceeding one hundreth markes, and the said Commissioners or Warden after such notice giuen, shall place one other tenaunt sufficient for the seruices aforesaide, and in her Maiesties landes by the officers of her Reuenewe, within some time to be limitted. And the said Landlords, owners, superior Farmours or their assignes, and also her Maiesties officers to be also inioyned and bound vpon some payne to cause the same to be executed, and that a newe tenaunt shalbe placed sufficiently furnished to hold the same. And further where it shall appeare, that within the space of thirtie yeres any tenement or habitation of houshold, which haue maintained any horsemen or footemen, by auncient vsage for seruice toward the Frontiers, haue bene by the Tenants and owners themselues, or by any other meanes diuided into sundry habitations, or the landes thereunto belonging distributed to other tenaints, whereby any one principall tenement so diuided, or the same tenement with the lands therewith nowe occupied, shall not be able to maintaine the inhabitant thereof to be furnished according to the auncient duetie of seruice:

That

Reedifie

Barnekins

Paine

Tenants default

Armour

Perswade Lords

Helpe

Paine

Commissioners

Inioyne Tenants

Armour

Paine

New tenant

Notice

Commissioners

Queenes lands

Tenement Deuided

Commissioners

That in such case the said commissioners or such five of them, as is aforesaide, shall take order, that for the present time, the persons which shall have the use and profite of any part of the same tenements, or of the said lands so withdrawen from the

Occupiers

Contribute

said principall tenement during the time of their present termes, shall yeerly contribute to the principall tenaunt there residing, to bee ready and furnished for the said seruice, some reasonable yeerely ayd by money or otherwise, towards his furniture meete for seruice.

Prouided alwayes, that where the said commissioners, or such five as aforesaide shal find, that meane or undertenants, having particuler estates ouer the tertenāt (other then the lordes and owners) haue bene cause of any such decay: In those cases they shall order and compell all such persons meane (which frō vnder the lord, vnto the base or tertenāt, shall be found to haue bene cause of such decaye) to contribute towardes the reedifying or reparring of any tenement ruined or decayed since the time of their interest in the premisses, and also to the helpe of the furniture of the party so decayed: And shall also cause them to be bound, during their particuler estates, to obserue the order of the saide commissioners, to be taken as is aforesayde, towardes the said tenants, inhabitantes, and seruice. And because diuerse persons being lordes and owners, and others also, that haue particuler estates vnder the said lordes and owners, which are by the sayde commissioners in diuers cases aboue mencioned, to be charged with the contributions aboue mencioned, may be absent out of the parties, where the said commissioners shall haue authoritie to execute the said commission, and shal not appeare vpon summions and precептes, and shall haue no landes or tenimentes within the iurisdiction of the said commission, to satisfie such paines or amercementes, as shall be set vpon them, to perfourme their order: In such cases the commissioners or such five of them as is aforesaid, shal estreate the same paines and amercements into the Exchequer, in

Persons absent

Commissioners Estreate

like maner, as Justices of peace ought to doe for fines and amercementes, taxed or set before them. And thereupon the Barons and court of Exchequer, shall vse al good diligence to procure the keeping thereof vpon the parties amerced, or that shall forfayte paynes in any parte of the realme wheresoeuer the said partie shall remaine: And vpon the same aunswered by any shirife or other officer, ỳ same shal be paid by order of the principall officers of the said Exchequer, to the commissioners or some of them, to be by them aunswered, to such to whome the same shall be due, without further warrant from her Maiestie for the same.

Prouided also, that where the commissioners, or any such five of them as aforesaid, shal find that any thing is and ought to be done for the furtherance of this seruice, in any of ỳ premisses in ỳ Queenes Maiesties charge, in respecte of any her Lands, Lordshippes or Tenementes, or of any thing taken by any officers of her reuenewe, or by any other person attending vpon the saide officers or ministers, or by any other meanes to their own vse: In such cases the said commissioners, or such five as aforesaide, shall certifie to the Lord Treasourer, Chauncellor and Barons of the Exchequer, their directions and orders concerning the contributions by them reasonably thought meete to be made in her maiesties behalfe, or by any her officers or ministers, to the intent the said Lord Treasourer, Chancellour and Barons, or any two of them, whereof the lord Treasourer or Chauncellor for the time being to be one, shall on her Maiesties behalfe direct warrants to her maiesties receiuers of the sayde Countie, to make paynient and allowance, according to the order and direction of the said commissioners, without any other speciall warrant from her maiestie for the same, and they shall also compell all other her maiesties sayd officers and ministers, or their Deputies, that shall be ordered by the commissioners as aforesayde, to make contribution, as is aboue sayde, to make payment, and to satisfie the said orders in

Queenes charge

Commissioners Certifie

like

like ſort and maner, as if the ſaid orders and directions were decreed by the ſayde court of Exchequer.

Comiſſioners ſwoine

Prouided, that the ſaid commiſſioners, before they ſhall exercise the ſaid commiſſion, ſhalbe ſwoine before the lord chauncelor of England, or before ſuch to whom the lord chauncelour ſhall direct a writ of Declimus potestatem, or before the iuſtices of Aſſiſe in the Countie where they ſhall ſit, or before the iuſtices of peace in the quarter ſeſſions in the ſaid Countie, according to the tenour of an othe, contayned in a ſtatute of the ſecond and third yeeres of the raignes of king Philip and Queene Marie, (which ſee in Caſtels 5.) made for the reedifiyng of Caſtels, & ſtrengthening of the borders within the foreſaid Countie (leauing out the words (and all Saintes) expreſſed in the ende of the ſaide othe.) And that they ſhall haue like wages for themſelues and clerks, as is in the ſayde ſtatute alſo expreſſed, and the ſame to be leuied out of ſuch ſummes of mony, as ſhall be aſſeſſed by the ſaid cõmiſſioners, according to þ prouiſion contained in the foreſaid ſtatute of the ſecond and thirde peeres of the raignes of King Philip and Quene Marie, for the allowance of the like commiſſioners appointed to execute the ſaid ſtatute.

Iuſtices of peace

Wages

Prouided alſo, that they ſhall haue the like authoritie, to make and direct writs, preceptes, warrants, and other commandements, to al Shiriffes, Baylifes, Stewardes, and all other miniſters, officers and perſons, to appeare before them, and to execute their commaundementes, and ſhall in all cauſes haue like authoritie to execute this commiſſion warranted by this ſtatute, as by the ſayde ſtatute of the ſecond and third yeeres of King Philip and queene Marie, was giuen for the execution of the ſayde ſtatute. And that the like commiſſions ſhalbe made from time to time requiſite by the chauncellor and officers of the Dutchie of Lancaſter, and by the Biſhop of Durham in the countie palantine of Durham, reſpectiuely, according as is mencioned in the foreſaid ſtatute of the ſeconde and thirde yeeres of the raignes of king Philip and Queene Marie, for commiſſions to be made by them for execution of the ſaid ſtatute.

Proces

Dutchie of Lancaſter Durham

Prouided, that the aforeſaide commiſſioners ſhall not by any their order or direction, intermeddle with any landes of her maieſtie, or of any other perſon that are preſently in leaſe or demiſe, or granted by deede indented in writing, or by copy of court rolle within any mannour, where of auncient time the cuſtome hath bene, to graunt the ſame landes by copie of court rolle, but that the ſame leſſees by Indenture, and copie holders ſhall continue at the pleaſure of the leſſors, or the graunters of the ſaid copie, or their heires, as before the making of this ſtatute they might haue done, and yet, if heretofore the ſayde landes ſo leaſed by demiſe, or graunted by copie of Court rolle, ſhall appeare to haue bene chargeable to ſeruice, and that the ancient tenants thereof haue vſually done ſeruice for the borders, and in the ſaid indentures or copies, or in the Court rolle whereof the ſame are copies, there be no couenaunts or clauſes, nor otherwiſe any bondes taken for the ſaid ſeruices to be done and performed: In theſe caſes, for reuiuing or further lee of the ſaid ſeruices, the ſayde commiſſioners, or ſuch fiue of them as is aforeſaide, ſhall vpon due examination firſt had, and tryall made, take order eyther with the Lordes and Leſſours, or with their Officers, or with their tenantes, or with both of them, to cauſe any tenementes ruined or decayed, to be reedified or repayred, as is before limited: And alſo to cauſe the ſayde Seruice or ſeruices to be reuiued and mayntayned for the Defence of the ſayde borders, eyther by ſperiall Couenauntes to be contayned in writing betwixte the ſayde Lorde and Tenaunt, or otherwiſe.

Prouiſo

Reuiue

Tenement

Prouided alſo, and be it enacted by the authoritie of this Parliament, that al orders to be ſet downe by the ſaid commiſſioners by vertue of this ſtatute, and by authoritie of the ſaid commiſſion or commiſſions, or any of them, ſhall ſtande and be in force to continue, except the ſame

Orders

Stand

ſhalbe

shalbe by themselues or such number of them, as is aboue limitted, or by other cõmissioners authorized by her maiestie, according to the forme of this acte, vpon examination and good consideration, & vpon calling all persons interessed before them to be hearde, otherwise altered or changed in the whole, or in part.

Prouisio

Prouided also, that hereafter all Farmours or Lessees, that shall haue interest hereafter in any landes, tenements or hereditaments, within the said Countries of Northumberland, Cumberland, Westmerland, and the bishoprick of Durham, or in any one of them, by vertue of any newe Lease to be made after the ende of this session of this Parliament, shall personally dwel vpon the said landes and tenementes, being houses of habitation, or else shal personally be resident and dwelling in and vpon some other house & habitation within one of the said Counties, and shal appoint and assigne a meete person to inhabite vpon the sayd farme or tenement so dimissed, in such sort as the inhabitant may reasonably liue thereupon, according to the quality of the farme, and shall performe the sayd seruice. And if the sayde farmour shall departe out of the said Counties, to dwell or reside in any other place, hee shall within one twelue monethes after his departure, surrender his sayde farme, to him or them that then shall haue the immediate reuersion or remaynder, so as he may dimisse the same to the afore said inhabitant afore assigned, or to some other to be resident and dwell thereupon, and keepe hospitality meete for the qualitie of the saide farme, for the better replenishing of the sayd countries with people: Or else it shall be lawefull for him or them, that shall haue the immediate reuersion or remaynder, after such twelue monethes, and his absence continuing so long, to reenter as though the sayd lease were determined.

Lessees
Dwell
Depart
Surrender
Lawfull Reenter

And be it enacted, that vpon cause notoriously giuen by any lordes or owners, or their officers, or by any her maiesties officers, farmours, or their assignes, to the hinderance of the said seruice, as is aforesaid, and vpon complaint made thereof to her Maiestie, or to her commissioners, or any of them, or to the Wardens of the borders: The said commissioners, or such sire of them as is aforesayde, that then shall haue their commission in force, or in default of such commission then being in force, such other commissioners, to whome the Queenes Maiestie shall and may vpon the said complaint or certificat from the Warden, direct a new commission to the like sort & number of commissioners, as in this statute is expressed, shal examine the cause or complainte of ỹ certificate, and shall take order betwixte the lord and the tenant, that by repayring of the same habitation, and other helpes aboue sayde, the tenant may be able, bounden and charged to inhabite the same tenement, and doe the seruice vpon the borders, according to his tenure.

Statute Continue

Prouided also, that this present Statute shall continue during her Maiesties life onely (which God long preserue.)

Statute Reuiued

Be it also further enacted by ỹ authoritie aforesayd, that one act & statute made at the Parliament holden at Westminster, in the second and third yeeres of the raignes of the late king Philip & queene Marie, intituled, an Acte for the reedifying of Castels and Fortes, and for the inclosing of grounds vpon the borders towardes Scotlande, and euery article, haunch, clause and sentence therein conteined, except the sayde wordes (and all Saintes) shall be from henceforth fully reuiued, and shall haue continuance for, & during the terme of twentie yeeres next ensuing the last day of this present sessiõ of Parliament, and from thencefoorth to the end of the parliament then next following: And that the same act & statute in euery behalfe, shall from thencefoorth be interpreted and expounded, to extende as fully and largely to the Queenes maiestie that now is, her heires & successors, during the said time, for the good execution of the same, as euer it did, or was meant to extend to ỹ saide late king Philip and Queene Marie, any thing to the contrary notwithstanding.

Reuiued

Prouided

Proviso

Prouided neuertheleſſe, and conſidering that the ſpeciall purpoſe of the premiſſes in this acte conteined, is to haue the people and inhabitauntes of the ſayde counties of Northumberland, Cumberland, and Weſtmerland, and of the ſayde countie Palantine of the Biſhopricke of Durham, which of auncient time were accuſtomed, and by the cuſtomes of the ſaid countries are, or ought to ſerue on horſebacke, or on foote, for defence of the Frontiers, to be able for ſeruice, and to be ready furniſhed for the ſayde ſeruice: Therefore be it enacted, that if the Lorde and owner of any Tenement, or place of habitatiõ, or Farme, whereupon any ſuch Tenant bound by ſuch cuſtome to ſerue, doth nowe dwell, or where at any time ſince the xxvii. yeere of King Henrie the eight, any ſuch tenant bound by cuſtome to ſuch ſeruice, did dwell, ſhall place and cauſe to inhabite thereupon a Tenãt able to ſerue on horſebacke, or on foote, accoyding to the auncient cuſtome of the ſame Tenement or Farme, and ſo for that purpoſe to be alwayes, when neede ſhall require, furniſhed for the ſayd ſeruice requiſite: In ſuch caſe the ſaid Commiſſioners ſhal not by vertue of this act, intermeddle betwixt the Lorde or owner and the Tenant, but that it may be lawfull for the ſayd Lord or owner therein, to graunt to his Tenant ſuch ſtate, and in ſuch ſort, as lawfully he might haue done before the making of this ſtatute, So as the ſaid tenant be as aboue is ſaide, able and readie with furniture to do his accuſtomed ſeruice, when time ſhall require for defence of the Frontiers. An. 23. Eliz. cap. 4.

¶ Sea.

The Sea ſhalbe open to all maner of merchãts to paſſe with their merchandiſes at their pleaſure where it ſhal pleaſe them. Anno 18. E. 3. capitulo 3.

¶ Seales.

Writs

There ſhall no writte from henceforth that toucheth the common Lawe, goe forth vnder any of the pety ſeales. Articuli ſuper cartas. An. 28. E. 1. cap. 6.

Signet letters

2 ¶ Letters of the ſignet, nor of the kings ſecret Seale, ſhalbe from henceforth ſent in dammage or preiudice of the Realme, nor in diſturbance of the Lawe. An. 11. R. 2. cap. 10.

March

3 ¶ An. 4. H. 7. ca. 14. it is enacted that all graunted and writinges of landes or things pertaining to the Earledome of March, ſhalbe vnder the broad Seale, and not vnder a ſpeciall Seale.

¶ Searche and Searcher.

Swoine

The Searchers in ech Port throughout Englãd ſhalbe charged & ſworne that they ſhall not let to ferme their offices of Searcherie, neither occupie them by Deputie. They ſhall not take from henceforth of any maſters of ſhippes to doe their office of Searcherie, neither Siluer nor money for their welcome, or for their farewell, nor any thing for the ſame as they haue vſed to take before this time, otherwiſe then is ordeined for them by their offices for our lord the king. And that no Searcher be Hoſte to any Merchant or Mariner, and in caſe that any Searcher doe contrary to this eſtatute and duely proued, the ſame ſearcher ſhall be put out of his office for euer, and make fine and raunſome at the kings will.

Deputie

Shipmaſters

Hoſte

Fine.

¶ Sergeants at armes.

Extortion

AT the greeuous complaint made by the commons of the king in this parliament, of exceſſiue and outragious nũber of Sergeants of armes, and of many great extortions and oppreſſions done by them to the people: Our ſoueraigne lord the king therefore will that they ſhalbe al diſcharged, and that of them and other, there ſhalbe taken of good and ſufficient perſons to þ number of xxx. and no more from henceforth. And moreouer the king forbiddeth that they meddle of any thing that toucheth not their office. And that they do none extortion nor oppreſſion to the people vpon paine to loſe the office,

30. Sergeants

and

and to make a fine and raunsome at the kings pleasure, and full grec to the partie. Anno 1 3. R. 2. cap. 6.

¶ Seruice and sacraments.

THe King perceiuing that many arrogant and ignorant men doe peruert many things well and godly instituted, and namely in the most comfortable Sacrament of the body and blood of our Sauiour Jesus Christ, commonly called the Sacrament of the Aultar, and in Scripture, the Supper and Table of the Lord, the Communion & partaking of the body and blood of Christ, which sacrament was instituted of no lesse author then of our Sauiour both God and man, when at his last supper among his Apostles, he did take the bread into his holy hands and did say, Take you & eate: This is my body which is giuen and broken for you. And taking vp the Chalice or Cup did giue thanks and say, This is my blood of the newe Testament which is shed for you & for many, for the remission of sinnes, that whosoeuer we should doe the same, we should doe it in the remembrance of him, and to declare and set forth his death and most glorious passion vntill his comming. Of which bread whosoeuer eateth, or of the which Cup whosoeuer drinketh vnworthely, eateth and drinketh condemnation and iudgement to him selfe, making no difference of the Lords body. The institution of which Sacrament being ordeyned by Christ as is aforesaide, and the said words spoke of it here before rehearsed, being of eternall, infallible and vndoubted trueth, yet the sayde Sacrament hath bene of late maruellously abused by the sayde persons, concerning the whole thing for certaine abuses heretofore committed therein, reuiling it, and disputing vngodly of that most holy mysterie, and calling it by vile and vnseemely words: For reformation whereof, Be it ec. That whatsoeuer person or persons from and after the first day of May next comming, shall dispaute, despise, or contemne the said most blessed Sacrament in contempt thereof by any contemptious words, or by any words of depraning, despising or reuyling, or what person or persons shall aduisedly in any other wise contemne, despise or reuile the said most blessed Sacrament contrary to the effects and declaration aforesaid, that then he or they shall suffer imprisonment of his or their bodies, and make fine and raunsome at the kings will and pleasure. And for full and effectuall execution of the premisses before deuised, ordeyned, and enacted by this act: Be it further enacted by the authoritie of this present Parliament, that immediatly after the first day of May next cõming, the Justices of peace or three of them at the least, whereof one of them to bee of the Quorum in euery shire of this Realme, and Wales, and all other places within the kings dominions, shal haue full power and authoritie by vertue of this act, as well to take information as accusation by the othes and depositions of two honest, honest, and lawful persons at the least, and after such accusation or information so had, to enquire by the othes of twelue men in euery their power quarter Sessions peerely to be holden, of all and singuler such accusations or informations to bee had or made of any of the offences aboue sayd to be committed or done after the sayd first day of May, within the limits of their commission, and that vpon euery such accusatiõ or information, the offendour and offendours shalbe inquired of, and indicted before the sayde Justices of peace or three of them at the least, as is aforesayd, of the sayd contempts and offences by the verdict of twelue honest and indifferent men, if the matter of the sayd accusation and information shall seeme to the sayde Jury, good and true.

And it is also further enacted by the authoritie aforesaid, that the said Justices of peace, or three of them at the least as is aforesayd, before whom any such presentment, information, and accusation shalbe made or taken, as is aforesayd, shall examine the accusers what other witnesse

wers

Sacrament

Impriſon
Fine

3. Iuſt. of p.

Quorum
Wales

Enquire

Quarter
ſeſſions

3. Iuſt. of p.

3. Iuſt. of p.

Examine

Deſpiſe

were by and preſent at the time of doing and committing of the offence, whereof the information, accuſation, and preſentment ſhalbe made, and howe many other then the accuſers haue knowledge thereof, and ſhall haue power and authoritie by their diſcretions to bind by recognisance to be taken before them, aſwell the ſayde accuſours, as all ſuch other perſons, whō the ſame accuſours ſhall declare to haue knowledge of the offences, by them preſented and informed, euery of them in fiue poundes to the king, to appeare before the ſayde Juſtices of peace, before whom the offendour or offendours ſhall be tried at the day of tryall and deliuerance of ſuch offendours.

Diſcretion
Recog.

Juſt. of p.

And it is further enacted by the authoritie aforeſayd, that the ſaide Juſtices of peace or three of them at the leaſt, as is aforeſaid, by vertue of this act, ſhall haue full power and authoritie, to make proceſſe againſt euery perſon and perſons ſo indicted by two Capias and one exigent, and by Capias vtlagatum, aſwell within the limittes of their Commiſſion, as into all other ſhires and places of this realme, Wales and other the kings dominions, aſwell within the liberties as without, and the ſame Proceſſe to be good and effectuall in the Lawe, to all intents, conſtructions and purpoſes. And vpon the apparance of any of the offendours ſhall haue full power and authoritie by vertue of this act, and the Commiſſion of peace to determine the contempts and offences aforeſaid, according to the lawes of this Realme, and effectes of this act. And that the ſaid Juſtices of peace, or three of them at the leaſt, as is aboueſaid, ſhall haue full power and authoritie, to let any ſuch perſon or perſons ſo indicted vpon ſufficient ſuerties by their diſcretions to Baile for their apparance, to be tried, according to the tenour, forme and effect of this act.

Proces
Capias
Exigent
Capias vtlagatum

Wales

3. Juſt. of p.

Suerties

Prouided alwaies, and be it enacted, that the ſaid Juſtices of peace, or three of them at the leaſt, at their quarter Seſſions, where any offender or offenders ſhal be or ſtande indicted of any of the contemptes or offences aboueſaide, ſhall direct and awarde one Writ in the Kings name, to the Biſhop of the Dioceſſe wherein the ſayde offence or offences are ſuppoſed to bee committed or done, willing and requiring the ſayde Biſhop, to be in his owne perſon, or by his Chauncelour, or other his ſufficient Deputie learned, at the quarter Seſſions in the ſayde Countie to be holden, when and where ꝑ ſayd offendour ſhalbe arraigned and tried, appointing to them in the ſaide Writte, the day and place of the ſaide arraignement, which Writte ſhall bee of this forme.

3. Juſt. of p.
Quarter
ſeſſions

Writ
Biſhop.

Rex &c. Epiſcopo L. ſalutem, Præcipimus tibi, quod tu, Cancellarius tuus, vel alius deputatus tuus ſufficienter eruditus, ſitis cum Iuſticiariis noſtris ad pacem in comitatu noſtro B. conſeruandam aſsignaris, apud D. tali die ad Seſſionem noſtram, ad tunc & ibidem tenendam, ad dandum conſilium & aduiſamentum eiſdem iuſticiariis noſtris ad pacem, ſuper arraignamentum & deliberationem offendent. contra formam ſtatuti concer, ſacroſanctum Sacramentum altaris.

Prouided alway, and be it enacted by the authoritie aboueſaid, that no perſon or perſons, ſhalbe indicted of any the contemptes or offences aboueſaid, but onely of ſuch contempts or offences, as ſhalbe done or perpetrated, within three monethes next after the ſayd offences or offence ſo committed or done.

Indict

3. moneths

And be it further enacted, by the authoritie aforeſaid, that in all trials for any ſuch offendours before the ſayde Juſtices, as is aforeſayde, the perſon or perſons, being complained on and arraigned, ſhalbe admitted to purge or trie his or their innocencie, by as many or more witneſſes, in number, and of as good honeſtie and credence as the witneſſes be, which depoſed againſt him or them, or any of them.

Triall

Witneſſes

And foraſmuch as it is more agreeable, both to the firſt inſtitution of the ſayd Sacramēt of the moſt precious body and blood of our Sauiour Jeſus Chriſt, and alſo more conformable to the common

Sacrament

vſe

vse and practise, both of the Apostles, and of the Primitiue Church by the space of fiue hundreth yeres and more, after Christes Ascencion, that the saide blessed Sacrament should be ministred to all Christian people, vnder both the kinds of bread and wine, then vnder the forme of bread onely: and also it is more agreeable to the first institution of Christ, and to the vsage of the Apostles, & the primatiue Church, that the people being present, should receyue the same with the Priest, then that the priest should receyue it alone:

Both kinds

Therefore be it enacted by our Soueraigne Lord the king, with the consent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, that the sayd most blessed Sacrament, be hereafter commonly deliuered and ministred vnto ỳ people, within this Church of England and Ireland, and other the kings dominions, vnder both the kindes, that is to say, of bread and wine, except necessitie otherwise require, and also that the priest, which shall minister the same, shall at the least one day before, exhort all persons which shalbe present, likewise to resort, and prepare themselues to receiue the same. And when the day prefixed commeth, after a godly exhortation by the minister made (wherein shalbe further expressed the benefite and comfort promised to them which worthely receyue the sayd holy Sacrament: and daunger and indignation of God threatened to them, which shall presume to receiue the same vnworthely, to the ende that euery man may try and examine his owne conscience, before he shall receiue the same) the sayd minister shall not without a lawfull cause denie the same to any person, that will deuoutly and humbly desire it: Any Lawe, Statute, Ordinance or custome contrary hereunto in any wise notwithstanding: Not condemning hereby the vsage of any Church out of the Kings Maiesties dominions. Anno 1. Ed. 6. capitulo primo. This act was repealed by 1. & 2. P. & M. and is reuiued by 1. Eliz. capitulo secundo. Before in. Crowne. 6. But note the time of the first making of this statute, which was before that the Masse was taken away, when the opinion of the reall presence was not remoued from vs.

Both kinds

Minister

Denp

2 ¶ Anno 2. E. 6. capitulo primo, was an act made that the seruice and Sacraments should be in English according to a booke thereof made. And diuers things be in that act concerning those matters. And after, Anno 5. E. 6. capitulo 1. it appeareth that the sayd English booke was altered and chaunged in diuers things, and that thereunto was added a forme of making and consecrating of Bishops and priestes. And in the same act of Anno 5. Ed. 6. cap. 1. It was enacted to compell people to come to the Church to the English Seruice, and punishment appointed for them that should be present at any other seruice as followeth here 3.

English

3 ¶ Be it enacted by the king our soueraigne lord, with the assent of the lords and commons in this present parliament assembled, and by the authoritie of the same, that from and after the feast of all Saints next comming, al and euery person and persons, inhabiting within this Realme, or any other the kings maiesties dominions, shall diligently and faithfully, hauing no lawfull or reasonable excuse to be absent, endeuoure themselues to resort to their parish church, or chappel accustomed, or vpon reasonable let thereof to some vsuall place where common praier and such seruice of God shalbe vsed in such time of let, vpon euery Sunday, and other dayes ordained and vsed to be kept as holy daies, and then and there to abide orderly, and soberly during the time of the cõmon praier, preachings, or other seruice of God, there to be vsed and ministred vpon paine of punishment, by the censures of the Church.

Church

And for the due execution hereof, the kings most excellent maiestie, the Lords temporall, and all the Commons in this present Parliament assembled, doth in Gods name earnestly require and charge all the Archbishops, Bishops and other ordinaries, that they shall endeuour themselues

Archbishops Bishops

selues to the vttermost of their knowledges, that the due and true execution hereof may be had throughout their diocesse and charges, as they will answere before God, for such euils and plagues wherewith almighty God may iustly punish his people for neglecting this good and wholesome Lawe. And for their authoritie in this behalfe, be it further likewise enacted by the authoritie aforesayde, that all & singuler the same Archbishops, Bishops, and all other their officers, exercising Ecclesiasticall iurisdiction, aswell in place exempt as not exempt within their Dioces, shall haue full power and authoritie by this act, to reforme, correct and punish by the censures of the Church, all and singuler persons, which shal offend within any their iurisdictions or Dioceses, after the sayd feaste of all Saincts next comming against this act and Statute, any other Lawe, Statute, Priuiledge, Libertie or Prouision heretofore made, had, or suffered, to the contrarie notwithstanding. And because there hath arisen in the vse and exercise of the foresayde common Seruice in the Church heretofore set forth, diuers doubts for the fashion and maner of the ministration of the same, rather by the curiositie of the Minister, and mistakers, then of any other worthy cause: Therefore aswell for the more plaine and manifest explanation hereof, as for the more perfection of the sayd order of common seruice in some places where it is necessarie to make the same prayer and fashion of Seruice more earnest and fit to stirre Christen people to the true honouring of Almighty God: The kings most excellent maiestie, with the assent of the Lords and commons in this present parliament assembled, and by the authority of the same hath caused the foresaide order of common seruice entituled The Booke of Common prayer to bee faithfully and godly perused, explaned and made fully perfect, and by the foresayde authority, hath annexed and ioyned it, so explaned and perfected to this present Statute, adding also a forme and manner of making and consecrating of Archbishops, Bishops, Priestes, and Deacons to bee of like force, authority and value as the same like aforesaide booke, intituled the booke of Common prayer was before, and to be accepted, receiued, vsed, and esteemed, in like sort and maner, and with the same clauses of prouisions, and exceptions to all intents, constructions and purposes, as by the act of Parliament made in the seconde yeere of the Kings Maiesties raigne, was ordayned, limitted, expressed, and appointed, for the vniformitie of Seruice and Administration of the Sacraments throughout the Realme, vpon such seuerall paynes as in the sayde act of Parliament is expressed: And the sayd former act to stand in full force and strength, to all intents and constructions, and to be applied, practised and put in vre, to, and for the establishing of the booke of Common prayer, nowe explaned, and hereunto annexed, and also the sayde forme of making of Archbishops, Bishops, Priests and Deacons, hereunto annexed as it was for the former booke.

Correct

Consecrating

And by the authoritie aforesayd it is now further enacted, that if any maner of person or persons, inhabiting and being within this Realme, or any other ỹ kings maiesties dominions, shall after the sayd feast of all Saincts, willingly and wittingly, heare and be present at any other maner or forme of Common prayer, of administration of the Sacraments, of making of Ministers in the Church, or of any other rites contained in the booke annexed to this act, then is mencioned and set forth in the sayd booke, or that is contrary to the forme of sundry prouisions and exceptions contayned in the foresayd former statute, and shalbe thereof conuicted, according to the Lawes of this Realme before the Iustices of assise, Iustices of Oyer and determiner, Iustices of peace in their sessiõ, or any of them, by the verdict of twelue men, or by his or their owne confession or otherwise, shall for the first offence suffer imprisonment for sixe monethes, without Bayle or

Heare Common praier

Conuict
Iust. of all.
Iust. of.
Oier & ter.
Iust. of p.

Imprison

Mainprise

Imprison

Imprison

Curats

Reade

Parson Vicar

Masse

Deface

Sacrament of the aulter

Willingly Word Act Molest

Preacher

Breake Aultar Crosse

Aydour

Arrest

or mainprise, & for the second offence, being likewise conuicted, as is abouesayd, imprisonment for one halfe yeere, and for the third offence in like maner, imprisonmēt during his or their liues. And for the more knowledge to be giuen hereof, and better obseruation of this lawe: Be it enacted by aucthority aforesayd, that all and singular Curates shal vpon one Sunday euery quarter of the yeere, during one whole yeere next following the foresayd feast of all Saiutes next comming, reade this present act in the church, at the time of the most assembly, & likewise once in euery yere folowing at the same time, declaring vnto the people, by the aucthoritie of the Scripture, how the mercy and goodnesse of God, hath in all ages beene shewed to his people in their necessities and extremities, by meanes of hearty and faithfull prayers made to almighty God, especially where people bee gathered together with one faith and minde, to offer vp their heartes by prayers, as the best sacrifices that Christian men can yeld. An. 5. & 6. E. 6. cap. 1. This act was repealed An. 1. M. & some part of it is reuiued by 1. El. ca. 2. as followeth in this title here 5.

4 ¶ For as much as it is most necessary, to prouide that peace bee preserued, specially in holy Church in time of Diuine seruice, and administration of the Sacramentes: Be it &c. that if any person or persons, of their owne power and aucthoritie, at any time or times, after the twentie day of December next cōming, do or shal willingly and of purpose, by open and ouert word, fact, act, or deede, maliciously, or contemptuously, molest, let, disturbe, vexe, or trouble, or by any other vnlawfull wayes or meanes disquiet, or misuse any preecther or preachers þ nowe is, or that at any time or times hereafter shall be licensed, allowed, or aucthorised to preache, by the Queenes highnesse, or by any Archbishoppe or Bishoppe of this realme, or by any other lawfull ordinarie, or by any of the Uniuersities of Oxforde and Cambridge, or otherwise lawfully aucthorised or charged, by reason of his or their cure, benefice, or other spirituall promotion or charge, in any of his or their open sermon, preaching, or collatiō, that he or they shal make, declare, preach, or pronounce, in any church, chappell, churchyard, or in any other place or places, vsed, frequented, or appoynted, or that hereafter shall be vsed or appoynted to be preached in: Or if any person or persons, after the sayde twentie day of December next comming, shal maliciously, willingly, or of purpose, molest, let, disturbe, vexe, disquiet, or otherwise trouble any Parson, Uicar, parish Priest, or Curat, or any lawfull Priest, repaying, saying, doing, singing, ministring or celebrating the Masse, or other such diuine seruice, sacramentes, or sacramentalles, as was most commonly frequented and vsed in the last yeere of the raygne of the late Soueraygne Lord king Henry the eight, or that at any time hereafter shalbe allowed, set forth, or aucthorised by the Queenes Maiestie: Or if any person or persons, at any time or times after the sayd twentie day of December, shal contemptuously, vnlawfully, or maliciously, of their owne power and aucthoritie pul downe, deface, spoyle, abuse, breake, or otherwise vnreuerently handle, or order the most blessed, comfortable, and holy Sacrament of the body and blood of our Sauiour Jesus Christ, commonly called the Sacrament of the Aultar, being, or that shalbe in any Church or chappell, or any other decent place, or pixe, or canapie, wherein the same Sacrament is or shall be, or vnlawfully, contemptuously, or maliciously, of their owne power and aucthoritie, pull downe, deface, spoyle, or otherwise breake any aultar or aultars, or any Crucifixe, or Crosse, that now, or hereafter shall be in any Church, Chappell, or churchyard: That then euery such offendour and offendours, in any the premisses, his or their aydour, procurour, or abbettour, aydours, procurours, or abbettours, immediatly and forthwith after any of the said act or actes, or other the said misdemeanours so committed, done, or made, or at any time or times after, shalbe apprehended, arrested, and taken by any

Constable Churchwarden constable or constables, churchwarden or churchwardens, of the sayd parish, towne or place, where the sayd offence or offences shalbe so committed, made or done, or Officer by any other officer or officers, or by any other person or persons then being present, at the time of the sayd offence or offences so vnlawfully committed, made, or done. Which person or persons so apprehended, taken or arrested, with conuenient speede shall be brought, and caried to any Justice of peace, within the sayd shire, or within any citie, borough, libertie, or towne corporat, wherin Justices of peace be, where the sayd offence or offences shal be committed, done, and made, and that One Just. of peace the sayd Justice of peace, vpon due accusations thereupon had and made, by the apprehendour or apprehendours, or other person or persons of any of the sayde person or persons so offending, forthwith shall commit the sayde person or persons so apprehended, arrested, and taken, to safe keeping and custody, as by the discretion of the sayde Justice shall be thought most meete and conuenient, and that within 6. dayes sixe dayes next and immediately after the sayde accusation so had and made to the ii. Just. of p. sayde Justice, with one other Justice of peace in the sayd Shire, Citie, borough, libertie, or towne corporate, shal diligently Examine examine the act or actes, offence or offences aforesayde. And if they the sayde two Justices of peace, shall vpon their sayde examination, finde or perceiue the sayde person or persons so accused, guyltie of any of the sayd offence or offences, whereof he or they shalbe so accused, and Witnesses that by two sufficient witnesses, or by his Confession or their owne confession or confessions, that then and immediately with conuenient speede, the sayde two Justices shall committe and awarde the sayde person or persons so accused, as is aforesayde, to Imprison the Gayle, of, or for the sayde shire, citie, borough, libertie, or towne corporate, where the sayde offence or offences was so committed, made or done, there to remaine without bayle or mainprise, by the Mainprise space of thee moneths then next ensuing, Quarter sessions and further to the next quarter sessions, to bee holden within the sayd shire, citie, borough, libertie, or towne corporat, next after the ende of the sayd iii. monethes, at which quarter sessions the sayd person or persons so cõmitted to gayle, as is aforesayd, vpon his or their reconciliation, and Reconcile repentance in that behalfe, before the said Justices of peace at the sayde Sessions, shall bee deliuered and discharged out of Deliuer prison and gayle, vpon sufficient suertie of his good abearing and behauiour, to be Good abearing then and there taken by the said Justices, for one whole yere then next ensuing, as by the discretion or discretions of the said Justices then and there being, or for the more part of them shall be thought meete and conuenient. And if the sayd person or persons so in gaile as is aforesaid, wil not be reconciled and repent at the said quar- Refuse ter sessions, that then the sayde person or persons immediatly in time conuenient, shall be further awarded, and committed to the said gayle by ꝑ said Justices, or by Imprison the more part of them, there to remayne without bayle or mainprise, vntill he or they so committed & awarded to gaile, as is aforesaid, shalbe reconciled & be penitẽt for his or their sayde offence or offences. And be it &c. that if any person or persons at any time or times, after the said xx. day of December, of their owne auctority & power willingly, and lawfully do rescue Rescue any offender or offenders so apprehended, taken or arrested, as is aforesayd, or will disturbe, hinder, or let the sayd offender or offenders so offending, as is aforesayd, to be apprehended, taken, or arrested, that then euery one of the sayde rescuers or disturbers shall suffer like imprisonmẽt Imprison as is aforesayd, and further shall pay, forfaite, and loose for a fine, for euery of his Fine. or their sayd offences fiue pounde, to the Queenes maiestie, her heires and successours. And be it &c. that if any of the offenders aforesayd be not taken, apprehended or arrested immediately in time conuenient, as is aforesaide, but doe escape or goe Escape away, that then the sayde escape shall be lawfully presented before the Justices of Just. of p. peace in the sayde shire, citie, borough, libertie, or towne corporate, at the next quarter

Quarter sessions

quarter sessions, to be holden where the sayd escape was made and suffered, and that inhabitantes of the parish where the sayd escape was so suffered, shall forfaite and loose to the Queenes Maiestie, her heires and successours, for euery such escape v.li. to be leuyed and taken, as other like amerciamentes and fines before this time hath and bene leuied and taken vpon any village, hundred, or towne, for the escape of any murtherer, or other felon, for not making pursuite vpon Hue and cry, according to the statute of Winchester, (before in Robberies 2.) and the statute made and prouided in the third yere of the worthy king Henry the seuenth. (before in Murder 2.)

Paroch

Fol.

Escape

Iust. of p. Iust. of assise Iustice of Oyer & ter.

And be it &c. that all and singular Iustices of peace, Iustices of assise, Iustices of Oyer and determiner, and all & singular Maiors, Bailifes, and Iustices of peace, within any citie, borough, or towne corporate in any partes within this realme, within the limits of their commission or commissions, shal haue full power & authoritie by vertue of this act, after the said twenty day of December, to enquire of all and singular the offences & misdemeanours aforesayde, and to heare and determine the same, and set the fines & amerciaments of the said offender or offenders as is aforesayd.

Maiors Bailifes

Enquire

Oyer & ter.

Prouided alwayes, and be it &c. that this act, or any thing therein contayned, shall not in any wise extende to abrogate and take away thauctoritie, iurisdiction, power, and punishments of the ecclesiastical lawes, now standing and remaining in their force, of, or for the punishment of any the offences and misdemeanours aforesayd: but the auctoritie, power, iurisdictions, and punishments of the sayde ecclesiasticall lawes, of, & for any of the offences and misdemeanours aforesayde, shal stand in full power and strength, and to bee vsed and exercised in all and euery thing, as though this act had neuer bene had and made: This present act, or any thing therein contayned to the contrary hereof in any wise notwithstanding.

Eccleiast. lawes

Prouided alwayes, and be it &c. that whatsoeuer person offending the premisses, shal for any of the offences afore recited, receyue punishment of the ordinarie, hauing testimonial thereof, vnder the said ordinaries seale, shall not for the same offence eftsones be conuicted before the Iustice, and in likewise receyuing for the sayd offences punishment by the Iustice, he shall not for the same offence eftsones receyue punishment of the Ordinary: Any thing in this act to the contrary notwithstanding. Anno 1. M. 1. parli. cap. 3. Cõsider well vpon the last clause of the statute 1. El. ca. 2. here folowing 5. how much of this statute is now repealed.

Once punished

5 ¶ Where at the death of king Edward ỹ sixt, there remained one vniforme order of common seruice & administratiõ of sacraments, set forth in a booke intituled, The booke of common prayer &c. aucthorised by act of parliament An. 5. E. 6. (before 3.) the which was repealed in An. 1. M. par. 1. cap. 2. to the great decay of ỹ due honor of God, & discomfort to the professors of the trueth of Christian religion: Be it enacted by ỹ auctority of this present parliament, that the sayd estatute of repeale, and euery thing therein contayned, onely concerning the said booke, and the seruice, administration of Sacraments, rites, and ceremonies, contayned or appoynted, in or by the sayd booke, shal be voyde and of none effect, from and after the feast of the Natiuitie of Saint Iohn Baptist next comming.

Bookes

And that the sayd booke, with the order of seruice, and of the administration of Sacraments, rites, and ceremonies with the alteration and additions therein added and appoynted by this estatute, shall stand and be from and after the sayd feast of the Natiuitie of Saint Iohn Baptist, in full force and effect, according to the tenour and effect of this estatute: any thing in the foresayd statute of repeale to the contrary notwithstanding.

Sacraments

Ministers

And further be it enacted &c. that all and singular ministers in any Cathedrall or parish Church, or other place within this realme of Englãd, Wales, and the marches of the same, or other the Queenes

dominions, shall from and after the feast of the Natiuitie of Saint John Baptist next comming, be bounden to vse and say the Mattens, Euensong, celebration of the Lordes Supper, and administration of eche of the Sacramentes, and all their common and open prayer, in such order & forme, as is mentioned in ỹ sayd booke so authorised by parliament, in the sayd v. & vi. yeere of the raigne of king Edward the first, with one alteration or addition of certaine lessons to be vsed on euery Sunday in the yeere, and the forme of the Letany altered and corrected, and two sentences onely added in the deliuery of the Sacrament to the communicantes, and none other, or otherwise.

Mattens Euensong Lordes Supper

Lessons

Letany

And that if any maner of person, vicar, or other whatsoeuer minister that ought or should singe, or say cõmon prayer, mentioned in the sayde booke, or minister the sacramentes, from & after the feast of the Natiuitie of S. John Baptist next comming, refuse to vse the said common prayers, or to minister the sacraments in such cathedrall or parish Church, or other places, as he should vse to minister the same, in such order & forme as they be mentioned and set forth in the sayd booke, or shal wilfully or obstinately standing in the same, vse any other rite, ceremony, order, forme, or maner of celebrating the Lords Supper, openly or priuily, or Mattens, Euensong, administration of the Sacramẽts, or other open prayers then is mentioned and set forth in the sayde booke, (Open prayer in and throughout this act, is meant that prayer which is for other to come vnto, or heare, either in cõmon Churches or priuy Chappels, or Oratories, commonly called the seruice of the Church) or shall preach, declare, or speake any thing in the derogation or deprauing of the sayde booke, or any thing therein contained, or of any part thereof, and shalbe thereof lawfully conuicted, according to the lawes of this Realme, by verdict of twelue men, or by his owne cõfession, or by the notorious euidẽce of the fact, shall lose & forfaite to the Queenes highnes, her heires and successors for his first offence, the profit of all his spirituall benefices or promotion, comming or arising in one whole yere next after his conuiction. And also that the person so cõuicted, shal for ỹ same offẽce suffer imprisonment by the space of vi. moneths, without baile or mainprise. And if any such person once conuict of any offence cõcerning the premisses, shall after his first conuiction eftsones offend, and be thereof in forme aforesaid lawfully cõuict: that then ỹ same person, shall for his second offence suffer imprisonment by the space of one whole yere, & also shal therfore be depriued, ipso facto of all his spiritual promotions: And that it shalbe lawfull to all patrons or donours of all & singular the same spiritual promotions, or any of them, to present or collate to the same, as though the person or persons so offending were dead. And that if any such person or persons, after he shalbe twise conuicted in forme aforesaid, shall offende against any of the premisses the third time, and shalbe thereof in forme aforesayd lawfully conuicted: That then the person so offending and conuicted the third time, shall be depriued, Ipso facto, of all his spirituall promotions, and also shal suffer imprisonment during his life. And if the person that shall offend, and be conuicte in forme aforesaid, cõcerning any of the premisses, shal not be benefited, nor haue any spiritual promotion: That then the same person so offending & conuict, shall for the first offence suffer imprisonment during one whole yeere next after his sayd cõuiction, without baile or mainprise. And if any such person not hauing any spirituall promotion, after his first conuiction, shall eftsones offende in any thing concerning the premisses, and shall in forme aforesaid be thereof lawfully cõuicted: That thẽ the same person shal for his second offence, suffer imprisonment during his life. And it is ordained & enacted by the authoritie abouesayde, that if any person or persons whatsoeuer, after the sayde feast of the Natiuity of Saint John Baptist next comming, shal in any Enterlude, Playes, Sõgs, Rimes, or by other open words, declare or speake any thing

Minister

Refuse

Vse other order

Preach

Conuict

Forf.

First offence

Imprison

Mainprise

Depriue

Depriue

Imprison

One yere

During life

Enterludes Songes Speake

thing in the derogatiõ, deprauing, or despising of the same booke, or of any thing therein contepned, or any part thereof, or shal by open fact, deede, or by open threatnings compel, or cause, or otherwise procure or maintaine any parson, vicar, or other minister in any Cathedrall or parish church, or in chappel, or in any other place to sing or say any common and open prayer, or to minister any Sacrament otherwise, in any other maner and forme then is mentioned in the sayde booke, or that by any of the sayde meanes shall vnlawfully interrupt or let any parson, vicar, or other minister, in any Cathedrall or parish Church, Chappell, or any other place, to sing or say common and open prayer, or to minister the Sacramentes, or any of them, in such maner and forme, as is mentioned in the sayd booke: That then euery such person being therof lawfully conuicted in forme abouesayd, shal forfaite to the Queene our Soueraygne Lady, her heires and successours, for the first offence a hundreth markes. And if any person or persons being once conuict of any such offence, eftsoones offende against any of the last recited offences, and shal in forme aforesayd be thereof lawfully cõuicted: That then the same person so offending and conuict, shal for the second offence forfaite to the Queene our soueraigne Lady, her heires and successours, iiii. hundreth marks. And if any person after he, in forme aforesayd, shall haue bene twise cõuict of any offence concerning any of the last recited offences, shal offend the third time, & be therof in forme abouesayd lawfully conuict: That then euery person so offending & conuict, shal for his third offence, forfaite to our soueraygne Lady the Queene, al his goods & cattels, & shal suffer imprisonmẽt during his life. And if any person or persons, that for his first offence cõcerning the premisses, shal be conuict in forme aforesayd, do not pay the summe to bee payed by vertue of his conuiction, in such maner & forme as the same ought to be payd, within vi. weekes next after his conuiction, that then euery person so conuict, and so not paying the same, shall for the same first offence, in steede of the said summe, suffer imprisonment by the space of vi. moneths, without bayle or mainprise. And if any person or persons, that for his seconde offence concerning the premisses, shall be conuict in forme aforesaid, do not pay the sayd sũme to be payed by vertue of his conuiction, & this statute, in such maner and forme as the same ought to bee payed, within fiue weekes next after ẏ said secõd cõuiction: That then euery person so conuicted and not so paying ẏ same, shal for the same secõd offence in the steede of ẏ said summe, suffer imprisonmẽt during xii. moneths, without bayle or mainprise. And that frõ and after the said feast of the Natiuitie of S. Iohn Baptist next comming, al & euery person or persons, inhabiting within this Realme, or any other the Queenes Maiesties dominions, shal diligently and faithfully, hauing no lawfull or reasonable excuse to bee absent, endeuour themselues to resort to their parish Church or chappel accustomed, or vpõ reasonable let thereof, to some vsual place where cõmõ prayer, & such seruice of God shalbe vsed in such time of let vpon euery sunday, & other dayes ordained & vsed to be kept as holy daies: And thẽ & there to abide orderly & soberly, during ẏ time of the cõmon prayer, preachinges, or other seruice of God, there to bee vsed & ministred, vpon paine of punishmẽt by the censures of the church. And also vpõ paine, ẏ euery persõ so offẽding, shal forfaite for euery such offence xii. d. to be leuied by the churchwardẽs of ẏ parish, where such offence shalbe done, to ẏ vse of ẏ poore of ẏ same parish, of the goods, lãds, & tenemẽts, of such offenders, by way of distresse. And for due execution hereof, ẏ Queenes most excellẽt maiesty, ẏ lords tẽporal, & all the cõmons in this present parliamẽt assembled, doth in gods name earnestly require & charge all the archbishops, bishops, & other ordinaries, that they will endeuour thẽselues to ẏ vttermost of their knowledges, that the due and true execution hereof, may be had throughout their diocesse and charges, as they will answere before God, for

Threaten
Maintaine
Other maner
Interrupt
Minister
Conuict
Forf.
C. markes
ii. offence
Forf.
iiii. C. marks
Forf.
Imprison
Do not pay
Imprison
Church
Punish
Forf. xii. d.
Churchwardens
Poore
Imprison
Mainprise

such euils & plagues wherewith almightie God may iustly punish his people, for neglecting this good and holesome law.

And for their auctority in this behalfe, bee it further enacted by thauctoritie aforesaid, that al & singular the same Archbishops, bishops, & al other their officers, exercising ecclesiasticall iurisdiction, as well in place exẽpt as not exempt, within their dioces, shall haue full power & auctority by this act, to reforme, correct and punish by censures of the Church, all and singular persõs which shal offend within any their iurisdiction or diocesse, after the said feast of the Natiuitie of Saint Iohn Baptist next cõming, against this act and statute. Any other law, statute, priuiledge, liberty, or prouision heretofore made, had, or suffered, to ỹ cõtrary notwithstãding.

Ecclesiast. lawes

And it is ordayned and enacted by the auctoritie aforesayde, that all and euery Iustice of Oyer & determiner, or Iustices of Assise, shall haue full power & auctoritie in euery of their open & generall sessions, to enquire, heare, and determine all, and all maner of offences that shall be cõmitted or done, contrary to any article contayned in this present act, within the limittes of the commission to them directed, & to make processe for the execution of the same, as they may doe against any person being endicted before them of trespasse, or lawfully conuicted thereof.

Iustice of Oyer & ter. Iust. of assise

Enquire Oyer & ter.

Proces

Prouided alway, and be it enacted by the auctoritie aforesayd, that all and euery Archbishop, and Bishop, shall or may at all time and times at his libertie and pleasure, ioyne and associate himselfe by vertue of this act, to the sayde Iustices of Oyer and determiner, or to the sayd Iustices of Assise, at euery of the sayde open and generall Sessions, to be holden in any place within his diocesse, for and to the enquiry, hearing and determining of the offences aforesayd.

Archbishop Bishop

Prouided also, and be it enacted by the auctority aforesaid, that the bookes concerning the said seruices, shall at the costs and charges of the parishioners of euery parish and cathedrall Church be attayned and gotten before the said feast of the Natiuitie of Saint Iohn Baptist next following, and that all such parishes, and cathedrall churches, or other places, where the sayd bookes shall be attained and gotten before the sayde feast of the Natiuitie of Saint Iohn Baptist, shal within three weekes next after the sayde bookes so attained and gotten, vse the said seruice, and put the same in vre according to this act.

Bookes

Paroch

And be it further enacted, by thauctoritie aforesayd, that no person or persons shalbe at any time hereafter empeched, or otherwise molested, of, or for any of the offences about mentioned, hereafter to be cõmitted or done contrary to this act, vnlesse he or they so offending be thereof indicted, at the next generall Sessions to be holden before any such Iustice of Oyer and determiner, or Iustice of Assise, next after any offence committed or done, contrary to the tenour of this act.

Indict Generall sessions

Prouided alwayes, and be it ordayned and enacted by the auctoritie aforesayd, that all and singular Lords of the parliament, for the third offence aboue mentioned, shalbe eryed by their Peeres.

Lords of the parliament

Peeres

Prouided also, & be it ordained & enacted by the auctoritie aforesayd, that the Maior of London, and all other Maiors, bailifes, & other head officers of all & singular cities, boroughs, & townes corporate within this realme, Wales, and the marches of the same, to the which Iustices of assise do not cõmonly repaire, shall haue full power & auctority by vertue of this act, to enquire, heare, & determine the offences aboue said, & euery of them yerely within xv. dayes after the feast of Easter, and S. Michael the Archaungell, in like maner & forme as Iustices of assise, and Oyer and determiner may do.

Maior London Bailifes

Enquire Oyer & ter.

Prouided alwaies, & be it ordained and enacted by the auctority aforesaid, that al & singular Archbishops & Bishops, and euery of their Chauncelors, cõmissaries, Archdeacons, & other ordinaries, hauing any peculiar Ecclesiasticall iurisdiction, shall haue full power and auctoritie by vertue of this act, as well to enquire in their visitation, Inodes, & els where within their iurisdiction at any other time & place,

Archbishops Bishops

Ordinaries

Enquire

place, to take occasions and informations of all and euery the things aboue mentioned, done, cõmitted, or perpetrated within the limittes of their iurisdictions and Punish authority, and punish the same by admonition, excommunication, sequestration, or deprivation, and other censures and processe, in like forme as hertofore hath bene vsed in like cases by the Queenes Ecclesiasticall lawes.

Prouided alwayes, and be it enacted, that whatsoeuer person offending in the premisses, shal for the offence, first receiue punishment of the ordinary, hauing a testimoniall thereof vnder the sayd ordinaries Seale, shall not for the same offence eftsones be conuicted before the Justices. Once punished And likewise receyuing of the sayd first offence punishment by the Justices, hee shall not for the same offence eftsones receyue punishment of the ordinary: Any thing conteyned in this act to the contrary notwithstanding.

Prouided alwaies & be it enacted, that Ornaments such ornaments of the church, & the ministers thereof, shalbe retained, & be in vse, as was in this Church of Englande, by authority of parliament in the secõd yere of the raigne of king Edward the first, vntil other order shalbe therein taken by the authority of the Queenes maiestie, with the aduise of her cõmissioners appoynted and authorised vnder the great Seale of England, for causes ecclesiastical, or of ỳ Metropolitane of this realme. And also, that if there shal happen any contempt or irreuerence to be vsed in the ceremonies or rites of the Church, by the misusing of the orders appointed in this booke: The Queenes maiestie may by the like aduise of the sayd Cõmissioners or Metropolitane, ordeine & publish such further ceremonies or rites, as may be most for the aduauncement of Gods glory, the edifying of his Church, and the due reuerence of Christes holy misteries and sacraments.

And be it further enacted by the authoritie aforesaid, that all lawes, statutes and ordinaunces, wherein or whereby any other Seruice, administration of Sacramentes, or Common prayer, is limitted, established, or set forth, to be vsed within this realme, or any other the Queenes dominions or country, shal from henceforth be vtterly voyde and of none effect. Anno 1. El. cap. 2. See some addition vnto this statute in Crowne 10. & that Iustices of peace may enquire hereof. *

¶Seuerne.

NO master or masters, owner or owners of ship or ships, or of any other Shipmasters boate or vessel, or any other person or persons, do cast or vnloade their balast or robull, at, or in the sayd Rode, called Kingrode, & Pungrode, ne in any of them, ne in any other place, from ỳ rode of Kingrode vnto the towne of Bristol, nor in no part of the hauen thereof, but on the land only aboue the full sea marke, vpõ payne ỳ euery such owner, master of the ship, or of other boate or vessel, & euery other person or persons, casting & laying their balast or robul in the streame, at the place or Streame in the riuer aforesayd, to forfaite at euery Fort. time so offending iiii. li. ỳ one halfe thereof to be to the king, & the other halfe therof to the partie that will sue &c. by bill, plaint, action of debt, informatiõ, or otherwise, in the which action the defendãt shal not wage his law. And further &c. that no person or persons frõ henceforth, shal enbote or lade, or cause to be enboted or laden, any wheat, malt, beanes, or any other Wheate kind of graine or corne, what soeuer it shal Malt be in any picard, boate, or other vessell, at Beanes any creeke, pill, banke, or els where, vpon the Seuerne streame, betwene the key of the citie of Gloucester, & the sayd citie or towne of Bristol by water of Seuerne, to thentent to bee transported into vtter parts beyond the sea out of the kings dominion, before that ỳ sayd owner or lader of the said Picard, boate or other vessell, hath bene with the kinges customers of ỳ Customer sayd towne of Bristoll, and there by himselfe, and one sufficient suertie with him Suerties bounden vnto the kings customers of the sayd port and towne of Bristol aforesayd, in such reasonable summes of money, to the vse of our sayd souerayngne Lorde the king, as shal amount to the double value

of the sayde grayne or corne, there to be laden, or to bee enbored, vpon condition that the sayd owner or master of the sayd Picarde, or boate, or other vessel, shal not repaire or trãsport ẏ said corne or graine, nor no part thereof into any vtter partes beyond the sea, out of the kings dominiõ, before the sayd master or owner thereof shall come and bring the sayd grayne and corne vnto the key of the sayde towne of Bristol, & there to be viewed or seene the contents thereof, & the contentes thereof to be declared vnto the kings customers, and to the Maior of the said towne for the time being, if there be any such licence or lawfull cause for to conuey or transport grayne or corne, into the parties beyonde the sea out of ẏ said kings dominiõ, there to be measured & met by the cõmon measure of the sayd towne. And after the sayd obligation with condition so made, sealed & deliuered vnto the said customer: Then the said customer shal deliuer a sufficient cocket vnto the party, owner or owners, or master so bounden to conuey the sayde graine or corne vnto the key of Bristoll, vpon paine that euery Picard, boate or other vessell so laden with graine, or other kinde of corne, to be caried or transported into the vtter parties beyond ẏ sea, out of the kings dominion, to be forfaited, aswel the said corne & graine so laden, as ẏ sayd boate so laden contrary vnto this present act, whereof the king &c. to haue the iii. partes therof, & the party that wil sue &c. ẏ fourth part before ẏ kinges most honorable counsaile, according to ẏ kings proclamation in ẏ behalfe made & prouided.

Transport
Bristol
Customer
Maior
Measure
Cocket
Forf.

And further &c. that if it shall appeare vpõ the measuring thereof vnto the Maior of the said towne of Bristol, and to the kings customers then for the time being, that there is more corne or graine ladẽ to be trãsported into the parties beyond the sea, within any of the said vessels, boates, picardes, or trowes, ouer and aboue iiii. quarters, that then it shalbe lawfull vnto the sayd Maior & customers there for the time being, to cause the owner or cõueyer thereof vnto the said towne of Bristol, to make sale of such corne & graine, as shall be brought ouer & aboue ẏ cõtents of the said cockets or licence, and ouer & aboue foure quarters beside the cocket or licker, according as the prices of such graine & corne are commonly worth & solde in the open market of the said towne of Bristol.

Maior
Customer
4. quarters
Make sale

The said common meater to haue for the measuring of euery way of corne ii.d. on paine of euery person being owner of the said graine or corne, or hauing the charge of the same, denying the measuring of the sayd graine at the sayd key of Bristol, to loose and forfaite for euery time so denying, x. pound, thonehalfe thereof to be to the king, and the other halfe thereof to the party that wil sue for the same or. In the which action the defendant shal not wage his lawe &c. An. 34. H. 8. cap. 9.

Meater
Forf.
Pourte

¶ Sewers.

By x. peres next ensuing, seueral commissions of sewers shalbe made to diuers persons by ẏ Chaũcelor of England for the time being, to come in all parties of ẏ realme, where shalbe needeful, according to the forme as hereafter followeth.

x. peres
Cõmissions
Chauncelor

Henry by the grace of God king of England, &c. to his welbeloued & faithfull. A. B. C. & D. greeting. Knowe ye, that whereas ẏ walles, dytches, gutters, sewers, bridges, causeies, and weares, by the coastes of the sea & marsh, within the coastes & limits of Lindsey, in the countie of Lincolne, by rage of the Sea flowing, and reflowing, and trenches of fresh waters &c. An. 6. H. 6. cap. 5.

2 ¶ All such commissioners (S. mentioned in An. 6. of H. 6. cap. 5. before 1.) shall haue power to do, ordaine & execute the statutes, ordinances, & other things to be made according to the effect & purport of the sayd cõmissions. An. 8. H. 6. cap. 3.

3 ¶ By tenne peres next ensuing after this present parliament, seueral commissions of sewers shalbe made to diuers persons by the Chauncelour of Englãd for the time being, to bee named in all the parties of ẏ said realme where neede shal be, after the forme & effect of a commissiõ contayned in the sayde statute, the same

x. peres
Cõmissions

first

sixt yere. And moreouer he hath ordained and stablished by the same auctority that all such commissioners haue power to Statutes make, ordayne and execute statutes and ordinaunces and other affayres after the effect and purport of the sayd cõmissions. Anno 18.H.6.capit.10. Statute.

15. yeres Chauncelor 4 ¶ During the terme of xv. yeres next ensuing, ẏ Chauncelor of England for the time being, shall haue power to make cõmissions of sewers out of ẏ kinges chancery, vnder ẏ kings great seale, in such forme as it was graunted to bee made by ẏ statute made in ẏ said vi. yere. (S.6.H.6.cap.5.) An.23.H.6.cap.9.

5 ¶ For xv. yeres next ensuing, seuerall cõmissions of Sewers shalbe made to diuers persons by the Chauncellor of England for ẏ time being, to be named in all parties of this realme of Englãd & of the foresaide marches (S. of Calleis, Guisnes and Hãmes) where neede is or shalbe, after the forme & effect of the said Commission contayned in the saide act made the said vi. yere: And moreouer he hath ordayned and stablished by the same auctority, ẏ al such commissioners shall haue ful power to make, ordaine, and execute statutes & ordinãces, & other things to be done after the effect and purport of the same commissions. Anno 12. E.4. cap.6.

25. yeres Chaũcelors 6 ¶ For xxv. yeres next comming, seuerall commissions of sewers be made to diuers persons by the chauncellour of England for the time being, to be named in all parties of this his realme, & of the said marches, where nede is or shalbe, after the forme & effect of the said commission contayned in the said act made in the said vi. yere cap. 5. (before 1.) and ouer ẏ hath ordayned & established by the saide auctority, that all such commissioners, haue ful power to make, ordaine and execute statutes & ordinãces & other things, doe after the effect & purport of the same commission. Anno 4.H.7.cap.1.

7 ¶ That the said act (S.An.6.H.6. cap.5. before. 1. & An4.H.7.cap.1. before 6.) & al other actes and auctorities heretofore made cõcerning cõmissioners of sewers and their commissions & auctoritie (not being before this time repealed) abide and stand from hẽceforth good and effectual to endure for euer. And also that the Chauncellor of England for the Chauncelor time being, shal haue from henceforth ful power and auctoritie for euer to graunt commissions of Sewers into euery part Cõmissions of this Realme, and the sayde marches, where neede is or shalbe, to certaine persons by the sayd Chauncelor for the time being, to be named, according to ẏ forme and effect of the sayd commission and act expressed in the said parliamẽt holden the said vi. yere of ẏ raigne of king H. the 6. (cap.5. before 1.) And ouer that be it &c. that all such commissioners haue and shal haue full power & auctoritie to put their commission in due execution, & to make and execute statutes and ordinances, and Statutes all other things to do after the effect and purport of their commission. And that all commissions of sewers granted or made sithence the said xxv. yere determined, and the actes, ordinances, and all executions, and other things by the commissioners of the same, concerning the sayd commissions, or any ii. of the same commissioners, 2. Commissioners and euery thing in the same compised, be and shalbe effectuall and of like strength as if the sayde commission had bene made or graunted within the said xxv. yere, immediat after the sayd Parliament holden the said iiii. yere of the raygne of king H. 7. cap. before 6. And also be it &c. that the Chaũcelor of Englãd for the time being, Chauncelor shall make no cõmission to any person or persons, for the execution of this act, except he haue landes & tenements of estate of free hold, to ẏ perely value of xx. li. at ẏ xx. li. landes least, or els be Justices of Quorum learned, within any of the shires where he shal Quorum be made cõmissioner. And if any such cõmission be directed to any person or persons, not hauing lands & tenemẽts to the perely value of xx. li. or not being one of ẏ Justices of Quorum learned as is afore said, that euery such commission, & al presentments & accusations had & presented before any such cõmissioners, & also all & euery fines set by the sayd cõmissioner & cõmissioners,

Void

cõmissioners, to be vtterly void & of nõe effect. This act to endure but for .x. yeres, & fro ỳ end of the same .x. yeres vnto the the next parliament. An. 6.H.8.cap.10.

Commissions

8 ¶ Cõmissions of sewers and other the premisses shalbe directed in al partes within this Realme from time to time, where & when neede shall require according to the maner, forme, tenor & effect hereafter ensuing, to such substancial and indifferent persons as shalbe named by ỳ lord Chauncellor and lorde Treasorer of England, & the two chiefe Justices for ỳ time being, or by iii. of them, whereof ỳ Lord Chauncellor to be one, ỳ. the 8. &c. Know ye that for asmuch as the walles, ditches, bankes, gutters, sewers, gotes, calceis, bridges, streames, & other defences by the coasts of ỳ sea & marsh ground being & lying within ỳ limites of A. B. or C. in ỳ county or counties of or in ỳ borders or cõfines of ỳ same, by rage of ỳ sea, flowing & reflowing, & by meanes of ỳ trẽches of freshwaters discẽding & hauing course by diuers waies to the Sea be so dirupt, lacerat, & broken: And also ỳ cõmon passages of ships, balẽgers & boates in ỳ riuers, streames and other fluds within ỳ limittes of A.B. or C. in the county or counties of or in the borders or confines of the same by meane of setting vp, erecting, & making of streames, milnes, bridges, pondes, fishgarthes, mildammes, lockes, hebbing weares, beckes & fludgates, or other like lettes, impediments, or annoyances, bee letted & interrupted, so ỳ greate & inestimable dãmage for default of reparation of ỳ saide walles, ditches, banks, fences, sewers, gotes, gutters, calceis, bridges, & streames: & also by meane of setting vp, erecting, making, & enlarging of the saide fish garthes, mildãmes, lockes, hebbing weares, beckes, fludgates, & other like ãnoyances in times past hath happened, & yet is to be feared, that farre greater hurt, losse & dãmage is like to ensue, vnles that speedy remedy be prouided in that behalfe: Wee therefore for that by reasõ of our dignity & prerogatiue roial, we be bound to prouide for the safety and preseruation of our realme of England, willing that speedy remedy be had in the premisses, haue assigned you and fiue of you, of the which we wil that A.B. & C. shalbe three, to be our Justices to survey the said walles, streames, ditches, bankes, gutters, sewers, gotes, calceys, bridges, trenches, milnes, mildammes, fludgates, pondes, lockes, hebbing weares, & other impediments, lettes, and annoyaunces aforesayd, and the same cause to be made, corrected, repaired, amended, put downe, or reformed, as cause shall require after your wisedomes and discretions. And therein aswell to ordaine and do after the forme, tenour, and effect of all and singular the estatutes and ordinaunces made before the first day of March, the three and twenty yere of our raygne, touching the premisses, or any of them, as also to enquire by the othes of the honest & lawfull men of the sayd shire or shires, place or places, where such defaultes or annoyaunces be, aswell within the liberties as without (by whom the trouth may the rather be knowen) through whose default ỳ said hurtes & dammages haue happened, and who hath or holdeth any landes, or tenements, or common of pasture, or profit of fishing, or hath or may haue any hurt, losse, or disaduauntage by any maner of meanes in the said places, as well nere to the said dangers, lets, & impediments, as inhabiting or dwelling thereabout by the said wals, ditches, banks, gutters, gotes, sewers, trenches, & other the said impediments and annoyances. And al those persons, and euery of them to take, assesse, charge, distraine, & punish, aswell within the metes, limits, & bondes, of olde time accustomed, or otherwise, or else where within our realme of England, after the quantitie of their landes, tenements, and rentes, by the number of acres & perches, after the rate of euery persons porcion, tenure, or profite, or after the quantitie of their cõmon of pasture, or profit of fishing or other cõmodities there, by such wayes and meanes, and in such maner & forme, as to you, or fiue of you, whereof the sayd A.B. and C. to be three, shall seeme most

Surueye

Annoyãces

Enquire Othes

Profit Hurt

Take Distreine Punish

conuenient

conuenient to be ordained and done for redreſſe and reformation to bee had in the premiſſes. And alſo to reforme, repaire, & amend the ſaid walles, ditches, bankes, gutters, ſewers, gotes, calceis, bridges, ſtremes, and other the premiſſes in all places needefull, and the ſame as often and where neede ſhall bee to make newe: And to cleanſe and purge the trenches, ſewers and dyches in al places neceſſary. And further to reforme, amend, proſtrate, and ouerthrowe all ſuch milles, ſtremes, pondes, lockes, fiſhgarthes, hebbing weares, and other impediments and annoyances aforeſaid as ſhalbe found by inquiſitiõ, or by your ſurueying & diſcretions to bee exceſſiue or hurtfull. And alſo to depute and aſſigne diligent, faithfull, & true keepers, bayliffes, ſurueiours, collectors, expenditors, and other miniſters & officers, for the ſafety, conſeruation, reparation, and making of the premiſſes and euery of them, and to heare the accompt of the collectors & other miniſters of and for the receipt and laying out of ẏ money that ſhalbe leuied and payed, in and about the making, repayring, reforming and amending of the ſaid walles, ditches, bankes, gutters, gotes, ſewers, calceis, bridges, ſtremes, trenches, milles, pondes, lockes, fiſhgarthes, ſludgates, and other impediments, & annoyances aforeſaid. And to diſtraine for the arrerages of euery ſuch collection, tare, or aſſeſſe as often as ſhalbe expedient, or otherwiſe to puniſh the debtors & detaynors of the ſame by fines, amerciaments, paines, or other like meanes after your good diſcretions. And alſo to arreſt and take as many cartes, boyles, oxen, beaſtes, and other inſtruments neceſſary, and as many workemen & labourers, as for the ſaid workes and reparation ſhal ſuffice, paying for ẏ ſame competent wages, ſalary and ſtipend in that behalfe. And alſo take ſuch and as many trees, woodes, vnderwoods and timber, & other neceſſaries, as for the ſame workes and reparations ſhalbe ſufficient, at a reaſonable price by you or ſixe of you, of the which wee will that A. B. and C. ſhalbe aſſiſted or aſſiſted as well within the limites and bounds aforeſaid, as in any other place within ẏ ſaid countie or counties where lyeth the ſaid places. And to make and ordaine Statutes, ordinances & prouiſions, from time to time, as the caſe ſhall require, for the ſafegard, conſeruation, redreſſe, correction, and reformation of the premiſſes and of euery of them, & the parties lying to the ſame, neceſſary and behouefull after the lawes and cuſtomes of Romney Marſh, in the County of Kent, or otherwiſe by any waies or meanes after your owne wiſedomes and diſcretions. And to heare and determine all and ſinguler the premiſſes, aſwel at our ſuit, as the ſuite of any other whatſoeuer complayning before you, or ſixe of you, whereof A. B. & C. ſhalbee thee, after the lawes and cuſtomes aforeſaid, or otherwiſe by any other waies and meanes after your diſcretions. And alſo to make and direct all writtes, precepts, warrants, or other commaundementes, by vertue of theſe preſents, to al ſheriffes, bayliffes and al other miniſters, officers, and other perſons as well within liberties as without, before you or ſixe of you, whereof the ſaid A. B. & C. to be thee, at certaine daies, termes & places to be aſſigned, to bee returned and receiued. And further to continue ẏ proces of the ſame, and finally to do all and euery thing and things as ſhal be requiſite for the due execution of the premiſſes by all wayes and meanes after your diſcretiõs. And therefore we commaund you, that at certayne dayes and places, when and where you or ſixe of you, whereof ẏ ſaid A. B. & C. to be three, ſhall thinke expedient, ye doe ſurueye the ſaide walles, fences, dyches, bankes, gutters, gotes, ſewers, caleeys, pondes, bridges, riuers, ſtreames, walcourſes, milles, lockes, trenches, fiſhgarths, ſludgates, & other the letes, impediments, and annoyances aforeſaide, and accompliſh, fulfill, heare, and determine all & ſinguler the premiſſes, in due forme & to the effect aforeſayd after your good diſcretions. And all ſuch as ye ſhall finde negligent, agayne laying, or rebelling

Amend

Ouerthrow milles

Depute Bailiffes

Officers

Accompt

Diſtreine

Puniſh

Cartes Boyles Workemen Labourers Wages Trees Woodes

Statutes

Romney marſh

Diet & ter.

Writs Precepts Warrants Shiriffes Bailifs

Surueye

Diet & ter.

Negligent

ing

ting in the saide worker, reparations, or reformacio of the premisses, or negligent in the due execucio of this our comission, that ye do compel them by distresse, fines & amerciaments, or by other punishmēts, wayes or meanes, which to you or vi. of you, whereof the sayde A. B. & C. shalbe three, shall seeme most expedient for the speedy remedy, redresse, and reformation of the premisses, and due execution of the same. And all such things as by you shal be made voide & ordayned in this behalfe, as well within liberties as without, that yee doe cause the same firmely to bee observed, doing therein as to our Justices appertayned, after the lawes and statutes of this our realme, and according to your wisedome & discretions. Saued alwaies to vs such fines & amerciaments as to vs thereof shall belong. And we also cōmaund our sherife or sherifes of our said county or counties of that they shal cause to come before you or sixe of you, of the which A. B. & C. shalbe three, at such dayes & places as ye shall appoint to them, such & as many honest men of his or their bailiwicke as well within þ liberties as without, by whome þ trouth may best be knowen, to enquire of the premisses. Commanding also all other ministers & officers, aswell within liberty as without, that they & every of them shalbe attendant to you in and about þ due execution of this our commission. In witnes whereof we haue caused these our letters patentes to bee made. Witnes our selfe at Westminster the day of in the yere of our raigne. And it is also &c. that euery such person as shalbe named commissioner in þ said commission, after he hath knowledge thereof, shall effectually put his diligence & attendaunce in and about the execution of þ said commission. And before he shall take vpon him the execution of the said commission, he shall take a corporall oth before the lord chaunceller, or before such to whom the saide Lorde Chaunceller shall direct the kinges writ of Dedimus potestatem, to take þ same, or before the Justices of the peace in the quarter Sessions holden in the Shyre where such commission shalbe directed: þ tenor of which othe hereafter ensueth.

Distresse

Fines Amerciaments Sherifes

Enquire

Officers

Diligence

Othe

Dedimus potestatem Iust. of p.

Ye shall sweare, that you to your cunning, wit and power, shall truely and indifferently execute the authority to you giuen by this commission of Sewers, without any fauor, affection, corruption, meede or malice to bee borne to any maner person or persons: And as the case shall require, ye shall consent & indeuour your selfe for your part to þ best of your knowledge and power, to the making of such hollome, iust, equall, & indifferent lawes and ordinances, as shalbe made & deuised by the most discreete and indifferent number of your fellowes being in cōmission with you for the due redresse, reformation and amendement of all and euery such thinges as are contayned and specified in the said commission. And the same lawes and ordinances to your cunning, wit and power, cause to bee put in due execution, without fauour, meede, meade, malice or affections, as God you helpe and all Saintes.

Othe

And it is also &c. that all and euery statute, acte & ordinance heretofore made concerning the premisses, or any of them, alwell in the time of our soueraigne lord the king þnowe is, as in the time of any of his progenitors kings of this Realme of England, not being contrary to this present act, nor heretofore repealed, frō henceforth shal stand & be good and effectuall for euer, and to be put in due execution, according to the true meaning and purports of the same. And ouer that, be it &c. that the commissioners hereafter to be named in any of the saide commissions, according to the purport and effect of the same commissions, haue ful power and authority to make, constitute and ordaine lawes, ordinances, & decrees, and further to do all and euery thing mencioned in the saide commission, according to the purport, effect, wordes, & true meaning of the same. And the same lawes & ordinances so made, to reforme, repeale, and amende, and make newe from time to time, as the cases necessary

Statuts

Effectuall

Lawes

shall

shal require in that behalfe.

Prouided alway, and it is &c. that if any person or persons being assessed or taxed to any lot or charge for any landes, tenements, or hereditaments within the limittes of any commission hereafter to be directed, doe not pay the saide lot and charge, according to the ordinaunce and assignement of the cõmissioners hauing power of the execution of the sayde commission: By reason whereof it shall happen the sayde cõmissioners hauing power of executiõ of such cõmission, for lacke of payment of such lot & charge to decree and ordayne the same landes, tenements and hereditaments, frõ the owner or owners thereof, & their heires, & the heires of euery of them, to any person or persõs for terme of yeres, terme of life, in fee simple or in taile, for paymẽt of the same lot & charge, that then euery such decree & ordinance so by them made, ingrossed in parchment, & certified vnder their seales into ỹ kings court of chancery, with the kings royal assent had to ỹ same, shal bynd al & euery person & persons that at the making of the same decree, had any interest in such landes, & tenementes or hereditaments, in vse, possession, reuersion, or remaynder, their heires and feoffees, and euery of them, and not to be in any wise reformed, vnlesse it bee by authority of parliamẽt hereafter to be summoned and holden within the Realme. And also it is &c. that the same lawes or ordinances and decrees to be made & ordayned by the sayd commissioners or fiue of them by authority of the said cõmission, shall bind as wel the lands, tenemẽts, and hereditaments, of the king our soueraigne Lord, as all and euery other person and persons, and their heires and such their interest, as they shal fortune to haue, or may haue in any landes, tenementes, or hereditamentes, or other casuall profit, aduantage, or commodities whatsoeuer they be, whereunto ỹ said lawes, ordinances, & decrees, shal in any wise extend, according to the true purport, meaning, & intent of the same lawes. And it is &c. ỹ if any maner of persõ or persons of what estate or degree soeuer he or they be of, that from henceforth doth take vpon him or them to sit by vertue of any of the sayde commissions, not being afore sworne in forme aforesaid, and according to the tenor of the othe afore specified: Or if any person so named and sworne, do sit as is aforesaid, not hauing landes & tenementes, or other hereditamentes, in fee simple, fee taile, or for terme of life to the cleare yerely value of xl. markes, aboue all charges to his owne vse, except he be resiaunt and free of any citie, borough, or towne corporat, and haue mouable substance of the cleare value of one hundred pounds, or else be learned in the lawes of this realme, in and concerning the same, that is to say, admitted in one of the iiii. principall Innes of Court for an vtter barrester, shal forfait xl li. for euery time that hee shall attempt so to doe. The one halfe thereof to be to the king, and the other halfe thereof to the vse of him or thẽ that will sue &c. in which action or suit, no wager of lawe &c. And if any action of trespas or other suit shall happen to be attempted against any persõ or persons, for taking of any distresse, or any other act doing by aucthority of the sayde commission, or by aucthoritie of any lawes or ordinaunces made by vertue of the sayde commission, the defendant or defendants in any such accion, shall and may make auowry, cognisance, or iustification, for the taking of the same distresse or other act doing, touching the premisses or any of them, alledging in such auowry, cognisance, or iustification, that the said distresse, trespas, or other act, wherof the plaintife complayned, was done by aucthority of the commission of Sewers for lot or taxe assessed by the saide cõmission, or for such other act or cause as the sayde defendant did by aucthoritie of the sayde commission, and according to the tenour, purport, & effect of this present act made the xxiii. yere of the raigne of our Soueraigne Lorde king Henry ỹ viii. without any expressing or rehearsall of any other matter or circumstance contayned in this present act, or any commission, lawes, estatutes,

Do not pay

Decree Lands

Fee simple

Certifie Chauncery

Heires

Kings lands

Hitte

Swoorne

Lands

40. markes land

Citizen

C.li. goods

Vtterbarrester Fo. xl.

Portie

Action

Iustifie

ctatutes, or ordinances thereupon to be made, whereupon the plaintife shalbe admitted to reply, that the defendaunt did take the said distresse, or do any other act or trespasse supposed in his declaration of his owne wrong without any such cause alleaged by ẏ said defendant, whereupon the issue in euery such action shalbee ioyned to be tried by verdict of xii. men, and not otherwise, as is accustomed in other personall actions. And vpon the triall of that issue the whole matter to be giuen on both parties in euidence, according to the very trueth of the same. And after such issue tried for the defendant, or non suite of the plaintife after apparance, the same defendaunt to recouer treble dammages, by reason of his wrongfull vexation in that behalfe, with his costes also in that part sustained, & that to be assessed by the same Jury or writte to enquire of dammages, as the same shal require.

Reply

Issue

3. Dãmages

Costes

Jury

Writ

And it is &c. that euery of the sayde cõmissioners shall haue & receiue fower shillings for euery day that they shal take payne in the execution of this commission of Sewers. And one Clerke by them to bee assigned two shillinges for euery day, of the rates, taxes, lottes, and wayues that shalbe assessed or lost by auctoritie of the sayde commission, and to bee leuied and payd by their discretions. And that the sayde commissioners, or sixe of them, shall haue power and auctoritie to limitte and assigne of the same rates, taxes, lottes, and wayues by their discretions, such reasonable summes of money to the sayd Clerke for writing of bookes and proces concerning the premisses, and to the collectors, expenditours, and such other as shall take payne in the due execution of the said Commission, as by the discretions of the said commissioners, or sixe of them shalbe thought reasonable.

Commissioners 4.s. the day

Clerke 2.s. the day

Officers

Prouided alway, that whensoeuer and as often as such Commission, as is afore limitted, shalbe made and directed to any person or persons, for the reformation and amendement of or in any of the premisses specified in the said cõmission, within ẏ frees, liberties or possession of ẏ Duchy of Lancaster, that then such commissioners as shall execute any such Commission, shalbe alwaies named and appoynted by the discretion of the Lorde Chauncellour, and Lorde Treasorer of England, and the saide two chiefe Justices of either bench, and the Chauncellor of the saide Duchy for the time being, or three of them, whereof the sayde Lorde Chauncellor, and the Chauncellor of the Duchy to be two. And that in euery such case two Commissions shalbee awarded and made according to the tenour of the commission aboue expressed, one thereof vnder the great Seale of England, and the other vnder the Seale of the same Duchy, as before time haue beene accustomed, any thing afore rehearsed in this preſẽt act to the contrary herof notwithstanding. And it is &c. that the said commissions from time to time as the case shal require, shalbee had and obtayned without any money or other charge to be payd for the seales or writing of the same, vnlesse it bee to the king ii.s. vi.d. for the seale of euery commission as hath beene accustomed: And for the writing & enrolling of any one commissiõ v.s. and not aboue. And it is &c. that euery commission to be made by auctority of this act, shall endure & continue for the terme of three yeres next after the teste of the cõmission. Neuertheleſſe after any commissiõ made & deliuered out of the kings court of chauncery, the kings highnesse shall alwaies at his pleasure by his writt of Supersedias, out of his saide court of chauncery, at any time discharge as well euery such commission, as euery commissioner that shalbe made or named by auctority of this act. After which discharge the saide commissioners shal haue power nor auctority to proceede in the execution of their Commission, nor in any thing by auctority of this act.

Lancaster

Chauncellor Treasorer Chiefe iust. Chauncelor

Seale

Commissions

No charge

2.s. vi.d.

v.s.

3. yeres

Supersedias

Discharge

Commission

Prouided alwaies, ẏ such lawes, acts, decrees, & ordinãces, as shal happẽ to be made by ẏ said cõmissioners according to ẏ tenor of their cõmission, or by auctority of this act, shall stand good & effectuall, and be put in due execution so longe time

time as their commiſſion endureth & no longer: Except the ſaid lawes and ordinaunces be made and ingroſſed in parchment, and certified vnder the Seales of the ſayde commiſſioners into the kinges court of chauncery, and then the kinges royall aſſent bee had to the ſame: Any thing contained in this preſent act to the contrary hereof notwithſtanding.

Lawes

Royal aſſent

Prouided alſo that whenſoeuer and as often as ſuch cõmiſſion as is before limited, ſhalbe made & directed to any perſon or perſons, for the reformation and amendement of or in any of the premiſſes ſpecified in the ſaide commiſſion, within the fees, liberties & poſſeſſions of the principalitie of Wales, the Coũty palantine of Cheſter, or within the fees, liberties, and poſſeſſiõs of any other place where there is liberty and iuriſdiction of County Palantine, that in euery ſuch caſe two commiſſions ſhalbee awarded and made according to the tenor of the commiſſion aboue expreſſed, one thereof vnder the great Seale of England, and the other vnder the vſual ſeale of the county Palãtine in maner and forme as is aboue prouided for the Duchy of Lancaſter, any thing afore rehearſed in this preſent act to the contrary notwithſtanding.

Wales Cheſter

Seale

And it is &c. that the royall aſſent limitted to be had vnto the lawes and ordinaunces to be made by the ſayd cõmiſſioners, as is aboueſaide, ſhalbe certified into the ſaide court of chauncery vnder the kinges priuie ſeale. And that there ſhall not any ſumme of money be payde for the ſame priuie ſeale, but for the writing of the ſame certificat vnder the ſaid Priuie Seale, ſhalbe payde to the writer thereof two ſhillings & not aboue, nor no other, nor greater ſũme for any thing touching or concerning the ſame certificat vnder the ſame priuie ſeale.

Royal aſſent

Chauncery

No charge

Prouided alway, that the Chancellors & ſuch other as ſhal haue the cuſtody of the ſeales of the ſayde principalitie of Wales or the coũty Palantine of Cheſter or within the fee, liberty, and poſſeſſions of any other place, where there is liberty & iuriſdiction of county palantine, vpon reaſonable requeſt, & vpon the ſight of the commiſſion vnder the kings great ſeale of his Chaũcery, ſhal without delay make out an other commiſſion vnder the ſeale of the ſayd countie palantine, according to the tenor of the kings cõmiſſion, to thẽ ſhewed vnder his great ſeale: And to thoſe cõmiſſioners as ſhalbe named by the Lord Chauncelor, Lord Treaſorer, & the two chiefe Juſtices, or by iii. of them, whereof the Lord Chaũcellor to be one, except it be within the fees & liberties of the Duchie of Lancaſter, within which fees and liberties, the commiſſioners ſhal be named, and commiſſions made, as is afore ordeyned by this act, any thing conteined in the ſayde act, or in any prouiſo thereunto added and annexed, to the contrary thereof notwithſtanding. This act to endure for twenty yeres. An. 23. H. 8. cap. 5. This act is made perpetual. An. 3. E. 6. cap. 8. as here following 10. appeareth altered. 12. by 13. El. cap. 9.

Chancelor

Lancaſter

9 ¶ The act late made for Sewers & the commiſſion therein recited, ſhall be extended, vſed, & put in execution, in the towne & marches of Caleis, according to the tenor of the ſame commiſſion in like effect, as it is enacted to be put in execution within this realme, & that no perſon ſhall be compelled to be ſworne or otherwiſe bounde to ſitte or trauayle in execution of any commiſſion of Sewers within this realme, vnleſſe that he be dwelling within the County whereof he is or ſhall be aſſigned to be Commiſſioner: And for Caleis, and the ſayd marches thereof vnleſſe that he be dwelling within the ſame towne of Caleis or marches. And becauſe that diuers perſons heretofore aſſigned to be Commiſſioners, haue refuſed to be ſworne according to the ſayd former act, where by diuers commiſſions heretofore made, remaine hitherto without effectual execution: Be it &c. that if any perſon aſſigned, or to be aſſigned to bee ſuch commiſſioner of Sewers, being required hereafter by ſuch perſon or perſons, as haue or ſhal haue auctority, by the kings writ or otherwiſe, to receiue or accept the othe cõprized in the ſaid former act, euery perſon

Caleis

Refuse othe

person that so refuseth to take the same othe, or vpon the request made do not receiue the same othe, and that refusall or contempt done in the chancery or returned into the chancery with the said writ, shall lose & forfait for the same contempt to the king our soueraigne Lorde fiue markes. And so to lose from time to time fiue markes for euery such contempt, as shalbee done or retourned into the sayde chauncery against any such person, vnles that he in the same Chauncery doe shewe and alleadge in the sayde terme wherein such retourne shalbee made against him, sufficient and reasonable matter & cause to be allowed by the Lorde Chauncellor for his excuse & discharge in that behalf. Anno 25.H.8.cap.10.

Forf.

10 ¶ The said act (S.Anno 23.H.8. cap.5.before 8.) and al clauses, articles, and prouisions in the same contayned, shall continue and endure in their force and strength, and to be obserued & kept for euer, in such maner and forme as shal and may stand with the sequel and additions hereafter mencioned. And be it &c. that all scotts, lotts, & summes of money hereafter to be rated and taxed by vertue of such cõmission of Sewers, vpon any of the lands, tenements, or hereditamẽts, of our soueraigne Lord the king, his heires or successors, for any maner of thing or things concerning the articles of the said cõmission of Sewers, shalbe gathered and leuied by distresse or otherwise in like maner and forme as shall or may bee done in the lands, tenements & hereditamentes, of any other person or persons. And þ al billes of acquitance signed with the hand or hands of such collector or receiuor as shal haue the collection thereof by the appointmẽt of the said commissioners or sixe of them, shalbee a sufficient discharge to the tenants, fermers and occupiers of the same grouñds, so to be charged for the saide summe wherewith their grounds shalbe so charged, as also a sufficient warrant, to all and euery the receiuors, auditors and other whatsoeuer officer or officers of our sayde soueraigne lord the king, his heires & successors for the allowance to such tenaunt, fermer, or occupyer for the same, adding moreouer to this act, by aucthoritie of this present parliament, that such and like fees, and none other nor more, shall be at any commission or commissions, or writs of Dedimus potestatem, hereafter to bee sued out or obtayned vnder the seale of the duchie, but onely such and like fees as bene mentioned in the sayde former act, to be paied in the Chauncery, for commissions and writs of Dedimus potestatem, to be obtayned from the same court of Chauncery, adding moreouer thereunto, by the auctheritie aboue said, that euery commission, and commissions hereafter to be awarded for Sewers, shall continue and endure for terme of fiue yeeres next after the teste of such commission, vnlesse the same commission and commissions, shall be otherwise discharged, within the sayd time by Supersedias, any thing or things mentioned or cõtayned in the said former act, contrary to the additions before mentioned, or any of them in any wise notwithstanding. An. 3.E.6.cap.8. altered by 13.El.cap.9.after 12.

Care

Distresse

Warrant

Dedimus potestatem

Fees

v.yere

Supersedias

11 ¶ Aswell the sayd act of Sewers made in the three and twentie yeere (See Anno 23.Hen.8.cap.5.before 8.) as all commissions of Sewers hereafter to be directed, according to the tenour of the sayde act may extende and giue auctheritie, that the Commissioners therein named for the Countie of Glamorgan, or sixe of them, whereof three to bee of the Quorum, shall by this act and the sayde former act and commission to them directed, haue full power and auctheritie from time to time to make such lawes, prouisions, ordinaunces, iudgementes, and decrees, within the sayde Countie of Glamorgan, for the redresse and sauing the said grounds from hurt or destruction by reason of the said sandes, as they might or may doe by the sayd former act and commission for the withstanding & auoyding of the outragious course and rage of the sea or other waters, any vsage or custome to the contrary notwithstanding. Anno 1.M.2.parl.cap.11.

Glamorgan

Quorum

12 ¶ Forasmuch

12 ¶ Forasmuch as no Commission of Sewers, by the estatutes heretofore made, may haue continuance aboue the space of fiue yeres: Be it therefore enacted by the Queenes most excellent maiestie, with the assent of the Lords spirituall and temporall, and the Commons in this present parliament assembled, and by the authoritie of the same, that from henceforth al and euery Commission and commissions of Sewers, nowe standing in force, or that hereafter shalbe graunted and made, shall stand & continue in force for the terme of tenne yeres, next ensuing the date of euery such commission, vnlesse the same cõmission or commissions, be, or here after shall be repealed or determined by reason of any new Commission in that behalfe made, or by Supersedeas: & that al such lawes, ordinances, and constitutions, as be, or shalbe duely made by force of any such Commission, according to the tenour and effect, limitted in any former estatute heretofore made touching Cõmission or commissions of Sewers, and being written in Parchment indented, and vnder the seales of the said Commissioners, or sixe of them, whereof the one part shall remaine with the Clarke appointed, and to be appointed for the Commission of Sewers for the time being, and the other part in such place as the same Commissioners, or sixe of them shal order and appoint: shall without any certificat thereof to be made into the court of Chauncery, and without the royall assent to the same had, stand and continue in full force and effect, notwithstanding any determination of any such Commission by Supersedeas, vntill such time as the same lawes, constitutions, and ordinances shall be altered, repealed or made voyd, by the Commissioners after to be assigned and appointed for Sewers, in those parts where the same Lawes, Ordinances, and constitutions were made, ordained, and constituted, or by sixe of them.

Ten yeres

Supersedeas lawes

Indentures

☞ And be it further enacted by the authoritie aforesaid, that at all times from and after the end and expiration of the terme of ten yeres, next ensuing the date or teste of any Commission of Sewers hereafter to be made, al such lawes, ordinances, and constitutions, as were made by vertue of any such commission, and written in Parchment indented, and Sealed as is aboue mencioned, without certificat therof, or the assent royall to the same had as is aforesaid, shall, notwithstanding the determination of any such Commission, by the expiratiõ of the terme of ten yeres, next ensuing the date of any such Commission of Sewers, likewise continue in force, for and by the space of one whole yere then next ensuing: and that the Iustices of peace of the Shire and Shires, where the same Lawes, ordinances, and constitutions, are to be executed within their seuerall Commissions, and limits, or sixe of them, whereof two to be of the Quorum, shall haue power and authoritie, by the space of one whole yeere next after the expiration of euery such Commission, to execute the same lawes, ordinances, and constitutions, and euery of them, as fully and in as ample maner and forme, as the Commissioners, or any of them, named and appointed in euery or any Commission so expired, might or should haue done, to all intents and purposes, as if the said Commission or Commissions had continued in force.

Laws

6. Iust. of p.

11. Of the Quorum

Commission

Prouided alwaies, and be it neuertheless enacted, that if any new commission of Sewers shalbe made within the sayde yere, that then immediatly from and after such commission newly made and published, that the power of the sayde Iustices of peace, and euery of them, in any wise concerning the execution of any such lawes, ordinances and constitutions of Sewers, shall vterly cease: any thing or things in this act to the contrary expressed in any wise, notwithstanding.

Iust. of p.

And be it further enacted, that no farmer or farmers, for terme of yeres, of any Mannors, lands, or Tenements, lying or being within the precincts or limits of any such Commission of Sewers, which be, or hereafter may be ordered, & chargeable by any Lawes, ordinances, or constitutions, made or to be made by vertue of

Fermor.

any such commission, wherein he or they shalbe named or appointed commissioner or commissioners, not hauing estate of freehold within the Realme of England, of, or in Mannors, Lands or Tenements, of the perely value of fortie poundes, shal at any time hereafter, haue power to sitte, or in any wise intermeddle with the execution of such Commission or Commissions, during the time he or they shall continue, or be such Farmer or Farmers of any such Mannours, Lands, or Tenements, and shall not haue estate of freehold, as is aforesayd: but that euery such Commission, as hauing respect onely to euery such person or person, for such and so long time as he or they shall so be and continue Farmer or fermers of any such Mannours, Lands or Tenements, shall bee deemed and adiudged in lawe to bee as voyde, and of none effect: any thing in the same Commission, or any statute or Lawe heretofore made to the contrary notwithstanding.

r.l.li.land

Void

And be it further enacted by the authoritie aforesayde, that from henceforth the sayde Commissioners, nor any of them shall not be compelled nor compellable to make any Certificat or Retourne of the sayd Commissions, or any of them, or of any their Ordinances, Lawes or doings, by the authoritie of any the sayde Commissions, nor shall not haue any Fine, Payne or Amerciament set vpon them, or any of them, or any waies to be molested in body, lands or goods, for that cause.

Commissioners

And yet neuertheless, to the intent the Queenes Maiestie our soueraigne Lady, her heires and successours, may be at all times hereafter truely answered of all such issues, fines, and amerciaments, as shall happen, growe, or be forfeited by vertue of any such Commission, or by the execution thereof: Be it also enacted, that the Clarke and Clarkes appointed, and hereafter to be appointed, for and in any such Commission or Commissions of Sewers, shal perely truely extreat al the said issues, fines, penalties, forfaitures and amerciaments, that shall be due and answerable to her highnesse, her heires and successours, and the same extreates shall perely deliuer into the Court of the Exchequer, at such time and times, and in such maner & forme, as iustices assigned to and for the conseruation of the peace in any wise should or ought to doe by vertue of their Commission, vpon paine to forfait to our soueraigne Lady the Queene, her heires and successours, for euery default in that behalfe made, fiue poundes.

Queene

Fines

Clerke

Extreat

Exchequer

Forf.

Prouided alwaies, that it shall be lawfull for any Commissioner, being also a farmer, and not hauing landes and tenements to the clere perely value of fortie poundes of free holde, to sit by vertue of the sayd Commission, and haue his voice and full authoritie with others, to make and establish ordinances for Sewers, according to the tenour of the Commission touching and concerning all landes and tenements within the precinct of euerie such Commission, other then such lands and tenements as he or they for the time being, hold and enioy as fermour, as he or they might haue done, before the making of this statute, any thing therein contained to the contrary notwithstanding. Anno 13. El. cap. 9.

Commissioner

Farmer

¶ Shelton.

ANno 33. Hen. 8. cap. 26. An act was made, whereby certaine estates and couenants of Sir John Sheltons lands were made voyd.

¶ Sheepe.

NO maner person of what estate, or condition that he be, from henceforth be suffered to ship within the Realme of England, any sheepe fleesed or shorne into the Countrey of Flaunders, or to any other parties beyond the sea, except it bee to vitaple the towne of Caleis, and the marches therof. And that euery man that may be espied, which vnder the colour of vitapling of the same Towne and marches of Caleis, passeth into any other places then to the same Towne and Marches, with any sheepe fleesed or shorne, except he haue the Kings licence, shall forfayt

Shipping

Flaunders

Vitaile Caleis

Licence Forf.

fayt to the king the same sheepe or the valour thereof, as oftentimes as he shall be found therein defective, An. 3. H. 6. ca. 2.

☞ ¶ Forasmuch as diuers couetous persons espying the great profit of sheep, haue gotten into their handes great portions of the groundes of this Realme, conuerting them to pasture from tillage, & keepe some 10000. some 20000. some 24000. sheepe, whereby Churches and Townes bee pulled downe, Rents of Landes inhaunced, and the prices of cattell and victuall greatly rayſed, and the poore driuen to fall to theft, and other inconueniences, to the perill of vtter destruction and desolation of this Realme: Be it &c. That no person nor persons from the feast of saint Michael tharchaungell, which shalbe in the yere of our Lord God M.D.xxv. shal keepe, occupy, or haue in his possession, in his owne proper Landes, nor in the possession, landes or grounds of any other which he shall haue or occupy in ferme, nor otherwise haue of his owne proper cattell in vse, possession or property by any maner of meanes, fraude, craft, or couine, aboue the number of two thousand sheepe at one time within any part of this Realme, of al sorts and kinds vpon paine to lose and forfait for euery sheepe that any person or persons shall haue or keepe aboue the number limitted by this act three shillings fower pence: The one halfe to the King &c. and the other halfe to such person as will sue &c. by originall writ of debt, bill, plaint, or information in any court of record, in which suit ỳ defendãt shall not wage his law &c.

2000. sheepe

Forf.

Moitie

Prouided alway, that Lambes shall not be accompted of the number of Sheepe prohibited by this act so long as they bee vnder the age of a yere and not aboue.

Lambes

Prouided also, that if any person hauing Sheepe of his owne, happen to be made executour, or to be administratour to any person, which had sheepe at his death, or happen to be maried to any person which shall happen to haue sheepe at the time of the mariage, by reason whereof the person so being Executour or Administratour, or being so maried, shall happen by such meanes to be auanced, & haue aboue the saide number of two thousand: that then in euery such case, ỳ person so auaunced to lose no penalty for hauing aboue the nũber of two thousand sheepe by such meanes, so that within one yere next after such auauncement, the person so auaunced frõ time to time as often as any such case shal happen, doe put to sale, or otherwise dispose so many of the saide sheepe, so to him aduaunced, or els of his owne sheepe ỳ he had before, so that aboue one yere he shal not keepe, haue or occupie, by any such meanes, or otherwise by any fraud or couine, any more nũber of them, then is before limitted by this act vpõ the paine before rehearsed. Prouided also that if any person by his last will and Testament giue to any childe within age, any nũber of sheepe, and appoint them by his said will, to be kept by his executours, or by any other person, vnto such time as the said child shall come to a certaine age, limitted by his will, that then in euery such case after the death of the testatour, the sayd sheepe so being in the possession and occupation of the executours, or of any other person to the vse of any such childe within the age that he shalbe limitted to haue the said sheepe, by the wil of the testatour, shall not bee accompted against the said executours, nor any person so hauing the said sheepe, for the intent aforesaide, any of the number of the sheepe prohibited by this act, any thing in this act to the contrary thereof notwithstanding.

Executour

One yere

And it is &c. That the Iustices of the Peace of euery Shire, shall haue power and authority to enquire of the offenders of this act, as well by the othes of twelue men, as by information of any of ỳ kings Subiects, and to make such like proces vpon euery presentment or information concerning this Act, as they vse commonly to doe vpon presentments before them of trespasse. And that no person being conuict by confession, or otherwise, that he hath done or attempted contrarie to this act, shall be put to any lesse fine, then after the Rates of the forfaytures afore limitted by this act. Prouided

Iust. of p.

Enquire

Proces

Prouiso

alwaies that no person shalbe put to any answere or losse of any forfaiture by vertue of this act at the suite of any of the kings subiects by any originall writte of debt, bill, plaint, or information, except the suit be commenced within one yeere next after ỳ offence done or committed contrary to this act: Nor that any person shal be put to answere nor to any losse of any forfeiture by vertue of this act, by reason of any presentment, action, or information at the kings suit, except the same presentment, action or information be had and made for the king, within three yeres next after the offence done or committed.

Suit
One yere

Three yeres

Prouiso

Prouided alway that al and euery person and persons, being the kings temporall subiects of this realme, and borne vnder his obeysance, which at this present time or at any time hereafter shal haue or be seysed of inheritance in possession or in vse, or that now hath or hereafter shal haue ioynter in vse or in possession, or be, or shal be tenant in dower, or by the curtesie of England, of or in any manours, lands, tenements, pastures, feedings, or libertie of foldage within any part of this Realme of England, Wales, or the Marches of the same, that euery such person and persons hauing any such possession to his owne vse, and euery such person and persons to whose vse any other person or persons now is, or be, or hereafter shalbe seysed of any such estate as is before rehearsed, may at all times hereafter haue, enioy, keepe & maintaine vpon the same their owne demeane lands, and all other their pastures, feedings, and fold courses which they so haue, as many their owne Sheepe and Lambes in number to their proper vse, profit and behoofe, as they or any of them of right had, or lawfully might haue had and kept vpon the same, or vpon any part thereof, at any time before the making of this present act: This act or any thing therein contayned or specified, to the contrary in any wise notwithstanding. And ouer that be it &c. by the authoritie aforesayd, that in case any such person or persons hauing any such estate in vse or in possession, of, or in any manner Lands, tenements, pastures, feedings, or liberties of folde courses as is before expressed, haue, or doe keepe vpon the same their possessions, the number of two thousand sheepe or aboue, the same person or persons so hauing the number of two thousand sheepe or aboue, shall not in any wise keepe, sustayne or haue any sheepe aboue or beside the sayd number of two thousand vpon any lands, pastures or feedings, which ỳ same person or persons haue, or hereafter shall haue or take in ferme or otherwise, vpon such like paines and forfaitures for the same, as be limited in the sayd act, that is to say, for euery sheepe ouer and aboue the said number of two thousand, three shillings fower pece. And in case the said demeane lands, tenements, pastures, feedings, and liberties, or folde courses of any person or persons before rehearsed, suffice not for the feeding, pasturing, and keeping of two thousand sheepe as is aforesayd, that then euery such person shall, or may haue, sustaine or feede vpon his sayde demeane Lands, and vpon his ferme holdes which he lawfully may haue, to the sayde number of two thousande Sheepe, and not aboue, vpon payne of forfaiture for euery sheepe aboue that number 3.s.4.d.

2000. sheepe

Ferme
Forf.

Forf.

Prouiso

Prouided alway and be it &c. that it shal bee lawfull to euery person or persons within this realme, keeping a houshold, to haue from time to time such conuenient nũber of sheepe, ouer & aboue the nũber expressed in this act, as shall be necessary for the only expences of his houshold to be prouided, kept and fedde, in and vpon his owne lãds, or other lands, such as he lawfully can or may haue, or prouide for, in ferme or otherwise: Any thing in this present act contained to ỳ contrary notwithstanding. So that the same housholder at no time shal haue or keepe for the expences of his houshold, or by colour of the same ouer & aboue the number to him limitted by this act, any number of sheepe moe then shal suffice for ỳ only expences of his houshold for one yere without fraud or couin, any thing in this present act mẽcioned or expressed to the cõtrary notwithstanding.

Demeane landes

Houshold

Lands

Wales

Lands

Be it &c. that no maner person or persons of what degree soeuer he or they be, being lord or lords, owner or owners, fermer or fermers, of or in any libertie of fold courses within any towne, tithing, village or hamlet, within any of the counties of Norffolke & Suffolke from and after the feast of the Natiuitie of our lord God next comming, shall take in ferme for terme of yeres or otherwise, any quillets of lãds or pastures, that is to say any number of acres of land or pasture appertaining to any other person or persons, lying, and being within the limit, extent, or precinct of the saide libertie of the said foldcourses, but that they shal permit and suffer the saide persons hauing or being for ỳ time owner or owners, lease or leases of the said quillets, to manure and pasture the said quillets: And also to suffer the sheepe of the saide owner or owners, fermer or fermers of the sayd quillets after the rate of ỳ same quillets to goe with the flocke of ỳ owner, fermer or occupier of the sayd liberty or liberties of the saide foldcourses, paying the customarie charges for the keeping & feeding of ỳ same, after the rate and vse of the cõtrey there commõly vsed without any interruption therein to be made by the saide owner or owners, fermer or fermers, or occupiers of the said liberties, vpon paine of forfayture for euery time that any such person hauing any such quillet that shal be so letted or disturbed of feeding, keeping or pasturing any of his sheepe so to be fed and kept after the rate of his said quillet, for euery such sheepe three shillings iiii.d.

Lords Fermers Foldcourse Norfolke Suffolke Ferme Quillets Lease Forf.

Prouided alway that this act or branch concerning quillets, or any thing therein contained, shall not in any wise be auaileable to any tenãt, owner or occupier of any such quillet or quillets to claime, haue or vse hereafter any such pasture of feeding of Sheepe in, or with any such foldcourses, but onely where the tenants, owners and occupiers of any such quillets, haue had, or mought haue had heretofore of right and duety vsed to haue pasture and feeding in the said fold courses, by reason of their tenure and occupations of the same quillet or quillets and none otherwise. And where they haue not vsed, ne ought to haue any sheepe fed or kept within any such foldcourses, by reason of the said tenures, that the owners or occupiers of such foldcourses may take such quillets lying within their folde courses in ferme, agreeing with the owners or occupiers of ỳ said quillets for the same. And forasmuch as ỳ hundred of sheepe in euery countrey be not like, in some countrey the great hundred where sixe score is accompted for the hundred, and some cõtrey but only fiue score, it is eft declared by this present act, that the nũber of two thousand sheepe, limitted to euery person by this act, shall be accompted tenne hundred for euery thousand after the number of the great hũdred, and not after the lesse hundred, so that euery thousand shall containe twelue hundred after the lesse number of the hundred. It is &c. that lambes vnder the age of one whole yere, and as much as shalbe frõ the time of the falling of them vnto the feast of the Natiuitie of saint John Baptist in any yere to come, shall not be adiudged, ne taken for sheepe prohibited by the statute: any thing in the act to the contrary notwithstanding. It is &c. that no maner person after the sayd feast of the Natiuitie of our Lord, shal receyue or take to ferme for terme of life, yeres or at will, by Indenture, copy of court rolle or otherwise any moe houses and tenements of husbandry whereunto any landes are belonging in towne, village, hãlet or tithing within this realme, aboue the number of two such holds or tenements. And that no maner person shall haue or occupy any such holdes so newly taken to the number of two, as is before expressed, except he or they be dwelling within ỳ same parishes where such holds be, vpon the paine of forfaiture for euery weeke that he or they shal haue, occupy or take any profits of such holds contrary to this act 3.s.4.d. The one moity of which forfaiture to be to ỳ king our soueraigne Lord, and the other moity to ỳ party that will sue for the same in any of the kings Courtes, by bill, plaint, information or

Thousand Hundred Lambes Ferme Houses Tenements Forf. Moity

otherwise within one yere next after such contempt and offence committed & done, in the which none essoine, protection, ne wager of lawe shal be admitted or allowed. It is also ꝛc. that the statutes made the fowerth yeere of the noble Prince King Henry the seuenth (cap. 19. which is in husbandry 1.) and in the seuenth yere of the raigne of our Soueraigne Lorde the king that now is (cap. 1. which is in husbandry 2.) concerning ꝑ decay of townes and maintenance of tillage and husbandry shall be good and effectuall in euery thing according to the purport and intent of the same, any thing in this present act to the contrary notwithstanding.

Statutes

Tillage Husbandry

Prouided also that it may be lawfull to all spiritual persons and euery of them to keepe such and as many sheepe vpon their owne landes, and after such forme and maner, and none otherwise, as they mought haue done afore the making of this act, any thing mencioned in the same to the contrary notwithstanding. An. 25. H. 8. ca. 13.

Spirituall persons

* 3 ¶ See (shippes and shipping 14.) where there is an act made in 8. El. ca. 3. against carying ouer the Sea of Rāmes, Lambes and other sheepe aliue.

Rammes

¶ Shippes and Shipping.

Where as the ships of diuers people of the Realme bee arrested and holden forfeit, because of a little thing put in their ship not customed, whereof the Lords of the same ships be ignorant: It is accorded and assented, that no Lord shall lose his ship from the fifteene day of February next comming forth, for such a smalle thing put within the ship, not customed without his knowledge. An. 38. E. 3. cap. 8. stat.

Arrest

2 ¶ To encreale the naule of England which is now greatly diminished, it is assented and accorded that none of the kings liege people doe from henceforth shippe any merchandise in going out or comming within the realme of England in any port, but only in ships of the kings liegeaunce. And euery person of the said liegeance which after the feast of Easter next ensuing, (at which feast this ordinance shall first begin to hold place) doe ship any merchandise in any other ships or vessels vpon the Sea, then of the saide liegeance, shall forfeit to the king all his merchandises shipped in other vessell, wheresoeuer they be found hereafter, or the valour of ꝑ same, of which forfeitures the king will and graunteth, that he that duely spieth & duely proueth, ꝑ any person hath any thing forfeited against this ordinance, shall haue the third part for his labour of the kings gift. An. 5. R. 2. ca. 3.

Forf. English ships

Forf. iii. Part

3 ¶ The said ordinance onely haue place as long as Ships of the saide liegeaunce in the parties where the same merchants shal happen to dwell, be found able and sufficient: so that thē they shal be bold to fraight ꝑ same ships of the kings liegeance with their merchandises vnder the paine aforesaid before all other ships. And otherwise it shall be lawfull to the same merchants, to hire other ships conuenient, and there to fraight them with their goods and merchandises, notwithstanding the sayd first statute. An. 6. R. 2. capitulo 8.

Strange bottome

4 ¶ All the Merchants of England shal fraight in the said realme the ships of the same Realme, and not the Ships of strangers, so ꝑ the owners of ꝑ sayd ships take reasonably for their fraight. An.

English ships

5 ¶ Al maner merchandises entring in the Realme of England, or going out of the same, shall be charged & discharged in the great ports of the sea, & not in creekes and smalle arriuals, vpon paine to forfait all the merchandise so charged or discharged to our Soueraigne Lorde the king, except vessels and merchādises arriuing in such littell creekes and arriuals by coheroion of tempest of the Sea. Anno 4. H. 4. cap. 20.

Merchandise

Discharge Ports Forf.

6 ¶ No maner of person shall ship or doe to be shipped, woolles, woolfels, nor other merchandises pertaining to the staple in no place within this realme, but alonly at the keys and Wharfes being in the parties assigned by the statute, where the kings weights, & his woolles be set. And that euery master of ships and vessels in

Woolles Woolfels

Wharfes

Shipmaster

in the which such woolles and woolfels, and merchandises be put, shall finde sufficient suerty, to the customers of the ports where they do ship, to cary the said wools and woolfels, to the staple of Caleys, and to bring a certification from thence that he hath so done. Saving alwaies to the merchants of Jeane, Uenice, Tuskain, Lumbardy, Florence, and Catelonie, and to the Burgesses of Berwike, the liberties to them graunted by statute herebefore. An. 15. H. 6. cap. 8.

Suertie
Certificat
Berwike

7 ¶ Anno 1. H. 7. cap. 8. an act was made for the maintenance of the nauie to endure to the next Parliament, that no Gascoyne wine should be brought into England but in English ships, and the mariners to be English men upon forfaiture of the wine.

Wine
Fork.

8 ¶ No maner of person of what degree or condition that he be, conuey nor bring into this sayd Realme, Irelande, Wales, Caleis or the marches thereof, or Barwike, from the feast of the Natiuitie of Saint John the Baptist that shal be in the yere of our Lord God 1490. any maner wines of ỹ growing of the duchie of Guin. Gascoine or woad called Tholouse woad, but such as shall be conueyed, aduentured, and brought in ship or shippes, whereof our said soueraigne lord, or some of his Subiects of this Realme of England, Ireland, Wales, Caleis or Berwike bene owners, possessors & proprietaries, and the master vnder God & the Mariners of the same ship or ships, English, Irish or Walsh, or men of Berwike, or men of Caleis, or of the marches of the same for the more partie, vpon payne of forfaiture of the same wines and woad so brought contrary to this act, the one halfe thereof to the king, and the other halfe to him or them that sealeth the same wine or woad. And also hath ordained and established by the sayd authoritie that no person inhabiting within this realme, other then Merchant straungers from the feast of Saint John, fraight ne charge within this Realme or Wales, any ship, nor any vessell of any alien or stranger, with any maner merchandise to be caried out of this Realme or Wales, or to be brought into the same, if he may haue sufficient fraight in ships or vessels of the denizens of this Realme in the same port where he shall make his fraight, vpon paine to forfait the same merchandises, the one halfe thereof to the king our soueraigne Lord, and the other halfe to him or them which seyseth the same merchandises. Prouided alway that this act extend not to any ship or ships having any of the sayde wares or merchandises constrained by tempest of weather or ennmies to arriue in any port or place within this Realme, So that the owners of the saide merchandises make thereof no sale within this Realme, other then for vitaile or repairing of the same ship or ships, or taking thereof which they of neresitty be compelled to make. An. 4. H. 7. cap. 10. This statute is confirmed by 23. H. 8. capitulo 7. And by 32. H. 8. capitulo 14. as appeareth here following 10. And after An. 5. Ed. 6. part of this act is altered as here following (10) appeareth, and also here following. 11.

Wines
Woad
Strangers
Fork.
Poitie
No sale
Vitaile

9 ¶ Anno 7. H. 8. cap. 2. it is enacted that all licences made for bringing in of Gascoine wine and Tholous woad contrary to the statute of An. 4. H. 6. cap. 10. (before 8.) were voyde.

Licence
Wine
Woad

10 ¶ The said estatutes (See An. 5. R. 2. ca. 3. before 2. & An. 6. R. 2. cap. 8. before 3. & An. 4. H. 7. ca. 10. before 8.) and al and euery thing in them cõtained, be, stand & continue in their full strength, force, and effect: So that from henceforth no person or persons shall attempt to do any thing contrary to the tenours and effects of the sayd good laudable estatutes vpon the paines in the same cõtained and expressed. And &c. frõ henceforth the owners, masters & pursers of English ships or other Uessels, hauing the same their shippes or vessels, at the port and hauen of the riuer of Thames at London, and being minded, purposed or agreed to take any fraight or lading at the same port into any of the sayd ships or vessels, and from thẽce to sayle with the same directly vnto any of ỹ parties of beyond ỹ sea, hereafter named, expressed and specified, or to any

London

haue, port or rode of charge or discharge: Or hauing the same their ships or vessels at any of the saide parties of beyond the Sea, and being contented, minded, agreed or purposed to take any fraight or lading from any of the same places of beyond the sea, directly vnto the said port or hauen of the said riuer of Thames at Lõdon, or to the rode of charge or discharge of the same, shal not at any time hereafter by any maner of meane take or receiue any more or greater summe or summes of money for the fraight, transportation, conueiaunce or cariage of any wares, goods or marchandises in their shippe or ships, vessell or vessels, in, to or from any of the saide hauens or rodes of charge or discharge, but only such summe or sũmes of money, and after the rate, quantity and fashion as hereafter in this present act is mencioned and declared. First for the Fraight fraight of euery wollen cloth shippen frõ London to Flaunders eight pence flemmish, and a peece of flemmish money called an English for Lode monage, and for pimage of euery fardell of Wollen cloth great or smalle 4.d. flemmish. Also frõ Flaunders to London for the fraight of euery fardell of the biggest sort xx.s. sterling discending downeward to xvi.s. xiii.s.iiii.d.x.s.or viii.s. after ỹ rate and quantitie of euery such fardell as the owner, shipmaster, or purser can agree. And for the fraight of a maund of the biggest sort vi.s.viii.d. sterling, and so discending downewards after the rate and quantitie of euery such maund as the merchant and owner, shipmaster or purser can agree. And also for the fraight of a tie fat of the biggest sort vi.s.viii.d. sterling, & so discending downewards after the rate of euery such tie fat as the merchant owner, shipmaster, and purser can agree. Item for euery case of Ueluet containing xiiii. peeces of Ueluet v.s. Item for a baile of saies of vi.foote high v.s. Item for a baile of fustian xx.d. Item for a baile of chamlet xx.d. Itẽ for a baile of Coleine hempe or threede ii.s. Item for a baile of Madder 2.s. Item for a baile of Almonds 2.s. Item for a Butte of currants 3.s.4.d. Item for a barrell of nailes 2.s. Item for a trussing chest. 2.s. Itẽ for a Suger chest 2.s. Item for a tunne of yron 2.s. Item for a hogshed of Proines and Dates xx.d. Item for a bag of peper lose. xx.d. Item for euery hundred hoppes vi.d. Item for a flasket of sope 4.d. Item for pieces of hassell as they be of bigneſſe, for euery piece i.d. with all auerages, lodemanage and pimage of old time accustomed in English ships. Item from London to Danske the owner of euery ship shall haue 8.d. sterling for the fraight of euery broade wollen cloth fraighted to Danske, and for euery set cloth 4.d. sterling. Item for euery rolle, packe, or maund of coniskins 18.s. sterling, and so discending downewardes after the bigneſſe of the rolle, or maund, as the merchants and owners haue bene accustomed to agree. Item for pimage of euery fardell toward Danske fower pence sterling, from Danske to London for euery last of wheate and rye 26.s.8.d. Item for euery packe, or two halfe packs of flaxe 30.s. Item for euery packe of Canuas 30.s. Item for euery last of Pitch and Tarre, accompting 14. barrels for a last. 12.s. Item for a last of ashes accompting 14. barrels for a last xi.s. Item for euery last of Osmonds &c. counting 14. barrels for a last 8.s. Item for euery 24. bundels of bowstaues 26.s. 8.d. Item for euerie nest of Counters 18.s. Item for euery last of Faggots of yron 4.s. Item for euery fat of Sturgeon 2.s. Item for euery fatte of Eeles. 2.s. Item for euery Cage of Eeles 4.d. Item for euery sacke of feathers, weying nine hundred weight, euery hundred 18.d. Item for euery straw of waxe of sixteene hundred weight 14.s. Item for lode manage of euery last of the sayd merchandises. 6.d. sterling. And for the pimage of euery last 4.d. sterling. Item frõ Burdeaux to London, for euery tunne of wine at the first vintage accounting two pipes, fower hogsheds, or sixe terses for a tunne, 18.s. Item for the fraight of euery tunne of wine at the racke vintage 16.s. Item for euery tolous wood accompting eight whole bales or sixteene ballets for a tunne

Auerage
Lodemanage
Pimage

twentie

twentie shillinges with lodemanage and Pylmanage, and all Auerages of olde time accustomed after the old vse and custome of English ships, from London to Walhey outward and homeward, ẏ marchants which take fraight in any ship, shal haue for euery fiue Tunnes, a fardell of wollen cloth, conteining xviii. broad clothes fraight free, & to pay for euery cloth laden besides in the same ship, threescore and ten maruaides, which is xi.d. and the third parte of a peny sterling. And for euery tunne homewardes, thirteene shillinges foure pence. And for pimage and lodemanage of euery tunne vi.d. sterling with all auerages accustomed, after the olde vse and custome of english ships, frō London to all portes of Portugal and south Spaine on this side the streightes for the fraight of euery packe or fardel of xvi. broade clothes, ii. buckets of v.s. sterling the peece.

Alwayes prouided, that the marchant that taketh fraight in any ship fraighted from the saide porte of London to any of these places, shall haue for euery v. tunne fraight one fardell or packe of fifteene broad wollen cloths fraight free. And for pimage and lodemanage of euery fardel v.d. ob. sterling with all auerages after ẏ olde vse and custome of English shippes. From Tauayle Amountey and Lepe for the fraight of euery tunne of marchandises to Lōdon xx.s. sterling, and vi.d. sterling for lodemanage and pimage, with all auerages accustomed, after ẏ olde vse and custome of english ships. Also for the fraight of euery tunne of marchandises fraighted to saint Lukes de Baromed, at sainte Marie porte the bay of Candis towardes London (pesterable wares onely excepted) xxi.s. sterling. And for lodemanage and pimage. vi.d. sterling with all auerages of old time accustomed after ẏ old time accustomed after the old vse and custome of english ships. Also the fraight of euery tunne of marchandises from the crane of Ciuil, directly to London (pesterable wares onely excepted) xxiii.s. sterling, and for pimage and lodemanage, vi.d. sterling with all auerages accustomed after the old vse and custome of english shipps. Also for the fraight of euery tunne of marchandises from Malaga to London (pesterable wares only excepted) xxv.s. sterling. And for pimage and lodemanage, vi. pence sterling, of euery tunne with all auerages accustomed after the olde vse and custome of English shippes. And further be it &c. that if any owner, master or purser of ship or vessell of this realme or the dominions thereof, or any of them being fraighted vnto or from the said hauē or porte or the riuer of Thames, or any of the places aboue rehearsed, doe exacte or take of any marchant or his factour seruant or any of thē, any other more or larger fraight or summes of money in the names of fraight then is aboue limited & appointed by this acte, or otherwise infringe, or breake ẏ same act or any thing therein conteined, that thē euery such person and persons so offending contrary to the fourme of this statute, shall forfaite and lose double so much as he or they shal so receiue and take, ouer and aboue the rate and summes before rehearsed, the one halfe wherof to be to our soueraigne lord the King, his heires and successours, and the other halfe thereof to bee to any such person or persons that wil sue for ẏ same by action of debt, bill, informations or otherwise in any of the kings courts of record, in which action no essoine, protection ne wager of lawe, shall be allowed or admitted in any of the courts aboue sayd. Prouided alwayes that this acte ne any thing therein conteined or specified, concerning the said rates or summes for the fraight before rehearsed, shal not extende to bind or charge any owners, masters, pursers or mariners of any ship or vessel, for the fraighting or lading thereof into or from any porte or hauen within this realme of Englande other then the sayde porte of London in maner and forme before specified. Prouided also and be it &c. that at what time any warre shall happen to be moued or had betweene this realme of England and any other exterior potētates, forreine princes, their realme or subiectes, or betweene any other outwarde

Exacte

Fort.

Portis

London

Warre

king-

kingdomes or dominions, by occasion & meanes whereof the said owners shall be more charged for the furniture of their shippes and vessels, as wel with vitailes, more number of men and artillery for the sure conducting, conueyaunce and transportation of the marchandises, goods and wares laden in the same, that then it shal be lawfull to the same owners to receiue, take and haue such more & greater summe or summes of money ouer and aboue the rates aforesayde for the fraight of their shippes, and vessels as the marchauntes and they shall be agreed vpon, any thing or thinges conteined, or limitted in the saide rate specified in this present acte, or any other thing in the same act cõteined, to the contrary thereof in any wise notwithstanding.

Prouided also and be it ẽ. that if at any time hereafter it shal be concluded, couenanted, bargayned, condescended or agreed betweene any marchãts, their factours and seruants or any of them, and any owner, master or purser of any ship or vessell of this realme or the dominions of the same, that any such owner, master or purser be contented to receiue, take and haue any lesse summe or summes of money, vnder the rates abouesayde, for the fraight of their shippes and vessels as abouesaid, that thẽ euery such conclusion, couenant, bargaine, condiscẽt and agreement, shal stand and be good and effectuall, any thing or thinges limitted in the said rate, specified in this present act, or any other thing in the same acte conteined to the contrary in any wise notwithstanding. And where also our said soueraigne lord the King, of his owne bounteous liberal minde and princely discretion, now of late hath commaunded that no person or persons being strangers or denizens, conueying or transporting any goodes, wares or marchandises into any porte, creeke or other place of this Realme, or out of the same, should for a certeine time pay any other more or larger custome & subsidie, then his graces louing and naturall subiectes then vsed and were accustomed to doe and paye at that present time (custome and subsidie for woolles onely excepted) since which commaundement so giuen and knowen, sundry grieuous cõplaintes haue bene made as well to the kings maiestie, as also to his most honorable counsaile, by diuers of his graces loving subiectes, that the marchants estrãgers and their factors, hauing exceeding benefite, profite and commoditie by reason of the said commandement, haue done and do daily lade and conuey their goods, wares and marchandises, bought within this realme, from and out of the same, in & vpon strangers ships of other realmes in such number at sundry portes, hauens, riuers and places of this realme and the dominions of the same, that the owners of ships, their maisters, mariners, seamen, shipwrights and great multitude of other his graces subiectes, be greatly impouerished to their extreme losses and dammages, whereby no little detriment and decay hath and is likely to ensue to the nauie of this his graces realme of England and the dominions thereof: For reformation whereof, his royall Maiestie of his most excellent wisedome and policie foreseeing the discommoditie as well of his said nauy, as of the people, and with most godly minde intending as well the common wealth of his graces saide nauie and people, as also the successe and effecte of his said commaundement, doth enact by his most royall assent, and by the assent of the lords spirituall and temporall, and of the commons in this present parliament assembled, & by the authority of the same, that from henceforth al and euery person and persons that is or be strangers or aliens borne out of this Realme of England, or in any other place out of our said soueraigne Lorde the Kings obeysaunce being denizens or not denizens, their factours, atturneis, ministers and seruants, that at any time hereafter doe lade or shal cause to be laden any wares, goodes or merchaundises of what kinde, nature or qualitie soeuer it shall be, in any shippe, bottome or vessel of this realme of England, commonly called an English ship, bottome or vessell, during the time of

Strangers Aliens

Strangers Denizens

Denizens

Custome

English ship

the

the ſaid proclamation conteyned, ſhal not be compelled to pay or cauſe to be payde any other cuſtome or ſubſidie, but onely according to the ſaid proclamation. And in caſe that any ſtraunger or alien, borne out of this realme of England or other our ſoueraigne lord the kings obeiſance, being denizen, or not denizē, at any time hereafter frayght or lade, or cauſe to be frayghted or laden any ſhippe, bottome or veſſell of any ſtranger, or outlandiſh perſon, with any wares or merchandiſes frō this realme of England to any outwarde partes, that then the ſame ſtranger or alien ſhall content and pay, or cauſe to be contented and payd to the king our ſoueraigne lord his heires and ſucceſſours, all ſuch and like cuſtomes and ſubſidies, as ſtrangers & aliens borne in other realms haue vſed to pay according to the ancient cuſtoms, vſages and lawes of this realme of England, any thing in this preſent act or in the ſaide proclamation conteined to the contrary thereof in any wiſe notwithſtanding. Prouided alwayes that if there be no ſuch ſhip or veſſel of this realme of England or ỹ dominions of the ſame act, or in the porte, hauen or place where the ſaid ſtrangers, aliens or denizens, their ſeruaūts or factours would fraight and lade their wares and marchādiſe toward the outward regions, that then if the ſaid ſtrangers or denizens, their factours, atturneis or ſeruantes before he or they doe lade, frayght or conuey the ſame goods, wares, commodities or marchandiſes into any ſtrange or ſtrangers ſhip or veſſel, doe notifie and declare the ſame lacke or want of the ſame engliſh ſhips and veſſels vnto the lord high admirall of Englande for the time being, or his lieutenant, deputie or deputies, if that any of them be reſiant at, or in the ſame port or place of lading, or if the ſaid lorde high admirall, ne any ſuch his lieutenant, deputie or deputies be not reſiant at or in the ſaid port or place, thē if they make notice or declaration thereof to the cuſtomer or comptroller of the ſame porte or hauen, or to their deputie or deputies, and do obteyne or cauſe a certificate to be made vnder the ſeale of him, to whome ſuch notice and declarations is made, of lacke of Engliſh ſhips as is aboueſaid, that then it ſhall be lawefull to the ſtraungers and denizens, their factours and atturneys, for lacke & wanting of the ſaid Engliſh ſhips & veſſels, to fraight and lade the ſaid wares & marchandiſes in any ſtraunge ſhip or veſſell at the time being in the ſame port or hauen, and to pay none other ſubſidies & cuſtomes therefore, but as ỹ engliſh marchants being the kings natural ſubiects, do vſe and ought to doe by the lawes and cuſtomes of this realme of Englande, any article or clauſe to the contrarie thereof in this preſēt act conteined in any wiſe notwithſtanding. And further be it &c. ỹ all and euerie owner and owners, maſter and maſters, and other gouernours of engliſh ſhippes or veſſels or any of them, minding and intending to make any voiage or ſayling from the porte of London into the parties beyond the ſeas with his or their ſhip or veſſell, ſhall make publike notice and declaration of his or their ſaid mind and intent of ſailing and voyage in writing, and affixe the ſame writing vnto ſome poſt or other open place or places in Lumbard ſtreete, there to remaine by the ſpace of ſeuen dayes, declaring in the ſame writing to what place or port he or they ſhall ſo intend to ſaile or make his or their voiage, and of the name of the ſhip and ſhips, in the which he or they intend to ſaile, to the intent the marchantes may haue perfite knowledge to prepare ſuch wares as they or any of them will haue conueyed into ſuch parties beyonde the ſeas.

And alſo that the ſaide owner and owners, maſter and maſters, & other gouernours or any of them intend, or make his or their departure from the ſaide porte of London after the fraighting or lading of the ſame ſhippe or ſhippes, at ſuch time and as ſoone as winde and weather will ſerue according to the chart party to be made betweene the ſaide owner or maſter and marchants, without protract of time. And it is &c. that the ſaide owner and owners, maſter and maſters, and o-

Cuſtome

Straunger

Outlandiſh ſhip

Cuſtomes

No Engliſh ſhippe

L. Admirall

Cuſtomer

Certificate

Strange ſhip

Cuſtomes

Owners Maſters

London

Lumberds ſtreete

ther

ther gouernour or gouernours of ships, and euery of them, to his or their power, and forasmuch as in him or them shall be, shall see and prouide that all wares and marchandises, which shall be by the saide marchantes, their factors or seruants or any of them brought into any shippe or vessell, shall bee honestly and in good order saued and kept. Prouided alway and be it &c. that if any marchant stranger or other, finde himselfe agrieued or damnified, by negligent keeping of ỳ said marchandises or wares, or by long delaying or protracting of the time in taking the voyage by the sayde owner, his factour, master or any the mariners of ỳ said ship, otherwise then shalbe agreed betwixt the said marchant, his factor, atturney or seruant, & master or owners in or by the said chart.partie, not being letten by wind or weather, shall and may haue his remedie by way of complaint before the Lord Admiral of England for the time being, his lieutenant or deputie against the said owner or owners, master or masters, gouernour or gouernours, or his or their factor or factors, which Lorde Admirall for the time being, his lieutenant or deputie, shal and may summarily and without delaye, take such order and direction therein, as shall be thought to his or their discretions most conuenient, and according to right and Iustice in that behalfe. Prouided alway that this act or any thing thereinconteined, extend not to giue any libertie, licence, benefite, authoritie, profite or aduauntage, by any maner of meane to any persō or persons borne out of this realme of England, or any other our soueraigne Lord the kinges dominions, of, or for the shipping, transporting, conueying or carying of any maner of woolles, or felles out of the said realme, and other his highnesse dominions, or for any longer time or terme then in the saide proclamation & commandemēt is expressed and declared, any thing in this preſēt acte to the contrary notwithstanding.

Saued

Stranger

Negligence

Complaint & Admirall

Order

Woolles Felles

Prouided alway and be it &c. that this act ne any thing therein conteined, extend or be in any wise preiudiciall or hurtfull to ỳ marchants of Hanse in Almaine, hauing ỳ house in London, commonly called Guihalda Theutonicorum, otherwise called the Stilliarde, but that they and euery of them may doe in all things and in all places, as they & euery of them should or might haue done before the making of this act, and as though this act had neuer bene had ne made, any thing in this acte conteined to the contrary in any wise notwithstanding. So ỳ the same marchants doe onely lade in such bottomes, vessels and shippes, as belong to, and be of their owne portes, territories and dominions priuiledged, or in English bottomes, vessels or ships or bottomes, then they or euery of thē may lade in any straunge bottomes, vessels or ships, in such like forme and maner as they might doe before the making of this act, any thing conteined in the same, to the contrary notwithstanding.

Marchants

Stilliard

Prouided alway, that the Lorde admirall, nor his deputie nor deputies shall in any wise intermit ne meddle with the liberties of the fiue portes, and the members of the same, to execute any authoritie, or iurisdiction to him granted by vertue of this act, but that the warden of the said fiue portes, for the time being, or his deputie, shall or may by the authoritie aforesaid, haue and enioy all such authorities, iurisdictions and liberties, within ỳ saide v. portes, and members of the same, as bene granted to the said high admirall by vertue of this acte within any other porte or place within this Realme, any thing within this present acte to the contrary in any wise notwithstanding. An. 32. H.8. cap. 14.

L. Admirall

v. Ports

Warden of the v. ports

11 ¶ From the first day of Februarie next comming, after ỳ session of this present parliament, vnto the first day of October then following, and so yeerely and from yeere to yeere, beginning at and betweene the first day of Februarie, and the first day of October, it shall and may be lawefull to all and euerie person and persons being of the parties or countries in amitie with our Soueraigne Lorde the kng to conuey or bring into this realme,

Ireland,

Ireland, Wales, Calcis or the marches of the same, or Barwicke, any maner of wines, of the growing of the Duchie of Guien or Galcoin, or of any other part of Fraunce, and Tholouse woade, or any of them, in whatsoeuer shippe or shippes, craier or craiers, boate or boates, or by any other meane, whatsoeuer be or shall be thereof owner, possessour or proprietary, being of the parties or Countries in amitie of our soueraigne Lord, or whosoeuer be thereof master, mariner or mariners in the same, without any forfeiture or penaltie thereof to be had. The said statute (8. Anno 4. H. 7. cap. 10. before 8.) or any thing therein conteyned to the contrary in any wise notwithstanding, Anno 5. E. 6. cap. 18.

Wines

Woad

English ships

12 ¶ Be it enacted that the seuerall acts made in the fift yeere of king Richard the second, the third Chapter, and in the iiii. yeere of the late king of famous memory king Henrie the seuenth, entituled of wine and Tholouse woad, shall be from henceforth cleerely void and of none effect. And neuertheiesse for auoiding of great deceit practised, and now a dayes vsed by sundry subiects borne within this realme of England, and dominions of the same, which enter in the customers bookes, wares and marchādise of aliens borne, in their owne name, whereby the Queenes Maiestie is defrauded in her customes and subsidies, to the great decay of the auncient reuenues of the crowne:

Be it enacted by the authoritie of this present parliament, that al and euerie person and persons being owner or owners of any goodes, wares or marchandises, which after the first day of Januarie next ensuing the sessions of this present parliament, shall in time of peace and when there is no restreinte made of English ships, embarke, ship, lade or discharge by way of marchandise, any wares or marchandise (maltraffe, pitch, tarre, and coyne onely excepted) out of or into any shippe, barke, hoye, vessell or bottome whereof our sayde soueraigne Ladie the Queene her heires or successours, or some of her or their subiects of this realme, or the dominions of the same be not possessioners, or proprietaries, and the maisters vnder God, and the mariners of the same shippe or ships, for the most part be not subiects of our said soueraigne Ladie, her heires and successours, shal answere, yeelde and pay to the vse of our saide soueraigne Ladie the Queene her heires & successours, such custome and subsidie, for such wares and marchandises so shipped, laden or discharged as is aforesaid, rate and rate like, as strangers and Aliens borne out of the obeysance of our said Soueraigne Ladie the Queenes maiestie doe and ought to pay for wares and marchaundises of like nature and kinde.

Mariners

Custome

Strangers

And be it further enacted by the authority aforesaid, that no hoye or plat whereof any English subiect or subiects, is, be or shall be owner or owners at any time after the first day of Januarie aforesayde, from any port, creeke or place of this said realme of England, or any of the dominions of the same, shall trauerse or crosse the Seas in, to, or from any of the portes beyond the Seas, with any wares, goods or marchandise, vpon payne that the sayde owner or owners shall forfaite and lose the same hoy or platte, with all and euery the munition, tackling and other necessaries perteyning thereunto, whereof the one moytie to be to the vse and behoofe of the Queenes said maiestie, her heires & successours, and the other moytie to the person or persons, which will sue for the same, by bill, plaint, action or information, in any her highnes courtes at Westminster, in which case no wager of lawe, protection or essoine shall be admitted.

Hoye

Platte

Crosse the seas

Forf.

Moytie

Prouided alwayes and be it enacted, that it shall be lawfull to the marchants, commonly called marchāts aduenturers, and marchauntes of the staple and euerie of them, at their seuerall fleetes and shippings of cloth and woolle, and eyther of them, from and out of the riuer of Thames, only being made twise in one yeere at the most, to embarke, shippe, and lade any goodes, wares or marchandise in or to any ship, vessell or bottome, belonging or apperteining to any straunger or Alien borne,

Merchants

Cloth Wool

Strange ships

boyne, so long and at such time as there be not shippes, vessels or bottoms, belonging to the Queenes highnes, her heires and successours, or any of her subiectes, in the said riuer of Thames, sufficient in number and apt and meete for the sure & safe conueyance of the wares and marchandise, into ỳ part of Flaunders, Holland, Zeland or Brabant, or any of them, without paying any greater or more custome and subsidie, then English men do and ought to pay, any thing in this act to the contrary notwithstanding: This act to continue & stand in force for the space of fiue yeeres, onely next immediatly following this present sessiõ of parliament, and from thence to the ende of the parliament then next following.

Bristow

Prouided that forasmuch as the marchants of the citie of Bristow, haue sustrined of late great losses at the sea by the enemies, by reason of taking of all their best shippes, with much substance, so that they be not of ability to prouide sufficient ships and vessels of their owne within the time limitted in this present act, that they for lacke of their owne ships or any other vessels, of the Queenes dominions, within fourtie miles of the citie of Bristowe, may loade and embarke their owne marchãdises in strangers bottomes, without paying any other custome then for wares and marchaundises laden in english bottoms: This act or any thing therein contrined to the contrary notwithstanding.

Strange bottomes

Anno 1. El. cap. 14. See here 16.

☞ 13. ¶ For the better maintenance, & increase of the nauy of this realme of England, be it enacted &c. that from the first day of Aprill An. Do. 1564. and so from thencefoyth, it shall be lawefull to all and euery of the subiectes of our soueraigne Ladie the Queene, her heires and successours, at his and their will and pleasure to carie and transpoꝛt out of this realme, in the ships or other vessels of any the subiects afoꝛesaid, al and euery kinds of herring and other seafish, to be taken vpon the seas by any of the subiectes afoꝛesaid, any acte of parliament or law to the contrary notwithstanding. And that all and euery person and persons, which shall by vertue of this Acte, transpoꝛte or carrie any herrings or other Seafishe, from or out of any Poꝛte or Harboꝛowe of this realme, to any place out of ỳ dominions of the Queenes Maiestie, her heires or successors, shall be free from payment of any custome, subsidie or pondage money for the same fish so caried or transpoꝛted, during the space of foure whole yeeres, beginning at the sayde first day of Aprill 1564. & so further during her Maiesties pleasure.

Transpoꝛt

Herring Seafish

Free Customs

4. Yeeres

And be it further enacted that from the first day of May nexte comming, it shall not be lawefull to any person or persons in any poꝛtes, citie, towne, market or other place within this realme, to set price, make any restraint, or take or demaunde tolle or tare of any seafishe to be brought into this realme or any parte thereof, being taken by any of the subiects afoꝛesaid in the shippes or other vessels of the same subiectes, vpon payne to euery person offending contrary to the meaning hereof, to forfait the value of the fish so restrained, prised, tolled or tared: Any libertie, custome, graunt, priuiledge or other matter whatsoeuer to ỳ contrary in any wise notwithstanding.

Price

Tare Seafish

Forf.

Prouided alwaps that this present act nor any thing therein conteined shall be preiudiciall or hurtfull to the Maioꝛ and burgesses of the kings towne vpon Hull, or their successours Maioꝛs and burgesses of the same towne, or to any other officer, or minister of the same towne at any time hereafter, but that they and euery of them may receiue, haue, and take all and euery such tolle, customes & summe of money of al and euery such person and persons as is limitted, appointed and set foꝛth by them to be taken, in an act of parliament made in the xxviii. yeere of the raigne of our late soueraigne lord king Henry the viii. And that neither the saide Maioꝛ and Burgesses of Kingston vpon Hull, or any inhabitaunt there, or any of them shall take any aduantage of the article of this estature, for the carriage of any herringes or salted fishe to any parties

Maioꝛ Hull

Customes

beyonde

beyond the sea: Any thing in this present act mencioned, conteined, specified or declared, in any wise to the contrary notwithstanding.

Purueyour

Be it also enacted &c. that no purueyour or other person whatsoeuer, shall frō the said first day of May by vertue of any commissiō or otherwise, take any herring or seafishe from any of the subiectes afore mencioned, that shall take the same in the ships or other vessels of the said subiectes, as it is aboue saide, otherwise then by agreement of the owners, or sellers of the same fish, vpon paine for euery purueior and other person whatsoeuer, offending contrary to the tenour of this acte, to forfeite the double value of the herringes or fishe so to be taken. And it shall be lawful for any person being owner or seller of any such seafish so taken as is aforesaid, to withstand any person that wil (by any colour of purueying or otherwise) demand any such fish, or the tolle of any such fishe without the good wil of the owner or seller as aforesaid.

Seafish

Agreement

Forf.

Withstand

Compositiō fish

Prouided, that the fishe called composition fishe, heretofore graunted to the Queenes maiestie, by the subiects of this realme, traueiling into Iseland, shall be taken by her maiesties officers and purueiours in such sort as the same hath bene lawefully vsed to be taken before the making of this act, & sauing to the Queenes maiestie her heires and successours, and to al other persons, such fishes as be knowen and vsed to be called Regall fishes, whereunto her maiestie or the saide other persons, haue or shall haue right or interest, for such recompence as heretofore hath bene accustomed.

Regal fishes

And be it further enacted &c. that from the said first day of Aprill, which shall be in the yeere of our lord God 1564. it shal not be lawefull to any person or persons, to buy of any straunger borne out of the Queenes maiesties obeisance, or out of any strangers bottome, any Herring being not sufficiently saited, packed and caſked, vpon paine to euery person and persons so buying, to forfaite the herrings so by him or them to be bought, or the value thereof.

Buy

Strange bottome Herring

Forf.

Prouided alwayes, that this branch of this act shall not extend to any herringes to bee bought, which by reason of shippewracke shal be brought into this realme, but that it shall be lawefull to all and euery person & persons, to buy all such herrings so brought in by shipwracke as aforesaide, as he or they lawefully might haue done before the making of this act. Any thing in this act conteined to ꝑ contrary in any wise notwithstanding.

Herringes

Shipwrack

Be it also further enacted &c. that from the feast of Sainte Iohn Baptist nexte ensuing, it shall not be lawefull to any person or persons, to cause to be laden and caried, in any Bottome or Bottoms, whereof any stranger or strangers borne thē be owners, shipmasters or part owners, any kind of fish, victual, wares, or thinges, of what kinde or nature soeuer the same shall be, from one porte or creeke of this realme, to an other port or creeke of the same realme, vpon payne to euery one that shall offende, contrary to the true meaning of this branch of this present act, to forfeite all the goods so laden or caried, or the value thereof. And that from henceforth al english hoies and plattes may crosse the seas, as farre as Cane in Normandie, and Eastward as farre as Norway, the statute made in the first peere of the Queenes Maiesties raigne (before 12.) to the contrary hereof notwithstanding. (But nowe see here 16.)

Strange bottome

Victaile Wares

Forf.

Hoyes Plattes Crosse seas

And for as much as there is much deceiptfull packing vsed in Cod and Lings brought in barrels and other caskes into this Realme: Be it therefore enacted &c. that from and after the first day of Aprill in the peere of our Lorde God 1564. it shall not be lawfull to any person or persons to bring into this Realme any Cod or Linges in barrels or other caskes, but lose in bulke and by tale to bee sold within this Realme, vpon paine for euery one that shall offende contrary to the tenour hereof, to forfaite all the Codde and Linges, so to be brought in, or the value thereof.

Codde Lings

Forf.

And

And be it further enacted, that from the feast of saint Michaell the archangell nexte following, no person or persons whatsoeuer, shal bring into this Realme of England, or any part of the same, any wine comming out of any of the dominions or countreys belonging to ỳ crowne of Fraunce, or any woad called Tholouse woad in any other vessell or vessels, but onely in such vessell and vessels whereof some subiect or subiects of the Queenes maiestie, her heires or successours, shalbe then onely owner, or parte owner, vpon paine to forfeit al wines & woad brought contrary to ỳ meaning hereof, according to the meaning of a Statute made in the time of the raigne of King Henrie the seuenth, concerning wine of the Duchie of Gascoine and Guyon (before 8.) except that there may be brought into Wales, or any porte within the countie of Monmouth, Rochell wines.

Wine
Woad
English ship
Fort.
Wales Rochell wines

Be it also enacted by the authoritie aforesaid, that from henceforth it shall be lawefull to all and euery owner and owners of shippes or vesselles, and to euery housholder vsing and exercising the trade of the Seas, by fishing or other wise, and to euery Gunner or Gunners, commonly called Cannoners, and to euery shipwright, to take and keepe one or more apprentice or apprentices to be brought vp in the sayde trade or trades, euery of the same apprentice, or apprentices to be to them bounde, for tenne yeeres or vnder. And euerie apprentice so taken, being aboue vii. yeeres of age, shalbe by the same couenants bound, ordred and vsed, to all intentes according to the custome of the city of London, so that the same couenant or bonde of apprentiship be made by writing, indented and inrolled in the towne where the same apprentice shalbe then inhabiting, if it be a towne corporate, and if the towne be not incorporate, then to be enrolled in the next towne incorporat to the habitation of euery such apprentice. And that the officers of euery such towne corporate, shall take for euery such enrolment not aboue xii.d. Any law, statute or other matter whatsoeuer, to the contrary notwithstanding.

Owners Fishermen
Gunner
Shipwright Apprentice
Custome of London
Indenture
Enrolled
xii.d.

And be it further enacted, that so much of the statute made in the v. and vi. yeeres of the late king Edward the vi. intituled, An act agaynst regrators, forestallers, & ingrossers (before in Forestallers. 4.) And so much of all other estatutes agaynst all regrators, forestallers, and ingrossers, as doth and may concerne the buying of sea fish vnsalted, or mudde fish, or any wine, oyle or salt, to be taken and brought in any English subiectes ships, Craiers or other vessell, into any port, creeke or place of this realme, shall from henceforth to al intents, constructions and purposes, be vtterly repealed and voyd for so much of the said oyles, wine, seafish, mudde fishe and salt, as any buier or buiers vpon the sea by waye of forestalling or regrating, shal or do bring and discharge in any port or hauen within this realme. But See this statute somewhat altered at this day, as is noted in Forestallers. 4. in the ende, by 13. El. cap. 25. And be it further enacted by the authoritie aforesaide, that from the feast of saint Michaell the Archangell in the yeere of our Lorde God 1564. euery Wednesday in euery weeke through the whole yeere, which heretofore hath not by the lawes or customes of this realme bene vsed and obserued as a fish day, and which shall not happen to fall in Christmas weeke or Easter weeke, shalbe hereafter obserued and kept as ỳ Saterdaies in euery weeke be, or ought to be, & that no maner of person shall eate any flesh on the same day, otherwise then ought to be vpon the common Saterday.

Heafish Wine Oyle Salt
Repealed
Wednesday
Fishday

And be it further enacted by the authoritie aforesaide, for the benefite and commodities of this realme, to growe as wel in maintenaunce of the Nauie, as in sparing and increase of flesh victuall of this realme, that from and after the feast of Pentecost nexte comming, it shall not be lawefull to any person or persons within this realme, to eate any flesh, vpon any dayes now vsually obserued as fishdayes, or vpon any Wednesday nowe newly limitted to bee obserued as fishe day, vpon payne that euery person offending herein shall

Flesh Fishdayes

Forf. iii.li.

shall forfaite three pounde for euery time he or they shall offend, or else suffer three moneths close imprisonmēt without baile or mainprise. And euery person or persōs within whose house any such offence shal be done, & being priuy or knowing thereof, and not effectually punishing or disclosing the same to some publique officer, hauing auctho͂itie to punish ꝑ same, for euery such offence to forfaite xl.s. All which forfaiture for not abstaynyng from meates, shall be deuided into three equall partes. That is one part to the vse of the Queenes Maiestie, her heires or successours, the other part to the informer, the third part to the cōmon vse of the parish, where the offence is or shalbe committed, and to be leuyed by the Churchwardens, after any conuiction in that behalfe. Prouided alwayes, and be it enacted, that this act nor any thing therein contayned, concerning eating of flesh, shall in any wise extend to any person or persons, that shal hereafter haue any speciall licence, vpon causes to be contained in the said licence, and to bee graunted according to the lawes of this Realme in such cases prouided. All and euery which sayde licence and licences, shall be voyde to all intents, vnlesse the same contayne the conditions hereafter mentioned. That is to say, euery licence made to any person or persons, being of the degree of a Lorde of Parliament, or of their wiues, shalbe vpon condition that euery such person so to bee licenced, shall pay to the poore mens boxe within the parish where they shall dwell or remayne, in the feast of the Purification of the blessed virgine Mary, or within sixe dayes after the same feast. xxvi. s. viii. d. The same to be payed within one moneth next after the same feast, vpon payne of forfaiture of euery such licence. And euery licence to any person of the degree of a knight, or a knightes wife, shall be vpon condition, that euery such person so licenced, shall pay yeerely thirteene shillings foure pence, to the vse aforesayde, and in forme afore mentioned. And euery licence to any person or persons, being vnder the degree aboue sayd, shall bee vpon condition that euery such person so licenced shall pay yeerely vi.s. viii.d. to the sayd vse, and in forme afore mentioned.

Imprison Wamprise

Housholder

Forf. xl.s.

Churchwardens

Licence

Lord of the parliament

Poore

Forf.

Knight

Poore

Prouided alwaies, that no licence shal extend to the eating of any breues at any time of the yeere, nor to the eating of any veale in any yeere from the feast of Saint Michael tharchangell, vntill the first day of May.

Beefe

Prouided also, that all persons which by reason of notorious sicknes, shalbe enforced for recouery of health to eate flesh, for the time of their sicknes, shall be sufficiently licenced by the Bishop of the diocesse, or by the parson, vicar, or curate of the parish where such person shalbe sicke, or of the next parish adioyning, if the sayd parson, vicar, or curate of his or their owne parish be wilfull, or if there bee no curate within the same parish. Which licence shalbe made in writing, signed with the hande of the Bishop of the diocesse, or of the parson, vicar, or curate, and not endure longer then the time of the sickness. And that if the sicknesse shall continue aboue the space of eyght dayes after such licence graunted, then the licence shall be registred in the Church booke with the knowledge of one of the Churchwardens, & the party licenced shal giue to the curat iiii.d. for the entry therof. And that licence to endure no longer but only for the time of his, her, or their sicknesse. And if any licence by any parson, vicar, or curate, be graunted to any person or persons, other then such as euidently appeare to haue neede thereof by reason of their sickness, not only euery such licence shalbe voyde, but also euery such parson, vicar, or curate, shall forfaite for euery such licence otherwise graunted fiue markes. Prouided also and be it enacted, that all licences heretofore granted to any subiect of this realme, by any of the late kings, or by the late Queene Mary, or by the Queenes maiesty now being, or by any Archbishop of this realme, hauing auctho͂itie so to do, shalbe of as good force in law for the wednesday now limited, & other accustomed fish daies, as they were before the making

Sicke persons

Bishop Parson Vicar Curat

8. dayes

Church booke

iiii. pence

Forf.

Wednesday

Fish dayes

of this act, for ỳ ſaid other accuſtomed fith dayes, ſo as ỳ parties licẽced do hereafter obſerue al ſuch cõditions, as be limited in this eſtatute to ſuch as hereafter ſhall obtaine any licences. And ſuch perſons alſo as heretofore were or ought to be licẽced, by reaſon of age, or other impediment or cauſe, by order of the eccleſiaſtical lawes, ſhall enioy the ſame priuiledge & accuſtomed licẽces, any thing in this act to ỳ cõtrary hereof in any wiſe notwithſtãding.

Old perſons

And be it enacted, that no forfaiture of Shippe, Craier, or other veſſel, or of any apparell of the ſame, nor any other penaltie or forfaiture, ſhalbe extended or grow againſt any owner or owners of any ſhippe, craier, or other veſſel, for the trãſporting or carying of any wheat, or other corne, or things prohibited by the eſtatute made in the Parliament holden the firſt and ſecond yeeres of king Philippe and Queene Mary, (after in Victaile 15.) vnleſſe the ſame owner or owners ſhalbe witting, knowing, ayding, or conſenting to the prohibited tranſporting or carying, the ſayd eſtatute, or any thing therein mentioned, to the contrary notwithſtanding.

Wheate Corne

And be it further enacted &c. that all & euery perſon & perſons, which be or ſhall be by the lawes & ſtatutes of this realme or otherwiſe, auctho̅ized to ſell wines by retayle, in the ſeuerall counties and places where they be, or ſhall be ſo auctho̅ized, ſhal and may from henceforth ſell the ſame wines by pynt, quart, pottel, gallon or otherwiſe, at ſuch price or prices, and in ſuch forme, as ſhall be limited by the Queenes maieſties Proclamation in the coſtly or place made with ỳ aſſent of ſuch Lordes, & other perſons, as by the ſtatute made in the 28. yere of the raigne of king Henry the eyght, (after in Wines 20.) were auctho̅ized to ſet price vpon wines in groſſe, without any paine or forfaiture for the ſame: Any law, vſage, or eſtatute heretofore made or had to the contrary hereof in any wiſe notwithſtanding.

Wiues Retaile

Price

Proclamation

And be it further enacted, that from & after the feaſt of S. Michael the Archangell next comming, it ſhall be lawfull to all and euery perſon and perſons, being ſubiectes of the Queenes Maieſtie, her heires & ſucceſſors, only out of ſuch ports or creekes, as by the Queenes Maieſties proclamation hereafter ſhall be publiſhed and appointed, & not els where to loade, carry, or tranſport any wheate, Rie, Barley, Malt, peaſe or beanes into any parts beyond the Seas, to ſell as a marchãdiſe in ſhips, traires, or other veſſels, whereof any Engliſh borne ſubiect then ſhalbe the onely owners, ſo that the price of the ſaid cornes or graines ſo caryed or tranſported, exceede not the prices hereafter following, at the times, hauens, & places where & when the ſame corne or grayne ſhalbe ſhipped or laden. Vz. the quarter of wheate at x.s. the quarter of Rye, Peaſe, or Beanes, at viii.s. the quarter of Barley or Malt at vi.s. viii.d. of currant money of England: Any lawe, vſage, or ſtatute heretofore made to the contrary hereof in any wiſe notwithſtanding. And where doubt hath heretofore bene, whether the ſtatute in ỳ xviii. yere of ỳ raigne of king Henry the firſt, (before in Captaines 4.) heretofore made againſt ſouldiours reteined, which depart from their Captaines without licence, did, or ought to extend vnto mariners & gunners, ſeruing on ỳ ſeas, taking wages of the king or Queene of this realme: Be it expreſſed, ordained, enacted & declared, by auctho̅itie of this preſent Parliament, that the ſaid eſtatute made in ỳ ſaid xviii. yere of the raygne of king Henry the vi. in all paines, forfaitures and other things did, doth, and hereafter ſhall extend, aſwell to all and euery mariner and gũner hauing taken, or that ſhall hereafter take yrell or wages to ſerue the Queenes Maieſtie, her heires or ſucceſſors, to all intents and purpoſes as the ſame did or doeth vnto any ſouldier: any diuerſities of opinion, doubt, matter or thing to ỳ contrary hereof in any wiſe notwithſtanding.

Price

Partners

Gunner

And where an eſtatute concerning ſowing of flaxe and hempe, was made & prouided in the parliament holden the xviii. yere of the raigne of our late ſoueraygne Lord king Henry the eight, (which ſee before

Flaxe Hempe

before in Flaxe & Hēpe 1.) to be vniuer-
Nettes sal through euery countie of this realme,
for ꝑ better prouision of nettes, for helpe
& furtherance of fishing, & for eschewing
of poleneſſe: Be it ordained & enacted by
auctoritie of this preſent parliamēt, that
in euery ſuch Countie of this realme, or
part of ſuch county, where by ꝑ Queenes
Maieſties proclamation it ſhall hereafter
be publiſhed, the ſaid eſtatute to be cōmo-
dious or profitable for the cōmon wealth,
The ſaid eſtatute, & euery clauſe, article
& prouiſion therein contained, be & ſhalbe
reuiued & ſtand in full force & ſtrength to
be executed & performed from the feaſt
of S. Michael the Archangell next com-
ming, in all things, other then in the pro-
portion of a Roode or fourth part of an
acre, and in the paine of iii.s.iiii.d. by the
ſaid eſtatute limitted. In place whereof,
be it ordained & enacted by the auctority
aforeſayde, that in euery caſe and degree,
where by ꝑ ſaid former eſtatute, or road,
or fourth part of an acre is limitted to be
ſowen with linſeede, otherwiſe flaxe ſeede
or hempe ſeede, from the ſaid feaſt of S.
Michael the Archangel next cōming: In
ſteede & liewe of the ſayd Road or fourth
part of an acre one whole acre, or leſſe, as
by proclamation in forme aforeſaid ſhalbe
limited, ſhalbe ſowē with linſeede, other-
wiſe flaxe ſeede, or hempſeede, vpō paine
Fault of forfaicture of v.li. for euery ſuch default
or offence. And further be it ordained &c.
that all & euery ſuch of the offences before
Offence on the ſea mēcioned, as hereafter ſhalbe done on the
maine Sea or coaſtes of the ſea, being no
part of ꝑ body of any coūty of this realme,
& without the precinct, iuriſdiction, & li-
v. Portes bertie of the ſinque portes, & out of any ha-
uen or peere, ſhalbe tried and determined
L. Admirall before the lord Admiral of Englād or his
lieutenant, deputy or deputies, and other
Juſtices of Oyer & terminer, according
to the forme of ꝑ eſtatute of An. 28. H.8.
for cauſes of piracy (after in Trial 8.) And
if the ſame ſhalbe done on the maine ſea,
or coaſtes of the ſea, within the iuriſdictiō
or libertie of the v. portes, & out of any ha-
uen or port, then the ſame to be tryed and
Warden of the v. portes determined before the ſaid Lorde warden
of the ſayd v. portes, or his lieutenaunt or
Judge, or before Juſtices of Oyer & ter-
miner, according to the true forme of the
ſaid eſtatute of An. 28. H. 8. for cauſes of
piracy. And for all & ſingular ſuch other
of the offences before mentioned as ſhall
be done in the land, or within any hauen,
or peere: all Juſtices of the peace in their Juſt. of p.
ſeſſions, and Maiors, Sherifes, and bai- Maior
liffes, and other head officers in cities and Sherifes
townes corporate in their ſeſſions, or o- Bailifes
ther courtes, within the liberties of their Seſſions
commiſſions or auctorities ſhal haue ful
power & auctoritie to enquire of the of- Enquire
fenders of this act, as wel by the othes of
twelue men, as otherwiſe by informatiō, Informatiō
and thereupon to heare & determine the Oyer & ter.
ſame. And if any perſon or perſons ſhall
be preſented before the ſaid Judges, Juſti-
ces, or officers within the limits of their
auctorities, or any information giuen to
them of any offender of this act, that then
they ſhal haue full power and auctoritie
vpon any ſuch preſentmēt, or information
to make proceſſe againſt the offenders of Proces
this act, like as is cōmonly vſed vpon in-
dicements of treſpaſſe. And if any be pre-
ſented, & afterward be conuicted by con- Conuict
feſſion or otherwiſe, that then euery ſuch
perſon ſhal ſuffer no leſſe forfaiture or pu-
niſhment then herein is before limitted:
All which forfaitures to be leuied in ma- Leuie
ner and forme following. That is to ſay,
ſuch forfaitures cōcerning eating of fleſh,
as are before limitted to certaine vſes, to
be to the ſame vſes in that behalfe before
expreſſed, & all ſuch forfaitures as accor-
ding to the tenor of this act ſhall be deter-
minable before the ſaid Judges, Juſtices,
or other officers of ꝑ Admiralties afore-
ſayd, or before commiſſioners of Oyer &
terminer in that behalfe, ſhalbe to the vſe
of the Lord Admiral of England, or lord
Warden of the v. portes, where ſuch of-
fence ſhall be preſented, or where as the
iuriſdiction of the cauſe ſhal appertayne.
And al ſuch forfaitures, as according to ꝑ
tenour of this act, ſhalbe determinable be-
fore Maiors, Sherifes, Bailifes, or other Maiors
head officers of cities or townes corporat Bailifes
ſhalbe to the cōmon vſe of the corporatiō Sherifes
Vſe

of the ſaid city or towne corporat, where ſuch offentes ſhalbe preſented, or where as the iuriſdiction of the cauſe ſhall apperrayne. And all ſuch forfaitures, as according to the tenor of this act, ſhalbe determinable before þ Juſtices of the peace ſhalbe to the vſe of the Queenes maieſtie her heirrs and ſucceſſors. And if any perſon ſhalbe conuict by confeſſion or otherwiſe vpon any information made by any perſon or perſons agaynſt any offender or offenders of this act, in any cauſe, faur for þ eating of fleſh, firſt before ſpecially limited: that then euery ſuch perſon ſo conuict vpon any information, ſhall loſe ſuch forfaiture as is before limited, the one halfe thereof to bee to ſuch as ſhall make þ information, & the other halfe to thoſe which vpon preſentment, without ſpecial information, are before limitted to haue þ whole forfaiture. And that for the keuping of euery forfayture growing by this eſtatute, aſwell the ſaid Lord Admirall of Englande, Lorde Warden of the fiue ports, their lieutenãts, & Judges, as þ ſaid Juſtices, Maiors, Sherifes, bailifes & other head officers vnin þ limites of their commiſſions, or iuriſdictions, haue and ſhall haue full power and authority to make ſuch proces, as they ſhall thinke good by their diſcretions.

Juſt. of p.

Informer

Fort.

L. Admirall
L. Warden
Juſtice
Maiors
Sherifes
Bailifes

Execution
Diſcretion

Prouided alwaies, that none information at the ſuit of any perſon concerning this acte, ſhalbee of any effect to put any perſon to aunſwere or loſſe of forfeiture, except the ſaid information be commenced within halfe a yere next after the offence done contrary to this act, nor that any information or preſentment for the queenes maieſtie, her heires or ſucceſſors, or for þ Admiral, Warden of the fiue ports, maiors or other officers aforeſaide, be of any effect to put any perſon to any aunſwere or loſſe of any forfaiture by vertue of this acte, except the ſame information or preſentment bee within one yere next after the offence done & committed contrary to this act.

Informatiõ

Halfe yere

One yere

Prouido & be it likewiſe enacted, that it ſhalbe lawefull to any perſon or perſons, to haue at his or their table vpon euery Wedneſday, being ordered by this eſtatute to be obſerued as fiſh day, one onely vſual cõpetent diſh of fleſh, of one kinde & no mo, ſo that he, ſhe, or they haue alſo ſerued to the ſame table & meſſe at the ſame meale, iii. ful cõpetent vſuall diſhes of ſea fiſh, of ſundry kinds either freſh or ſalt, & that without fraude or couin, & ſo ſhal alſo order, that the ſame fiſh be meete & ſeaſonable, & that it ſhalbe eate or ſpent in like maner as vpon Fridayes & Saterdayes in like caſes are vſed. And that alſo ſuch perſons as haue, or hereafter ſhal haue vpon good & iuſt cõſiderations, any lawfull licẽce to eate fleſh vpõ any fiſh day, except ſuch perſons, as for ſickneſſe ſhall for the time be licenced by the Biſhop of the diocelle, or their curates, or ſhall be licenced by reaſon of age, or other impediment allowed heretofore by the Eccleſiaſticall lawes of this Realme, ſhall be bound by force of this ſtatute, to haue for euery one diſhe of fleſh ſerued to be eaten at their table, one vſuall diſh of ſea fiſh, freſh or ſalt, to be likewiſe ſerued at the ſame table, & to be eaten or ſpent without fraude or couin as the like kinde is, or ſhall be vſually eaten or ſpent on Saterdayes. And that theſe two articles & clauſes next aboue, ſhall be taken and interpreted from time to time in the fauour of expences of ſea fiſhe, and that the offender or offenders herein, ſhall be puniſhed in like maner as is ordered by this eſtatute, for puniſhment of ſuch as ſhal eate fleſh vpon fridayes, ſaterdayes, or other fiſh dayes. And becauſe no maner of perſon ſhall miſiudge of the intent of this ſtatute, limitting orders to eate fiſh, & to forbeare eating of fleſh, but that þ ſame is purpoſely intended & meant politikely, for the increaſe of fiſhermen & mariners, & repairing of Port townes & nauigation, & not for any ſuperſtition to be maintained in choyce of meates: Bee it enacted, that whoſoeuer ſhall by preaching, teaching, writing, or open ſpeach, notifie, that any eating of fiſhe, or forbearing of fleſh mẽtioned in this ſtatute, is of any neceſſity for the ſauing of the ſoule of mã, or þ it is þ ſeruice of God, otherwiſe then as other politike lawes are and bee, that

Wedneſday

Diſh of fleſh

3. diſhes of fiſhe

Licence
Sickneſſe

Age

Fleſh

Fiſhe

Puniſh

Preache
Write
Speache

Punish

that then such person shall be punished as spreaders of false newes are, or ought to be. (which S. before in Newes, 1. 2. & 3.)

Fishermen Mariners

Be it enacted in the fauour of Fishermen & Mariners, haunting the seas as Fishermen or Mariners, that none of them shal

Compell Soldiour

hereafter at any time be cõpelled against his or their wil, to serue as any souldiour vpon the land, or vpon the sea, otherwise then as a Mariner, except it shall be to serue vnder any captaine of some shippe or vessell for landing, to doe some speciall exployte, which Mariners haue vsed to do, or vnder any other person hauing auctoritie to withstand any inuasion of enemies, or to subdue any Rebellion within the realme, & also except all such persons

Tenure

as by tenure, lawful custome or couenãt, be or shalbe otherwise bound to serue.

Liberties Priuiledge Wrecks

Prouided alwaies, that this act or any thing therein cõtained, shall not extend to take away or diminish any libertie, priuiledge, frãchise, forfaiture or amerciamẽt, fines, issues, wrekes of the sea, or any other lawfull inheritãce or free hold, from any person or persons, bodies politike or corporate, their heires or successors, for or touching any lawful liberty, auctoritie, or iurisdictiõ admiral, or for cõseruatiõ of any water, þ they or any of thẽ now haue lawfully or hereafter shal haue: any thing in þ same to the cõtrary notwithstãding.

Fishermen

Prouided alwayes, that no Fisherman, vsing or haunting the sea, shalbe taken by

Commission Mariner

the Queenes Maiesties commission, to serue her highnesse as a Mariner on the sea, but that the sayd commission be first brought by her highnesse taker or takers,

Iustice of p.

to two Iustices of peace adioyning & inhabiting, to the sayd sea coastes, townes, or other places, where the saide mariners are so to be taken, to the intent the sayde Iustices may choose out, and cause to be returned such sufficient number of able men, as in the said commission shalbe conteined, to serue her Maiestie as is afore said, Sauing alwaies to the

Cinque portes Yarmouth Liberties

cinque ports, & also to the towne of great Yarmouth, all such lawfull liberties, as they iustly haue before the making of this act, touching the free faire kept at Yarmouth, o-

Faire

ther thẽ in buying of strangers, & taking of toll, as the same be before prohibited.

Strangers Tolle

Prouided alwayes, that any thing in this act contained, shall not be hurtfull or preiudiciall, to any auctoritie, stile, preheminence, dignitie, or iurisdiction, belonging to the office of the Lord warden of the Cinque portes.

L. Warden

Prouided alwayes, that it shall & may be lawfull, to & for any person or persons being strangers borne, to bring perely in

Strangers

any shippe, bottom, or vessel, whereof any

Strange bottome

stranger or strangers borne, is or shall be owner or owners, into the hauẽs, ports, & townes of the Isle of Man, or into any of them any wines made in any of the dominions or coũtries belonging to þ crowne of Fraũce, & in the same ports & townes, or any of them, to discharge þ sayd wines so to be brought, so þ there be not brought and discharged by the same strangers, in any such strangers shippes, bottomes, or vessels in any one yeere, in or at the sayd hauens, portes, & townes, or any of them, aboue one C. tunnes at the most: this act

100. tunnes

or any thing therein contained to the contrary thereof notwithstanding.

Prouided also, that it shall and may be lawful to & for any person or persons being strangers borne, to bring perely in a-

Stranger Strange bottome

ny shippe, vessel, or bottome, whereof any stranger or strangers borne is or shall be owner or owners, into the hauen, port, & towne of Chepestow, in the Countie of

Chepestow wines

Monmouth, any wines made in any of þ said dominions or coũtries belonging to the said crowne of Fraunce, ouer and be-

Fraunce

sides all Rochel wine, heretofore in this act allowed to be brought, & in the same port & towne to discharge the said wines,

Discharge

so that there be not brought & discharged by the same strangers, in any such strangers shippes, bottomes, or vessels in any one yere, in or at the said hauen, port, and towne, aboue one hundreth tunnes at the

100. tunnes

most. This act, or any thing therein contained to the contrary notwithstanding.

Prouided also, that it shalbe lawful to & for any person or persons being strangers borne, to bring perely in any shippe,

Strangers Strange bottome

vessell, or bottome, whereof any stranger

or straungers borne, is or shall be owner or owners into the hauens, portes, and towne of Cardike, Carneruon, Bewmaries, and other hauens, portes & townes, in South Wales, and North Wales, or any of them, and into the hauen, port, and towne of Newport in the sayd countie of Monmouth, any of the saide wines made in any of the said dominions or countries belonging to the sayd crowne of Fraūce ouer & besides all Rochel wines, heretofore in this act allowed to be brought, and in & at the same ports and townes, or any of them, to discharge the said wines so to be brought, so that there be not brought & discharged by the same strangers in any such strangers ships, bottoms, or vessels, in any one yere, in, or at the said hauens, portes, & townes, or any of them, aboue one hundreth tunnes at the most, This act or any thing therein cōtayned, to the contrary thereof notwithstanding. Sauing vnto the Queenes maiesty, her heires & successors, al such dueties & things which her highnesse, her heires and successours ought to haue, enioy, and be answered & payed for the sayd three hundreth tunnes of wines, mentioned in the sayd three last prouisoes, to be brought and discharged, as in the same iii. prouisoes bene mentioned and declared: Any thing in this act to the contrary thereof notwithstanding. Prouided also, & be it further enacted by the aucthoritie aforesaid, that this act or any thing or things therein contained, shal not in any maner of wise extende to giue vnto the lord Admirall of Englād for the time being, or to any his vice Admirals, Judge or Iudges of þ Admiraltie, his or their deputie or deputies, or to any other the officers or ministers of þ Admiraltie, or to any others hauing or clayming any Admiral power, iurisdictiō or aucthoritie within this Realme & Wales, or any other the Queenes dominions, any other power, right, iurisdiction, preheminence or aucthority then he or they, or any of thē lawfully haue, hath or had, or ought to haue & enioy before þ making of this act, other thē for such of the offences specified in this act, as hereafter shalbe done vpō þ maine sea, within the iurisdiction of þ Admiralty: This act, or any article, clauche, clause, prouisiō, or thing therein cōtained to the contrary there of notwithstanding. This act shal continue & endure vntil the ende of 7. whole yeres, to be accōpted frō the feast of S. Michael, which shalbe in þ yere of our Lord God 1564. & frō thence to the end of the next parliament then following the ende of 7. yeres. An. 5. El. cap. 5. See here following 15. & 16. certaine alterations of parts of this statute. *

14 ¶ For sundry good causes & considerations in this high Court of Parliament, Be it &c. that no maner of person or persons, of what estate, degree, or condition soeuer he or they be, shal after þ last day of February next ensuing, bying, deliuer, send, receiue or take, or procure to be brought, deliuered, sent or receiued, into any shippe or bottome, any Rammes, sheepe, or lambes, or any maner of other kind of sheepe, being aliue, to be caryed & cōueyed out of this realme of England, Wales, or Ireland, or out of any of the Queenes highnesse dominions, vpon the paine that euery such person or persons, their ayders, abbettors, procurers, & comforters, shal for his or their first offence or offences so done cōtrary to the true meaning of this estatute, forfait & lose all his goods for euer, whereof þ one moity shal be to the Queenes Maiesty, her heires & successors, the other moity to him or them that wil sue for þ same in any court of record, wherein no essoine, protection, nor wager of law for the defendant shalbe admitted or alowed. And further, euery such offder or offenders shal suffer imprisonmēt by þ space of one whole yere, without baile or mainprise, & at þ yeres end shal in some open market towne, in the fulnesse of the market, on þ market day, haue his left hand cut off, & that to be nayled vp in þ openest place of such market. And that euery persō or persōs essoines offēding against this statute, shalbe adiudged a felō, & shall suffer death, as in cases of felony. Prouided alwayes, that this act shall not extend to any corruption of blood, or be preiudiciall or hurtfull to any woman claiming

Wales
Fraunce
Discharge
100. tunnes
L. Admiral
Judge of thadmiralty
Rammes
Sheepe
Lambes
Transport
Fait.
Spoile
Imprison.
Mainprise
Hand cut off
Felony
Blood

No wer claiming dower by or from any such offender or offenders: Any thing in this act to the contrary notwithstanding.

Iust. of oyer and ter. Iust. of g. delinerie Iust. of p. And be it further enacted by the auctho-ritie aforesayd, that the Iustices of Oyer and terminer, Iustices of gaole deliuery, and Iustices of peace, in euery Countie and shire within this realme of England and Wales, and other the Queenes Maiesties dominions, shall haue full power and auctority by vertue of this act, to en-Enquire quire of euery offender & offenders, con-trary to the forme and effect of this act, & Oyer & ter. to heare and determine euery offence and offences, committed, perpetrated, & done, contrary to the fourme and effect of the same, according to the course of the lawes of this realme. An. 8. El. cap. 3.

☞ 15 ¶ For as much as the act made in the first peere of the Queenes Maiesties raygne, touching certaine politike con-stitutions made for the maintenance of the Saule (before 13.) is found by expe-rience to be very good, & greatly to haue increased the Nauy and Fishermen, and caused many poore men to be set a worke, and is in great likelihoode daily to in-crease the same more and more: Bee it enacted by auctoritie of this present par-liament, that so much of the sayd act, for Transport Herring Sea fish libertie of transporting of herring and Sea fish, by the naturall borne subiectes of your Maiestie, your heires or succes-sours, and for freedome from paying of No customs any custome, subsidie, or pondage money, shall be reuiued, and shal from henceforth continue for the space of sixe yeeres from the ende of this session of Parliament, and from thencefoorth to the ende of the next parliament, after the said sixe yeeres to be summoned, & from thencefoorth du-ring your Maiesties most gratious plea-sure, so that such transporting be in vel-Crosse sailes sels with crosse sayles.

And where also in the said act, made in the sayd fift yere, amongst other thinges, all maner of persons are generally for-bidden to bring into this Realme any Coddes Linges Coddes, or Linges, in Barrels or other Caskes, vpon payne of forfaiture of all the Coddes, and Linges so to be brought in, or the value thereof, contrary to the tenor of that act.

Forasmuch as by that braunche of the sayd statute, it was wel intended & meant to meete with the fraude of strangers and other, which brought into this Realme great quantitie of coddes and linges de-ceitfully packed in barrels, & not meant to hinder any the Queenes maiesties sub-iectes, vsing vprightnesse & trueth in the barrelling of such fish: May it therefore please your Maiestie, that it bee further enacted by thauctoritie aforesaid, that af-ter the feast of Easter, which shalbe in the yere of our lord God 1575. it shalbe law-full frō thēceforth to al your Maiesties lo-uing subiectes, borne within this realme, or within any other your Maiesties do-minions, (vsing no fraude or deceite in packing or barrelling therof) for ỳ terme of sixe yeeres next ensuing, to bring into Bring this realme, or any other your highnesse Coddes Linges dominions, all such coddes & linges, as they shal happen to take vpon the Sea by their owne fishing in vessels with crosse sayles, without incurring any forfaiture or penalty therfore: any thing in ỳ said act cōteined to the contrary notwithstāding.

And for the auoyding of the lewde out-rages committed and done vpon the Sea coastes of Norfolke and Suffolke by the Catches, Wongers, and Picardes, pre-tending to buy fresh herrings, and which do cut in sunder diuers peeces of Fisher-Cutting of nettes mens nettes, traueling the high Seas, to take fresh herrings, to the vtter vndoing of the sayde poore Fishermen: Bee it therefore enacted, ordeyned, and establi-shed by the auctoritie of this present par-liament, that no person or persons, vsing any shippe, boate, or vessel, called Catche, Catche Wonger Picard Wonger or Picard, or other vessel of like vse, shall in the time of common fishing, vpon the said sea coastes of Norfolke and Norfolke Suffolke Suffolke, betwene the xiiii. day of Sep-tember, and the xiiii. day of Nouember, from sunne setting to sunne rising, an-Cast ancker cker vpon the maine sea, or in the common streame or trade of fishing where the Fi-shermen vse to driue, vpon payne to for-Forf. faite their Catche, Wonger, Picker, or

vessell, with the tackle, & all the fish in the same, or the value thereof, the one halfe to your Maiesty, your heires & successours, the other halfe to the bailifes, burgesses, and comminaltie of the Towne of great Yarmouth, to be imployed to the recompencing his dāmages to the party whose nettes shall so be cut, and to the buylding and repairing of the decayed hauen there, & to be taken by way of seasure, or otherwise, to bee recouered by bill, action, or information, in any of your Maiesties Courtes of Record, any statute, lawe, or vsage, to the contrary notwithstanding.

Yarmouth

Yauen

Seasde

Bill

And where your subiectes, vsing the trade of fishing for herring, haue of many yeeres, & time out of minde, vsed to packe their herring in caske of barrels, containing about xxxii. gallons of vsuall wine measure, & with such assise hath bene vsually gaged & allowed at your honorable citie of London, and doe containe the said measure of xxxii. gallōs, according to such vsual hasle measure, as is out of your honorable court of Exchequer deliuered to your said honorable citie of Londō, which measure yet hath lately bene quarrelled at by certaine Informers, for that ỳ same conteyne not xxxii. gallons by the olde measure of stāderd, which they neuer did, though peraduēture the extremitie of old statutes in wordes, by some mens constructions might bee stretched to require so much: And for that the vsuall barrels nowe be as great as euer, within the time of any memory, they haue bene knowen to be, & the alteration thereof would be a great decay, and perill of vndoing to the said Fishermen: It may also please your most excellent Maiestie, that it bee also enacted & declared, that the sayd Assise of xxxii. gallons of wine measure, which is about xxviii. gallons by olde standerd, well packed, and conteyning in euery barrell vsually a thousande full herrings at the least, is and shalbe taken for good, true & lawful assise of herring barrels, throughout the whole libertie of the sayd towne of great Yarmouth, and els where: Any auncient or former lawe or statute to the contrary notwithstanding.

Herring

Cage

London

Barrels

xxxii. Gallons

1000. herring

Yarmouth

Be it further enacted, that no fish hereafter to bee taken or brought into this realme by any stranger, nor any fish commonly called Scottish fishe, or Flemish fish, shall be vyed within England to be solde, vpon payne of forfaiture of all such fish to be vyed, contrary to the meaning of this act, or the value thereof, which forfaiture shalbe to such person dwelling at any towne where is any Port, Peere, or hauen, as will sease the same fish, or will sue for the same value, in any court of record, to be employed to the reparation & maintenance of such port, peere, or hauē, as is next to the place where the offence shalbe committed. An. 13. El. cap. 11. *

Fishe

Scottish fish

Flemish fish

Vse

Port.

Repaire

Port

Hauen

16 ¶ Because the clause in the statute of An. 5. El. cap. 5. (before 13.) licencing English Hoyes and Plattes to crosse the Seas, contrary to the statute of An. 1. El. cap. 14. (before 12.) tendeth greatly to the decay of Mariners & shippes, by the maruelous increase of Hoyes: Bee it enacted, that from the feast of Saint Michael the Archangell next comming, the sayd clause contayned in the sayd statute made in the sayd v. yere of your raygne, for the crossing of the seas by Hoyes and Plattes, shall be vtterly repealed & made voyde and of none effect. And that from the said feast of Saint Michael the archangell next, the sayd statute made in the first yere of your raigne, (before 12.) prohibiting the crossing of the seas by Hoyes & plattes, be obserued and kept, the sayd statute made in the fifth yeere of your Maiesties raigne, to the contrary hereof notwithstanding: This act to continue vntil the ende of the next parliament. An. 13. El. cap. 16.

Hoyes

Plattes

Repealed

17 ¶ Where the Marchants & Fishmongers of diuers places of this realme, haue for their priuate gaines, gone & sent into other countries & forreine realmes, & there engrossed into their handes great numbers & quantitie of fish taken by aliens & strangers, being in goodnes farre inferiour to the fish taken by Englishmē in ỳ Iland voyages, And for ỳ buying of the same fish, haue cōueyed & caried great masses of money ooyth of this Realme, and

and haue victualed and furnished this Realme with forreine fish & herring, the subiects whereof haue beene accustomed in times past, to serue the same with fish and herringes gotten by their owne trauell, and diuers other forreine Regions and countreis: by reason of which vnnaturall dealings of the said Merchants & Fishmongers, and vsuall eating of flesh on the accustomed and vsuall fish dayes, there be of late decaied, not onely ẏ number of two hundreth sayls and more, of good and seruiceable shippes, which yerely traded to Iſlande for taking of fishe in this Realme vsually solde, but also a great number of Mariners & Seamen, fit for the seruice of her Maiestie and her said Realme, for the defence thereof in time of warres:

For redresse whereof, Be it enacted by ẏ Queenes Maiesty our Soueraigne Lady, the Lordes Spirituall and Temporall, and the Commons in this present parliament assembled, and the authority of the same, that it shall not bee lawfull to any native Englishman, woman, or denizen, at any time after the ende of this session of this parliament, directly or indirectly, by themselues, their seruants, factors, agents, deputies, or friends, or any of them whatsoeuer, to goe or send into any other forreyne country, realme or dominion whatsoeuer, for the bying, prouiding, or bringing into this realme, out or from any the sayde forreine Realmes or Dominions out of the Queenes obeysaunce, of any salted fishe, or salted herrings, nor shall make any agreement with any Allien or Stranger, or any other for such bringing into this Realme, by any Allien or Stranger, of any salted fish or salted herrings: And that no salted fish, nor salted herrings shall be brought hither out of the sayde forreine Realmes & Dominions, but by the meere owners thereof, or deputies of them being Aliens and Straungers, without the procurement of any subiect of the Queenes Maiesty, her heires or successors, or of any denizen, and by none other person or persõs, vpon paine that such Englishe person or Denizen, offending against this act, shall forfaite the same salted herrings, and salted fish, or the value thereof, the one moitie whereof shall be to the Queenes Maiestie, her heires and successours, and the other moitie to him or them that shall first sewe the same fish, or herrings, or first sue for the value thereof, by action of debt, bill, plaint, or information, wherein no essoyne, protection, or wager of lawe shalbe allowed.

Forfait.

Moitie

Englishman Denizen

Send Forreigne Countrey

Bying

Saltfish Herrings Agreement Alien

And bee it further enacted by the authoritie afore sayd, that it shall be lawfull for all and euery her Maiesties subiects, being owners of any shippes, barkes, or vessels, to receyue, and take into their sayd shippes, barkes, and vessels saying with crosse sayles, any herrings or other fish, which any Alien or Straunger shall buy and prouide, of any her Maiesties subiectes within this Realme, And the sayde herrings and fish, or any of them, may transport into any partes beyond the seas, in their sayd shippes or vessels with crosse sayles, so as the said aliens & strangers paye to her Maiestie her Customes and duetie for the same.

Subiects may take fish bought of Subiects

Transport

Customs

And be it further enacted, that all Aliens and Straungers shall from henceforth, and from time to time, pay to her Maiestie for all salted fish and salted herring to be brought into this Realme, all such like Customes and Impositions, as are or shall be imposed and set vpon any her Maiesties subiectes in those forreine Regions and Countreys, Portes and townes, from whence the sayd salted fish and salted herringes shall be shipped and brought for the like fishes and herrings, ouer and besides the ordinary customes, which haue bene payed to her Maiestie for the same.

Strangers

Customs

Prouided alwayes, and be it enacted by the authoritie afore sayde, that if any person or persons shall doe, suffer, cause, or procure any fraudulent, deceitfull, or colourable act whatsoeuer, whereby any part of this act before mentioned, shall or may bee colourably, fraudulently, or deceytfully auoyded, or frustrated, contrary to the intent thereof, that then euery person

Deceyte

Forf. person so offending, shall forfaite and lose for euery such his offence, the summe of two hundreth poundes, the one moitie whereof shal be to our soueraigne Lady, her heires and successors, and the other moitie to him or them that wil sue for the same in any Court of Recorde, by bill, plaint, or informatiõ, wherein no essoine, protection or wager of law shalbe allowed. And that if any Alien or Straunger Alien shall wilfully conceale any acte or thing Conceals whatsoeuer, to be done to the deceiuing, colouring or defrauding of any braunche or article of this estatute before mencioned, that then euery such Alien and stranger shall forfaite and lose for such offence Forf. to the Queenes Maiesty such shippe and vessell, and all that therrunto appertayneth, to be seised to her Maisties vse, by any her Maisties subiectes: And moreAlien ouer, that if any Alien or stranger borne, shal bring into any hauen, porte, creeke or Towne of this Realme, any saite fish, Fishe not good or salt herrings, which shal not be good, sweete, seasonable, and meete for mens meate, and shall offer the same to be sold, and shalbe warned by any officer of such Porte, Hauen, or Towne (where the same shalbe offered to bee solde) that the same bee not seasonable nor meete for mens meate, that then if hee or they with their sayde fish, shall after that, offer any of the sayde vnseasonable fishe to be solde to any person within this Realme, or shall not departe with the same from the sayde Hauen, Porte or Towne, so soone as conueniency will serue, that then all and euery person owners thereof, shall Forf. lose and forfaite to our said Soueraigne Lady, all the saide vnseasonable fishe vnmeet for mans meate, as before is saide.

Prouisio Prouided alway, that this act or any thing therein contayned, shall not extend or bee preiudiciall to any prouiding or bringing of fish in or out of the countrey Island of Island, Shotlande, or Newe founde land, or any the partes or seas thereunto adioyning, or on ẏ Scottish seas, nor to any fishe ẏ shal be killed, taken & salted by ẏ Queenes naturall subiectes, any thing in this act to ẏ cõtrary notwithstanding.

Prouisio Prouided also, that it shall bee lawfull for all the Queenes subiectes, nowe vsing the trade of bringing in of Staple Staple fish Linges fishe and Linges from beyonde the seas, to bring in English bottomes into this Realme, for the better supply of present furnishing of this Realme with vitayle, all maner of Staple fish and Linges being good and holsome for mans bodie, 3. Yeres during the space of three yeeres next following the ende of this Session of parliament, any thing in this act to the contrary notwithstanding.

And be it likewise enacted, that all ordinaunces of the Fishmongers of Lon- Ordinances London don, or of any other company or corporation whatsoeuer, made or to be made, for restraynt of any person to take or sel fish, or to buy or prouide any fish of any Marchant, or other within this Realme, shall Repealed bee repealed and voyde. And that euery person or body corporate, that shal make or execute any such ordinaunce or restraynt, shall for euery such offence forfaite one hundred poundes, the one moy- Forf. Moitie tie thereof to the Queenes Maiestie, her heires and successours, and the other moitie to the partie grieued, that will sue for the same by action of debt in any Court of Recorde, wherein no essoyne, protection, or wager of lawe for the defendant, shall be admitted or allowed. Anno 23. Eliz. capitulo 8.

¶ Sherburne causy.

IN 1. M. in the first Parliament was made an act (not then printed) for the repayring of Sherburne causy, betwene Shaftesbury and Sherburne, which act was to endure vnto the ende of the next parliament. Which act was in 1. M. 2. parl. cap. 5. made to endure vnto 5. yeeres after the ende of the parliament.

¶ Shiriffes.

WE haue also ordained by the aduice of our Counsaile, that from hence- Sheriffes Issues forth Sherifes shal not be charged of any issues to be leuied, nor shal leuy any before they

Eschequer Extractes

they passe out of the Eschequer, there to be deliuered by the extracts of the Justices. And that in the estreates of Justices, euery head shalbee charged for issues forfaited like as of amerciamẽts, & if peraduenture any sheriffe will answere for the issues of any recognisor, pledge or mainpernor by him assigned & retourned into our court, which at ẏ time of ẏ returne is not able to pay such issues or amerciaments, the sherife shalbe charged, & shal answer therefore in our eschequer. And let the Sheriffes beware vnder payne of great forfaicure, ẏ from henceforth they doe make tailes of al such money as they or their officers haue receiued by our cõmaundement. And ẏ they do not returne any where, the names of any mainpernours, or suerties, Jurors, or any other, except such suerties, mainpernours or other according to ẏ tenor of our writs being directed to ẏ sherifs for ẏ same cause, be lawefully and manfully impanelled thereupon: And they shall not retourne the names of any free men as pledges, without that they will playnely consent and agree to the same. And hereupon we haue enacted ẏ at one time certaine euery yere, one barron & one clerke of our said eschequer shall bee sent throughout euery shyre of England, to enrolle ẏ names of al such as haue paid ẏ yere debtes eracted of them by a greene waxe. And the same Barron and Clerke shall viewe all such tailes and enrolle them. And shal heare & determine complaynctes made against sherifes & their clerkes, & bailiffes ẏ haue done contrary to ẏ premisses, & ẏ offendors shalbe greeuously punished.

Issues

Tailes

Retourne

Impanell

Barrons Clerke

Enrolle

Greene waxe

Oyer & ter.

For as much as Sheriffes and other herebefore, haue let out by pleuine common felons and openly defamed, being taken and imprisoned for murder and felony, and such as bee not repleuisable, contrary to ẏ forme of our statute made at Westm. of persons repleuisable, and not repleuisable, whereby such trangressors not repleuisable be let out, and for to deliuer them deceiptfully before the cõming of ẏ Justices errant or other assigned for their deliuerance, they procure by them selues & by their friends furours of the countrey, & some they threat, whereby as well for feare of the sherife, & other that let them at large by the pleuin, as for feare of the theiues being so deliuered before the Justices assigned for gaole deliueries, such felonies & murders are concealed, & so being concealed, remaine stil vnpunished: Wee for ẏ vtilitie of our Realme, & for the more assured conseruation of our peace, haue prouided & ordayned, that Justices assigned to take assises in all shyres where they take assises, as it is ordayned, incontinent after the assises taken in the shires, shal remaine both together if they be lay. And if one of them be a clerke, then one of the most discreete knights of the shyre being associat to him ẏ is a lay man, by our writ shal deliuer ẏ gailes of ẏ shires, as wel vnto ẏ liberties as vnout, al maner of prisons, after ẏ forme of the gaile deliueries of those shires before times vsed. And ẏ same Justices shal inquire then, if sherifes or any other haue let out by pleuin prisoners not pleuiable, or haue offended in any other thing contrary to the forme of the forsaide statute lately made at Westminster, & they shall reforme and punish them in al things according to the forme of the statute aforesaid. Stat. de finibus leuatis. An. 27. E. 1.

Jurors

Just. of assise

Knights

Gaole delivery

Enquire

Punish

2 ¶ Sherifes from henceforth shalbe assigned by the chauncelor, treasorer, barons of the eschequer, & by the Justices. And in the ablence of the Chancellor by the Treasorer, barrons & Justices. And that none shall be sherife, except he haue sufficient lande within the same shire, where he shal be shirife, for to answere the king and his people. And that none that is steward or bailife to a great Lord, shal be made sherife, except hee bee out of seruice, so that he may attend to the office of a sherife, for the king & his people. And in like maner it is agreed & established, that hundreds, whether they belong to the king or to other, shal be kept by conuenient and able persons that haue sufficient lands within the same hundreth or shyre where the hundreth is, & that ẏ chauncellor, treasorer, barons & Justices, shall do assigne

Sherifes

Chauncelor

Treasorer

Barons

Justices

Land

Steward

Bailifes

Hundreds

Lands

assigne in maner aforesaide, without hauing any other regarde: and if any shirifs of hundreds be vnsufficient at this time, they shalbe remoued, & other more cõuenient put into their roomes. And þ such hũdreds be leassed to such persons as are sufficient, so that they neede not to vse extortion vpon the people by reason of too outragious ferme. And that no sheriffe nor hundreder shall lease his land to any other in ferme otherwise, & that the execution of writtes that come to þ sherifes, shalbee done by the hundreders sworne & knowne in the shyre, and not by other, if it be not þ open default & disturbance of the hundreders, and then execution shalbe done by other persons more conuenient, being sworne, so that the people may knowe to whom to sue such executions, sauing alwaies the retournes of þ writs to them that haue them, or ought to haue them. An. 9. E. 2. statute of sherifes.

Remoue

Lease

Execute writs

Returne

3 ¶ The king hath graunted vnto his people, that they shal haue electiõ of their sherife in euery shyre where the shiriualty is not of the fee (if they list.) Articuli super cartas cap. 8.

Election

4 ¶ For as much as the king hath graunted the election of sheriffes to the commons of þ shyre, the king wil þ they shal chose such sherifes, þ shal not charge them, & that they shal not put any officer in auctority for rewardes or bribes. And þ they shal not lodge to oft in one place, nor with poore persons, or men of religion. Articuli super cartas. 13.

Lodge

Religious

5 ¶ Of sherifes and other ministers which gather the debts of þ king, & make tailes & other acquitances to þ debtors, yet do not acquite them in the eschequer, & of þ same are impleaded in þ eschequer, & by fauor are put to litle Issues, which they will rather leese then come to answere, & so are þ playntifes alwais charged to their great dãmage & oppression: It is ordained & established þ þ sherifes & other ministers whẽ they are impleaded in the eschequer, are so farre gone in plea, that þ great distresse is retourned against him, & he cõmeth not to answere, thẽ shal go forth an other writte of distresse, retournable at a certayne day, in which writte shalbe commanded that proclamation be made in the ful cõuty, þ the defendant come at such a day and acquite the debt of the summe for the which he made the taile or acquitance, at which day if the defendant come not, and the writte be retourned and proclamation certified, hee shalbe holden for conuict, and the debt taken of him also, as debt recouered in the kings Court, and dammages awarded to the playntife according to the discretion of the Barrons. And this estatute shall extende as well to those which were Sheriffes and other ministers that let to Lease their Bayliwickes, as to Sherifes and other Ministers which holde their Bayliwyckes them selues.

Great distres

Proclamation

Debt

Dammages

And it is not the intent of our Souereigne Lorde the king, nor of his counsel, nor by this estatute no man shall bee forbidden, but that they may complayne of Sherifes and other ministers when they shall be found in the Eschequer, and that they shall aunswere there as hath beene reasonably vsed before this tyme, Statut. de artinctis.

6 ¶ Because the peace cannot bee wel kept without good ministers, as sherifes, bailifes, & hundreders which ought to do execution as well of the kinges priuities, as of other thinges touching our souereigne Lord þ king & his people: It is ordayned and established that þ statute made in the time of king Edward father to the king that now is, at Lincolne, contayning that Shirifes, hundreders, and Baylifes, shalbe of such people as haue landes in the same Shyres or Bayliwickes: shalbe obserued in all poynts after the forme thereof. And that sherifes and Bayliffes of fee, shall cause their Counties and Bailiwickes to be kept by such as haue landes therein. An. 2. Ed. 3. c. 4.

Lands

Counties

Bailiwickes

7 ¶ Where as all the counties in England were in olde time assessed to a certayne ferme, and then were all the hundreds & wapẽtakes in þ shirifes handes rated to this ferme: And afterward were appowers sent into diuers counties, which did encrease þ fermes of some hundreds

Ferme

hundreds & wapentakes: And after that, the kings at diuers times haue graunted to many men, part of the same hundredes and wapentakes for their olde fermers onely. And nowe of late the Sherifes be wholly charged of the encrecase, which amounteth to a great summe, to the great hurt of the people, and disherison of the Sherifes, and their heires: It is ordayned, that the hundredes and wapentakes let to ferme by the king that nowe is, be it for terme of life or otherwise, which were sometime annexed to the fermes of the counties where the Sherifes be charged: shalbe enioyned againe to the counties. And that the Sherifes and their heires haue allowance for the time that is past. And that from henceforth such hundredes and wapentakes shal not be giuen nor severed from the Counties. Anno 2. E.3. cap. 12.

Hundreds Wapentakes

8 ¶ No Sherife, Baylife of hundred, wapentake, nor of fraunchise, no inder escheatours shalbe from henceforth, except he haue landes sufficient in the places where they be ministers, wherof to answere the king and his people, in case that any man complaine against them, as it was ordained another time at the kings Parliament holden at Lincolne, in the time of the kings father that now is, that is to say, the 9. yere of his raygne. Anno 4. Ed. 3. cap. 9.

Baylifs

Escheto Landes

☞ 9 ¶ For as much as Sherifes and Jaylers would not heretofore receyue theeues, and persons appealed, endited, or found with the maner, taken and attached by the Constables and townshippes without great fines & ransomes, whereby they are become vnwilling to take felons, And so felons be the more incouraged to offend: Be it &c. that the sherifes & Jaylers, shall receiue and freely keepe in prison from henceforth such theeues and felons, by the deliuery of the Constables and townshippes, without taking any thing for their receipt. And that the Justices assigned to deliuer the iayle, shal haue power to heare their complaints, that will complayne vpon the sherifes and iaylers in such case, and moreouer to punish the sherifes and iaylers, if they be found guiltie. An. 4. E. 3. cap. 10.

Gaolers

Constables

Extortion Justices

Punish

10 ¶ Sherifes shall from henceforth let their hundredes and wapentakes for the olde ferme, and not abour. And that the Justices assigned shall haue power to enquire of the said sherifes, & to punish them that shall be found offending this statute. Anno 4. E. 3. cap. 13.

Hundreds Wapentakes Ferme Enquire Justices Punish

11 ¶ No sherife, vnder escheatour, baylife of franchises, wapentakes, hundreds, nor thirdings, shall from henceforth be, except he haue landes sufficient in the same Comitie, whereof to answere the king & his people, if any man will complayne. An. 5. E. 3. cap. 4.

Escheatour Baylife Landes

12 ¶ No sherife shal carry in his bailiwicke ouer a yeere, & then another conuenient be ordeined in his place, that hath lande sufficient in his bailiwicke, by the Chauncelour, Treasorer, & chiefe Baron of the escheqier, taking to them the chiefe Justices of the one bench & of the other, if they be present. And that shall be done yerely in the moneth of all soules, at the escheqier. An. 14. E. 3. cap. 7.

Lands Chauncelor Treasorer Escheqier

13 ¶ From henceforth al the wapentakes and hundredes, which bee severed from the counties, shalbe reioyned to the same Counties, as before this time hath bene stablished by another statute. And that the Sherifes holde the same in their owne handes, and put in such bailifes and hundreders, hauing landes within the bailiwickes and hundredes, for whome they will answere. And if they wil let any hundredes, bayliwickes, or wapentakes to ferme, they shal let the same at the auncient ferme without any thing encreasing. And that the king and his people be serued by such bailifes and hundreders, and their inderbailifes, in auoyding for euer the outriders and other, which in diuers cities before this time haue notoriously destroyed the people. And that no baylife errant be but in the counties where bailifes errauntes haue bene in times past, in the time of the kings graundfather that nowe is. And that there be no more but one Baylife errant in one County. And it is assented, that all other of what estate

Wapentakes Hundreds

Baylifes Lands

Ferme

Outriders

Baylifs errant

or

or condition they bee, which haue beene baylifes or hundreders in fee, if they the same will hold in their owne handes, then they shall put in such baylifes, for whom they will answere. And if they will let the same to ferme to other, then they shall let the same at the auncient ferme without any thing encreasing, as afore is sayde, and the Justices of the one bench and the other, the barrons of the Eschequer, and the Justices assigned shal haue power to enquire of al those, that come against this ordinance at all times that they come into the countrey, & to do such punishment as to them shall seeme conuenient to bee done according to the lawe and reason. And if the Sheriffes or their fermours be found in default in any poynt agaynst this ordinance, and thereof be attaynted, the hundreds and wapentaks, where such defaultes shalbe founde, shalbe taken into the kinges handes, and let to other by the Justices, and to commaund them to prison, there to remayne til they haue made fine and raunsome to the king according to the quantitie of the trespas. And neuertheless they shall answere to the king of the whole ferme. And that the Lordes, which hold hundredes or wapentakes in fee, shall set such baylifes, which be sufficient to answere the kinge and his people. And if their Baylifes doe against this ordinaunce, they shalbe called to answere. And if they bee attaynted, they shall haue such punishment as the lawe of the lande requireth in such case, and they shalbe out of their Baylwickes for euer, and other sufficient put in their places by the same Lords. Anno 14. Ed. 3. capitulo 9.

Auncient ferme

Justices Barons

Enquire

Punish

Attaynt

Hundreds Wapentaks kings handes Imprison

Fine

Lords Baylifes

14 ¶ The sheriffes of the Counties shalbee remoued euery yere out of their office, so that no sherife, that hath beene in his office by a yere, shall abyde in the same office the yere next folowing. And that no cõmissiõ be made to him thereof, or renewed for the same yere following. Anno 28. E. 3. cap. 7.

Our yere

Commission

15 ¶ Because that the people of the realme haue suffered many euils & mischeeues, of that that Sheriffes of diuers counties, by vertue of Commissions and generall writtes granted to them at their owne suite, for their singular profite to graine of the people, haue made and taken diuers enquestes to doe endict the people at their will, and haue taken fine & raunsome of them to their owne vse, and haue deliuered the without that that suche persons endicted were brought before y kings Justices to haue their deliuerance: It is ordeyned and stablished for to eschew all such euils and mischieues, that all such commissions and writtes before this time made shall be vtterly repealed, and that from henceforth no such commissions nor writtes shall be graunted. Anno 28. Ed. 3. cap. 9.

Enquests

Endict

Cõmissions Repealed

Writtes

16 ¶ That no sherife, vndersherife, nor sherifes clerke abyde in his office aboue one yere, as it is ordained of sherifes by the same statute. An. 42. E. 3. cap. 9.

Sherife Vnder sherife Sherifes clerke

17 ¶ That none that hath beene sherife of any Countie by an whole yeere, shall be within two yeres next ensuing chosen againe, or put in the same office of sherife, if there bee other sufficient in the sayde Countie of possessions and goods to answere to the king and his people. Anno 1. R. 2. cap. 11.

One yere 2. yeres

18 ¶ Where as the sayde commons by their petition haue shewed in the same Parliament, howe the sheriffes of Counties within this realme, be charged with the auncient ferme of the same counties, where as a great parcell of the profites of the same be giuen diuersly to Lordes and other the kinges liege people, so that the same sheriffes can not pay their ferme without doing extoytion in the said counties, in great oppression and hinderaunce as well of the said sheriffes, as of the inhabitantes of the sayd counties: Our souerayne Lorde the king, considering the mischieues afore said, by the aduise and assent of the lords and commons afore said, hath ordayned and established, that from henceforth the sheriffes of the counties of Essex, and Hertf. in special, & the sheriffes of other Counties afore sayd, for the time being, shall accompt at the Eschequer, & haue allowance by their othe of the issues

Sheriffes Essex Hertfoyd

Accompt

Othe

of

of the sayde Counties, as well after the date of their patentes made to them by the sayde late Kinge Richard, as for all times to come.

Extorcion

And if any Sherife from henceforth doe any extorcion to the people, and bee thereof attaynted, he shalbe duely punished for the same extorcion at the kinges will. Anno 1. H. 4. cap. 11.

Reliant

19 ¶ Euery Sherife shall abide in proper person win his Bayliwicke, for the time that hee shalbe such officer, and that hee shall not let the sayde bailiwicke to ferme to any man, for the time that he occupyeth such office, and that the sayde sherife be swoine, from time to time, to doe the same in especiall, amongst other articles compised in the othe of the sheriffe. Anno 4. H. 4 cap. 5.

Bailifes

20 ¶ They that be Bailifes of sheriffes by one pere, shalbe in no such office by 3. peres next following, except bailifes of sheriffes, which doe inherit in their office. And that no vndersherife, sherifes clerke, receiuour, nor sheriffes baylife be attorney in any of the kinges courts, during the time that hee is in office with any such sherife. An. 1. H. 5. cap. 4.

Acompts of the Estreats

21 ¶ All the Sherifes of England, shall haue allowance vpon their accomptes, by their othes of things casual, as of estreates that soune not, nor ren not in ferme, nor in demand. But al such things that soune or renne in perely fermes or perely demaundes, they shalbee charged agaynst the kinge, as the Sherifes haue beene charged in this case in times past. Anno 4. H. 5. cap. 2.

22 ¶ Anno 9. H. 5. cap. 5. an act was made that the king might make sherifes, and eschetours at his will, vntill the end of 4. peres notwithstanding the statute. Anno 14. E. 3. cap.

23 ¶ Anno 9. H. 6. cap. 7. an act was made to endure for 3. peres agaynst the sherife of Hertf. for taking of enquestes and endictments of matters not determinable before him. And after An. 11. H. 6. cap. 7. this acte was made to endure for three peres from this parliament.

24 ¶ The statutes before recited (S. An. 14. E. 3. cap. 7. & An. 42. E. 3. c. 9. & An. 1. R. 2. cap. 11. which is before 12. 16. & 17.) and euery of them, shall bee duely obserued in euery countie of England. The vndersherifes and all other officers within the citie of London, which now be or shalbee, at all times excepted. And such Counties all onely except in which diuers of the kinges liege people be enheritable to the office of a sherife at this day, & also such persons which haue estate of freehold in the office of sherife at this day, and except the letters patentes made to them of the office of sherife and their vndersherife & clerkes. And if any sherife or vndersherife, or sherifes clerke occupy the office of sherife, vndersherife or sheriffes Clerke, contrary to any of the estatutes afore recited, or against the effect or entent of any of them (except before except) þ then he which doth so occupy, shal forfait the summe of C C li. perely as longe as hee occuppeth contrary to the effect of the sayde statutes. And that euery pardon hereafter to bee made for such offence or occupation of forfapture of summes before recited, shalbee voyde and not quaylable. And all patents made or to bee made of any of the sayde offices for terme of peres, for terme of life, or fee simple, or in fee tayle, to any of the kinges liege people (except before excepted) shalbee voyde and of no value by the same auctority, any clause or woyde of Non obstante, in any wise put or to be put in such patentes to bee made notwithstanding. And moreouer whosoeuer presume vpon him or them to take or occupy the sayde office of sherife by vertue of such graunts or patentes nowe to bee made for terme of peres, for terme of life, fee simple or fee tayle, to stand for euer & at all times disabled to be or beare the office of sherife within any county of England by þ same auctority. And þ euery liege man, which will sue for the said sume forfait against him or them, which in such maner doe forfait, shalbe receiued & admitted to sue an action of debt in his owne name, our Soueraigne Lorde the king to haue the one halfe of all that shall happen

London

Enherit

Freehold L. patents

Clerke

Pardon

Voyde

Patents

Voyde

Non obstants

Disabled

Sute

Forf.

Forth

happen by the ſame action to bee recouered by ſuch ſuit, and hee or they that ſo purſueth, to haue the other halfe. Anno 23.H.6.cap.8.

Periury Extorcion

☞ 25 ¶ The king conſidering ꝑ great periury, extorcion and oppreſſion, which be & haue beene in this realme by his herifes, vnderherifes, and their clerkes, Coroners, Stewardes of fraunchiſes, bailifes & keepers of priſons, & other officers in diuers counties of this realme, hath ordayned by aucthority aforeſaid, in eſchewing of all ſuch extorcion, periury & oppreſſion, that no Sherife ſhall let to ferme in any maner his County, nor any of his bailiwicches, hundreds, nor wapentakes, nor that the ſaid herifes, vnderherifes, bailifes of fraunchiſes, nor any other bailife, ſhall retourne vpon any writ or precept to thē directed to be returned, any enqueſts in any panel thereupō to be made, any baylifes, officers, or ſeruants to any of the officers aforeſaid, in any panell by them ſo to be made, nor that any of the officers and miniſters aforeſaid, by occaſion or vnder colour of their office, ſhall take any other thinge by them or by any other perſon to their vſe, profite or auayle of any perſon by them or any of them to be arreſted or attached, nor of any other for them, for the ſparing of any arreſt or attachement to bee made by their body, nor of any perſon by them or any of them by force or colour of their office arreſted or attached, for fine, fee, ſuit of priſon, mayntiſe, letting to bayle, or ſhewing any eaſe or fauour to any ſuch perſon ſo arreſted or to bee arreſted, for their reward or profit, except ſuch as followeth, that is to ſay, for the herife xx. pence, the baylife, which maketh the arreſt or attachment, foure pence, and the iayler, if the priſoner bee cōmitted to his ward, iiii.d. And that the herife, vnderherife, herifes clerke, ſteward, or Baylife of fraunchiſe, ſeruant or bailife, nor coroner ſhal take any thing by colour of his office by him nor by any other perſon to his vſe, of any perſō for the making of any retourne or panel, & for the copy of a panell iiii.d. And that the ſayde herifes and al other officers and miniſters afore ſayde, ſhall let out of priſon all maner of perſons by them or any of them arreſted, or being in their cuſtody by force of any writ, bill, or warrant in any action perſonall, or by cauſe of endictment of treſpas, vpon reaſonable ſuertie of ſufficient perſons hauing ſufficient wiu the counties where ſuch perſons be ſo let to baile or mainpriſe, to keepe their daies in ſuch places as the ſayde writs, billes, or warrants ſhall require. Such perſon or perſons which be or ſhalbe in their warde by condempnation, execution, Capias vt lagatum, or excomunicatum, ſuertie of the peace, and all ſuch perſons which ber or ſhall be committed to warde by eſpecial cōmandement of any Iuſtices, & vagabondes refuſing to ſeruc after the forme of the ſtatute of laboyers onely except.

Retourne

Enquest Baylife Officer Seruant

Arreſt

Reward xx.d.

iiii.pence

iiii.pence

Clerke Steward Bailife Coroner

Retourne

Bayliwicke Hundred Wapentake

Barrtes

Condempned Execution Capias vt lagatum Excommunicat Commaundement Vagabonds

And that no herife, nor none of his officers or miniſters aforeſayde, ſhall take or do to be taken, or make any obligation for any cauſe aforeſaide or colour of their office, but all onely to them ſelfe, of any perſon nor by any perſon, which ſhalbe in their ward by the courſe of the lawe, but vpon the name of their office, and vpon condition written that the ſaide priſoners ſhall appeare at the day contayned in the ſayd writs, bill, or warrant, and in ſuch places as the ſaid writtes, billes or warrants, ſhall require. And if any of the ſayde herifes or other officers or miniſters aforeſayde take any obligation in other forme by colour of their offices that it ſhalbee voide. And that hee ſhall take no more for the making of any ſuch obligation, warrant, or precepe by them to be made, but iiii.d. And alſo ꝑ euery of ꝑ ſaid herifes ſhal make percly a deputy in ꝑ kings courts of his chauncery, kinges bench & common place ꝑ bench & in ꝑ eſchequer of record, before ꝑ they ſhall returne any writs, to receiue all maner of writs & warrāts to be deliuered to them. And ꝑ al herifes, vnderherifes, clerkes, bailifes, iailers, coroners, ſtewards, bailifes of franchiſes, or any other officers or miniſters which doe contrary to this ordinance in any poynt of the ſame, ſhall

Obligation

Condition

Nop

iiii.d.

Deputis

Officers

loſe

Partie greeued 3. dãmages Forf.

Moytie

Inft. of all. Inft. of both 23. Inft. of p.

Enquire Oier & ter.

Returne Cepi corpus Reddidit

Warden of Fleete K. paleys

Diſcharge Forf.

Indite-ments Preſent-ments

Clerkes Baylifes Turnes

loſe to the partie in this behalfe indãma-ged or greeued, his treble dammages, and ſhall forfait the ſumme of xl.li. at euery time that they or any of them doe the con-trarie thereof in any poynt of the ſame, whereof the king ſhall haue the one halfe to be imployed to the vſe of his houſe, and in none other wiſe, and the party that will ſue the other halfe. And that the Juſtices of aſſiſes in their Seſſions, Juſtices of the one Bench, and of the other, and Iu-ſtices of peace in their countrey ſhal haue power to enquire, heare and determine of office without eſperiall Commiſſion, of and vpon all them that doe contrarie to theſe ordinances in any Article or poynt of the ſame. And if the ſayd Shi-riffes returne vpon any perſon Cepi corpus, or Reddidit ſe, þ they be chargea-ble to haue the bodies of the ſayd perſons at the dayes of the retournes of the ſayde Writtes, Billes or Warrants, in ſuch forme as they were before the making of this act. Prouided alwayes, that the war-den of the kings Jayle of the Fleete, and of the Kings Paleys at Weſtminſter for the time being, ſhall not be endammaged nor preiudiced by this ordinance in the exercyſe of his office. Anno 23. Henrici 6. capitulo 10.

¶ Anno 28. Henrici 6. cap. 3. it was enacted that the Shiriffes, their vnderſhi-riffes and Clerkes ſhould be diſcharged of the forfaiture for exerciſing their offices aboue a yere &c.

¶ Where many haue bene greatly vexed by the inordinate inditements taken before ſhiriffes and their officers in their Termes or Lawdaits by Iurours of no conſcience nor freeholde, and many times by their meniall ſeruants, and being there-upon arreſted and impriſoned, haue bene inforced to make great fines vnto them, and then haue bene let goe at larges, and the inditements imbeaſeled and ſuppreſ-ſed: Be it &c. That as to all maner indict-ments and preſentments that ſhalbe ta-ken hereafter before any of his ſayd Shi-riffes of the Counties for the time being, their vnder ſhiriffes, Clerkes, Baylifes of other Miniſters at their tournes or Lawdayes before mencioned, they nor none of them ſhal haue power to attache, arreſt or put in priſon, nor to leuy any fines or amerciaments of any perſon or perſons ſo indicted or preſented, by rea-ſon or colour of any ſuch indictment or preſentment to bee taken before them or any of them, nor to take of any ſuch per-ſon or perſons ſo indicted or preſented, any fine or ranſome, but that the ſayd ſhi-riffes and their vnderſhiriffes, Clerkes, or Bailifes & their miniſters ſhal bring, pre-ſent, and deliuer all ſuch indictments and preſentments taken before them, or any of them in their turnes or Lawdayes a-foreſayd, to the Juſtices of peace at their next Seſſions of the peace that ſhall be holden in the Countie or counties where ſuch indictments and preſentments ſhall be taken before the ſayd Juſtices of ſuch Countie or Counties for the time being. And if any of the ſayd Shiriffes, vnderſhi-riffes, Clerkes, Baylifes, and their mini-ſters doe not bring, deliuer and preſent all ſuch indictmens or preſentments ſo taken before them and euery of them in their turnes or Lawdayes, as before is re-cited, at ſuch Seſſions of the peace before the ſayd Juſtices of peace, that then all ſuch Shiriffes, vnderſhiriffes, Clerkes, Baylifes, & their miniſters, and euery of them that ſo ſhall fayle in bringing, deli-uering and preſenting of ſuch indict-ments and preſentments, ſhall forfayt to the King fortie pounds at euery time that they or any of them doth the contra-rie. And that the ſayd Juſtices of Peace ſhall haue power and authoritie to award Proces vpon all ſuch indictmens and preſentments, as the Lawe doth require, and in like forme, as if the ſayde indict-mentes and preſentmentes were taken before the ſayd Juſtices of Peace in the ſayde County or Counties. And alſo to arraygne and deliuer all ſuch perſons or perſon ſo indicted and preſented before the ſayd Shiriffes, vnderſhiriffes, their Clerkes, Baylifes and their miniſters, or any of them in their ſayd turnes or Lawedayes. And all ſuch perſons or per-ſon which bee indicted or preſented of

Wardens Arreſt Leuy fines

Inft. of p. Seſſions

Forf.

Inft. of p.

Proces

Inft. of p.

Arrayne Deliuer

treſpas, to make ſuch fine as ſhall ſeeme lawfull by their diſcretions. And the ſtreates of the ſayd fines & amerciaments to be enrolled, and by indenture to be deliuered to the ſayd ſhirifes, vnderſhirifes, their Clerkes, bailifes or miniſters, or any of them, to thuſe and profit of him that was ſhirife in the ſayd Counties or Cõtie at the time of ſuch endictments or preſentments taken. And if any of the ſayde Shiriffes, their vnderſhiriffes, Clerkes, Bailifes, or their miniſters doe arreſt, attache, or put in priſon, or cauſe any fine or raunſome to be taken, or leup any amerciament of any perſon or perſons ſo indicted or preſented, by reaſon or colour of any ſuch indictment or preſentment taken before them at their tournes or lawdayes aboue rehearſed, before that they haue Proces from the ſayd Juſtices of Peace, or eſtreates deliuered out of the ſayde endictments or preſentments ſo brought, deliuered and preſented to them, that then the ſayd ſhirifes, which ſo doth, ſhall forfait. C.li. the one halfe thereof to be employed to the expenſes of the kings houſe, and the other halfe to the parties or partie, which be or is endammaged, and ſhal haue an action of debt at the common lawe, and like proces, as is in an action of debt at the common lawe, and that the defendant or defendants in ſuch ſuites or actions of debt, ſhall not be eſſoyned nor wage their lawe. And if he or they, or any of them againſt whom this action ſhalbe taken, doe offer or caſt any protection or other impediment, in retardation of the ſaid ſuites or actions, that ſhall not be allowed. Prouided alwayes, that this preſent ordynaunce doe not extende, nor in any wiſe bee preiudiciall to the ſhiriffes of the Citie of London now being, or which at any time hereafter ſhalbe, concerning any indictments or preſentments to be taken within the ſayd Citie of London. Prouided alſo that this act extend not, nor be preiudiciall to any perſon or perſons which hath graunes of any fines or amerciaments by any Letters patents of our ſayd Soueraigne Lorde the king, or of any of his progenitours or predeceſſours, bearing date before the tenth day of December next after the beginning of this Parliament. And that this act and ordinance do not extend nor be preiudiciall to any perſon or perſons hauing any liberties or franchiſes by any of the ſayde Letters patents, or in any other maner by preſcription. And that this ordinance be in his force and beginne to take effect at the fortie day next after the firſt day of May next after the beginning of this preſent Parliament, vpon the which firſt day the ſayd Parliament was diſſolued. Anno 1. Edwardi 4. cap. 2.

28 ¶ Anno 8. E. 4. cap. 4. it was enacted, that no ſhirife nor vnderſhirife ſhould be endammaged for occupying his office, Anno 1. 2. & 3. Edwardi 4. contrarie to the ſtatutes made. Anno 14. Ed. 3. cap. 7. Anno 42. Edw. 3. cap. 9. and Anno. 23. H. 6. cap. 8.

29 ¶ If any ſhirife of any County do execute or returne any writte, precept or warrant in any of the ſayd Courts of the king within the ſaid terme called Michaelmas terme, after the vi. day of Nouember: And before any writ of diſcharge deliuered to him of his occupying of ſhirifewike, he ſhall not be damnified by force of the ſayd ſtatute, nor charged of the payne aforeſayd, although that he hath occupied the office of ſhiriffe, before any of the ſayd dayes of returne called Craſtino Martini, Octabis Martini, or quindena Martini. An. 12. E. 4. cap. 1.

30 ¶ Euery old ſhirife of euery cõtie, remembred in the ſayde laſt Parliament, from the vi. day of Nouember next to come, ſhall haue full authoritie & power, aſwell lawfully to execute and retourne euery writte, precept or warrant, in euery of the ſayd Courts of the king, deliuered to him as to doe and execute euery other thing, which to the office of Shiriffe lawfully pertaineth, at all times during the ſayd termes of Saint Michaell, and of Saint Hyllary. Unleſſe he be before the ſame time lawfully diſcharged of his occupation of ſhiriffe, without ſuſteining any dammage, forfapture or payne, becauſe thereof: Any Act, Ordinaunce or prouiſion

Eſcheats Enroll Indenture

Arreſt Impriſ.

Juſt. of p.

Forf. Poyntie

Action of debt

Proniſo

London

Letters p.

Liberties

Returne

Returne

prouision, before made to the contrary in any wise notwithstanding. An. 17. E. 4. capitulo 6.

☞ 31 ¶ Wheras great extorcīō hath bene vsed by shrifes & their officers in the keeping of their county Courts by entering of plaintes against men in other mens names, and thē amercyng them for their default, where as they were neuer sūmoned, so to increase their pillage: Be it &c. That no shirifes, vndershiriffes, nor shire Clerkes hereafter, neither any person in their names, nor by their commandemēt, shall take and enter any plaints into their bookes in any mans name, vnlesse ỳ partie plaintife be in proper person present in the Courtes, or els by a sufficient attourney or deputie, that is knowen to be of good name and disposition, and that the same partie plaintife shall finde pledges to pursue his sayd plaint, such persons as are knowen there in that county, and that the party plaintife shall haue but one plaint for one trespas or cōtract. And if the sayd Shirifes, vndershirifes, shire clerkes, take, enter, or cause to be entred any moe plaints, then the plaintife suppose that he hath cause of action against ỳ defendant, that then the sayd shirifes, vndershirifes, shire clarkes that doth enter, or cause to be entred any such plaints contrary to the sayd prouision and ordenance, shall forfait for euery such default xl.s. the one halfe therof to be had to the vse of our sayd soueraigne Lord the king, & the other part to him or them that will sue, and proue the same matter, by action of debt, or information, in the Esthequer. And ouer the Justices of Peace in the same Counties and euery of them, shall haue authority vpon complaint made by the partie so vnlawfully greeued to examine the sayd Shirifes, vndershirifes, or shire clerke and plaintifes. And if the said Justices of peace, or one of them finde by the examination default in the sayd Shirifes, vndershirifes, or other their clerkes, in entring of the saide plaintes deceitfully for his or their auantage, as is before rehearsed contrary to this present Act, that then the sayd shirifes, vndershirifes, and shireclerkes, shalbe conuict and attaint of the same offence, without further enquiry or examination, and that he shall forfait vpon the same examination, xl. s. to the vse of our Soueraigne Lorde the king for euery default.

And the sayd Justices of peace, that so shall take the examination, shall certifie the same examination within a quarter of a yere into the Kinges Esthequer vpon paine of xl.s. And furthermore, that the sayd Shirifes, vndershirifes, and shire clerkes, make or cause to be made a sufficient precept to the Baylife of the hundred, to attache, summon or warne the defendants, that are so in suit, to appeare and answere to the sayd plaintes. And if there be any default in the sayd Baylifes of the hundreds in warning of the said defendaunts to appeare and answere to the sayd playnt commenced against them in their counties, or in executing their sayde office, that then the same Baylifes shall forfait for euery default vnto our Soueraigne Lorde the King xl.s. and to be attaint and conuict thereof by like examination of the Justices of peace, or eurty of them, as before is rehearsed. And that the same shirifes, vndershirifes, shire clerkes, and their deputies for the time being, shal make none estreates to leup the sayd shires amerciaments, vntill such time that two Justices of peace, whereof one shalbe of the Quorum haue had the view and ouersight of their bookes, and that estretes be indented betwixt the sayde Justices of peace, and the sayd shirifes and vndershirifes, and sealed with their seales, the one part to remaine with the sayd Justices, and the other part with the said shirifes or vndershirifes, for the intent to vnderstand if any deceit bee, or vntrue demeaning in them, in making of their bookes. And that those persons that shall be gatherers of the same amerciaments, as Baylifes or other officers, be sworne by the sayd Justices, that they take no more money then is forfayted and contepned in the estretes sealed with the Seales of the sayd Justices of Peace, vpon the same paine of forfaiture as before is rehearsed,

Vndershirife
Shire clerke
Enter plaints
Pledges
Forf.
Portie
Just. of p.
Examine
2. Just. of p.
Deceipt
Attaint
Just. of p. Certifie
Precept Baylife
Baylife
Forf.
Just. of p.
2. Just. of p. Quorum
Estreats indented
Baylifes Sworne

thereof the same gatherers to bee convict by examination of the Justices of peace, or one of them as before is rehearsed.

Examine 1. Just. of p.

Just. of p.

Sessions

Custos Rotulorum

Quorum

Provided alway that the said Justices of peace shalbe appointed and named at the generall sessions after the feast of S. Michael that shall fall within that is Custos Rotulorum of the said counties, or else by the eldest of the Quorum in his absence, to have the oversight and controlement of the said Shiriffes, Undershiriffes, and shire clerkes, and other of the said officers, and of the said shiriffes amerciaments. And the said Justices of peace upon suggestion or information of the party so greeued, shall make like proces as in an action of tresp. against the said shiriffes, Undershiriffes, or shire clerks, and other the foresaid officers without entring as before is rehearsed, for to appeare before them to answere to the said suggestion or information. Anno 21. H. 7. cap. 15.

Proces

* 32 An. 6 H. 8. cap. 18. Also it is made that the undershiriffes, and all other officers of shiriffes of Bailiwicks to continue and occupie their offices from yere to yere, as the undershiriffes and other officers of shiriffes of London may do without any penaltie or forfeiture, notwithstanding the Actes made Anno 21. E. 3. cap. 9. & Anno 23. H. 8. cap. 8. (which is before 16. & 17.)

Undershiriffes Bailiowe One yere

33 ¶ All and every person which now is or hereafter shalbe shiriffe or shiriffes of any county or counties, accomptable or answerable in the said exchequer, shall at this day of prefixion immediatly after he is sworne to accompt of the issues and profit of his office of shirifewike, and euery other person, which of late have bene shiriffe or shiriffes of any of the counties, and have no taile of reward, nor have not yet determined his or their accompt, or otherwise be discharged or pardoned thereof, shall in the same terme, that he taketh his othe to accompt, be sworne by himselfe, or by his atturney or deputy sworne for him, when he shall answere before the Lord Treasorer, Chamberleins, Chauncellor and Barons of the said Exchequer, or in the absence of the said Lord Treasorer, Chamberleins or Chauncellour, or of any of them, then before such of the said Lord Treasorer, Chamberleins, Chauncellor, and of the said Barons, as then shal happen to be present in the said court, to bring in, & deliuer into the said court, rolles or schedules of Parchment, containing in them truely without omission or concealement, all such particuler summes of money, which he hath leuied, or lawfully ought to have leuied to his owne or knowledge within his bailiwike, as a part or parcell of the said ancient fermes, and other fermes before rehearsed, making expresse and distinct mention in the same rolles or schedules, as nigh as he or they can or may, of what person, and in what landes and tenements, and for what cause the same particuler summes, and euery of them be leuied or leuiable toward the making of the same by any of them. And that after the same rolles or schedules so deliuered, and the particuler summes of money in them conteyned, appertaining to their proper fermes, rall and rated before the said Lord Treasorer, Chamberlains, Chauncellor, and Barons, or before the said Barons in the absence of the said Lord Treasorer, Chamberleins or Chauncellour, for the time being, or any of them: The same Lord Treasorer, Chamberlaines, Chauncellor, and the said Barons, or the said Barons in the absence of the Lorde Treasorer, Chamberleins or Chauncellor, or of any of them for the time being, shal haue full power and authority by this act, to make allowance, reconeration & deduction in the said open court, from time to time by their discretions, to euery such person in euery of the said fermes, of so much money as the said fermes shalbe more then the said perticulers so appointed & conteined in the said rols or schedules do amount vnto. And for reuiuing & recouery of such parcels, belonging to any of the said fermes, or other the premisses omitted out of the said rolles or schedules, and for saueing of other the kings auncient rights & inheritances answerable in the said Exchequer, which be now wrongfully withdrawen, & vniustly withholden from his possession: the

Accompt

Othe Atturney

L. Treasorer Chamberlains Chauncellor Barrons

Allowe

L. Treasoyer Chãberlãne Chauncelloy

the loyd Treasoyer, Chãberleins, Chauncelloy, and Barons of the said eschequer, oy the same Barons in the absence of the sayd Treasoyer, Chamberleins & Chaucelloy, oy of any of them, shal from time to time award such procelle, & vse such conuenient wayes and meanes by commission oy otherwise, accoyding to the course of the sayd Eschequer, and further as shal be deuised by their discretiõ: so ẏ ẏ king, his heires and succellours may be truely answered of the issues and profits of the same, without other warrant to be pursued and obtayned foy the premisses, oy any part thereof: Any statute, act, oydinãce oy vse heretofoye to ẏ contrary had, made, oy vsed, in any wise notwithstanding. And furthermoye, where diuers and sundyy summes of money bene respected to many persons, which haue bene shiriffes of ẏ sayd counties befoye this time vpon their accompts yelden in the kings saide court of his Eschequer, of the foyesayd fermes and other vicontels, vpon diuers petitions in the said court, foy so much as they, ne any of them could noy might leuy the same by vertue of the summes of the sayd Eschequer, foy such causes as the same late shiriffes haue alleaged in their sayde petitions, as by the same petitions moye plainly doth appeare: Be it further enacted that al and euery the said late sherifes vpon their othes taken in the sayd Court that the causes alleaged in the same petition be true, and the same causes examined in the same court accoydingly, be, by vertue of this ẏesent act clerely acquited and discharged against the kings Maiestie and his heires and succellors foyeuer, of al and euery such summe and summes of money, so not leuied noy leuiable, but in respect, as is befoye rehearsed. And thereupon such like ẏoces to be awarded by the sayd court, & such conuenient waies and meanes by commission and otherwise to be had accoyding to the course of the said Eschequer, from time to time, as shal be deuised by the sayd Loyd Treasourer, Chamberleins, Chauncellour and Barons, in the absence of the said loyd Treasourer, Chamberleins oy Chauncellour, oy any of them, by the sayd Baron, and by as many of the sayd loyd Treasoyer, Chãberlains and Chauncellour, as then shall happen to bee there then ẏesent, without either warrant oy suit in that behalfe to be had. And foyasmuch as the shiriffes of the sayd counties foy the time being, shall sustayne and suppoyt diuers charges by reason of their sayde office of Shirifewike, as in executing the kings Writtes and summons, and leuying al summes of money contayned in the extractes within their counties, and in comming to Thelchequer to make their ẏofers and viewes of their accompts, and make payment of all ẏ shalbe due vpõ euery of their viewes and accompts, and other diuers costs and charges cõcerning the same office of shirifwike, without hauing from hencefoyth any tayle oy tayles of reward, poytage oy other allowances toward their said charges. And where also diuers of the said shiriffes heretofoye haue vsed at their owne cost, to beare yerely the charges of the expences of ẏ kings Justices of assise, Nisi prius, general & special gaole deliueries, and Oyer, determiner, and of their clerks of assises, and seruãts of the same sessions at their comming two times in the yere, during such time as the sayd Justices remaine and serue the kings highnesse there without hauing heretofoye any recõpence oy allowance foy the same: And to the intent that euery of the sayde shirifes foy the time being, may & shall hereafter be moye able diligently to serue the king in his oy their sayd offices without taking any vnlawfull exactions of the kings subiects, & also better to make ẏouisiõ foy the said iustices & their cõpany in their circuites, hauing aide of the king toward their said charges & expences: The kings highnes of his liberalitie, in cõsideratiõ of ẏ same charges so to be sustained by the sayd shirifes, is cõtented and pleased that it be &c. that euery of the saide shirifes cõming to his accõpts in the said eschequer, shewing a bill subscribed with the hands of the said iustices, oy of such of them as shalbe ẏesent at the sayd assises & sessions, making plaine mention of the wages and time that

Barrons

Expences Justices

Shiriffes comming to accompt

Shiriffes Othe

Discharge

Proces

Commission

Proces

Commission

the ſaid Juſtices did abide or remaine in ỹ ſame coũty at the coſts of the ſaid ſhirifes in or about the kings affaires & buſineſſe, ſhal haue allowance aſwell hereof, as for other his ſaid reaſonable coſtes, vpon his or their accompts in the ſaid Eſchequer, by the diſcretion of the ſaid Lord Treaſorer, Chamberlaines, Chauncellor, & Barons, and in the abſence of the ſaid Lord Treaſorer, Chamberleins, Chauncellor or any of them, by the ſaid Barons, & by as many of the ſaid lord Treaſorer, Chãberlaines and Chaunceller, as then ſhall happen to be there preſent by authority of this preſent act, without warrant or any further ſuit to be had or made in this behalfe, ſo that all the allowances for the coſtes aboueſaid, to all the ſhirifes, do not amount in any one yere aboue the ſumme of three hundred fortie two. li. vi. s. viii. d. This act to continue and endure only to the ende of the next parliament. An. 34. H. 8. cap. 16. This act is continued. 37. H. 8. cap. 23. to endure to the laſt day of the next parliament. Anno 2. E. 6. cap. 4. this act is altered in parte as hereafter following appeareth.

Allowance

L. Treaſorer Chamberlaine Chauncellor Barrons

342. li. vi. s. viii. d.

34 ¶ That the ſaid former act. (Ser. An. 34. H. 8. cap. 16. before 33.) and all clauſes and ſentences in the ſame conteined, ſhalbe frõ henceforth clerely fruſtrat and void to al intents and purpoſes, other then hereafter in this act ſhalbe ſpecified. And that it may be &c. by this preſent parliamẽt that the ſhirifes which ſhalbe made from henceforth within all the ſhires of England, & alſo ſuch as haue not made & finiſhed their accompt or accompts, ſhall haue ſuch and like tailes of reward, and al ſuch other allowances as they had before the making of the ſayd former act, or els the ſame ſhirifes which ſhalbe or heretofore haue bene, to be at their election and choiſe to accompt, and all other things to do according to the aforeſayd former act. And that they and euery of them, that ſo ſhal accompt and take no taile of reward, ſhalbe in and by al things intreated in the kings Eſchequer, as though the ſaid former act were, and ſhould continue in his full ſtrength and effect: Any thing before ſpecified notwithſtanding. And that the ſame tailes of reward and euery of them, by force of this preſent act, without any further warrant or warrants to be obtained for the ſame, ſhalbe leuied or ſtriken, at the receipt of the kings Maieſties Eſchequer, in due maner and forme, with ſuch like letter or writings vpon the ſame tailes & euery of them, as before the making of the ſaid former act were, and haue bene accuſtomed to be leuied and ſtriken. And that ỹ ſame tailes ſo hereafter there to be leuied and ſtriken, ſhalbe deliuered vnto euery of the ſame ſhiriffes, or their ſufficient atturney for them, without preſt or other charge to be ſet vpon them for the ſame, and that this act ſhalbe a ſufficient warrãt and diſcharge vnto the Treaſorer of England, and all other officers within the ſaid receipt for ſtriking, leuying and deliuery of the ſayd tailes and euery of them: And further, that all thoſe ſhirifes that hereafter ſhalbe made within thoſe ſhires of England wheras no tailes of reward heretofore haue bene, by the kings Maieſties moſt noble progenitors, giuen and graunted, and ſuch ſhiriffes as ſhall hereafter take no taile of reward, ſhall in conſideration of their great coſts, charges and expences which they ſhall beare & ſuſtaine, aſwell by the diets of the Juſtices of aſſiſe, as by any other meanes haue vpon the end of their accompt, and of euery of them ſuch allowances, vpon a petition to be made by the ſame ſhiriffes or any of them, in a Bill to be brought in by the ſame ſhiriffe and euery of them of their ſaid coſtes and charges, vpon which billes the ſame ſhiriffes to be ſworne in their owne proper perſons, or by their vnder ſhiriffes, or lawfull atturney thereunto admitted to be true, without warrant or taile ſuing for the ſame. And alſo that all ſhirifes, which hereafter ſhal take no taile of reward, and euery of them ſhal be diſcharged vpon their accompts, of all ſuch fermes, goods, cattels, profits, caſualties, and ſummes of money which they might or ſhould be charged with vpon their accomptes in the ſaid Eſchequer, by what title or name ſoeuer they be named, or

Accompts Capita

Reward

Warrant L. Treaſorer

Shiriffes

Juſt. diet

Allowance Petition.

Sworne

Atturney

Taile of reward Diſcharge

or vpon whatsoeuer person or persons they shalbe streated, or out of whatsoeuer landes and tenements they shalbe going forth, as they can not leuy nor come by.

Shiriffes And that all other shirifs which hereafter shall take any tayle of reward, shal in like maner be discharged of all such fermes, and summes of money aforesayd, (except only of the vicountelles of their Shires, wherewith they shalbe charged, and answerable as they were before the making of the aforesayd former act.) And also the same shirifes of euery shire of England þ now be, or heretofore haue bene, or that hereafter shalbe, and euery of them, shall

Allowance haue plaine deduction and allowance in their sayd accompts, of all such summe and summes of money, as they or any of them shall make or haue true petition of, for, or concerning such possessions, and hereditaments, as be come vnto, or were in the kings Maiesties hands, or any his progenitours by vnity of possession, or by any meane out of the which any part or parcell of the aforesaid vicontels were at any time heretofore leuiable or leuied.

Treasorer Chamberlaine Chaunceller Barons And that the Lord Treasorer, Chamberlaine, Chaunceller, & Barons of the sayd Eschequer, or in the absence of the sayde lord Treasorer, Chamberleine & Chauncellor, the said Barons shall by authority of this act giue and make allowance, deduction, and exoneration, to euery the said shiriffes, of the said fermes, and of al other things without any other warrant.

Barons Allowance Prouided alway that euery of the said shiriffes at his day of prestion immediatly after that he or his deputy, or atturney is sworne to accompt for the issues and profites of his office of shirifewike, shall by him selfe, or by his attourney or deputie sworne for him, when he shall answere before the Lord Treasorer, Chamberleins, Chauncellor, and Barons of the said Eschequer, or in the absence of the said Lord Treasorer, Chãberleine or Chauncellor, or of any of them, then before such of the said Lord Treasorer, Chamberleines or Chancellor, & of the sayd Barons as then shal happen to be present, in the said court of Eschequer, to bring in & deliuer into þ said court rols or schedules of parchmẽt, Rolles containing in them truely without omission or concealement all such particuler summes of money which he hath leuied or lawfully might haue leuied to his witting or knowledge within his bailiwike, as part or parcel, aswel of the said fermes called vicontels in the said former act ex- Vicontels pressed, as of all other fermes of what name or title soeuer they be called, being streated, written or otherwise charged, to any of þ said shiriffes out of the said court of Eschequer, making expresse & distinct mencion in the same rols or schedules, as nigh as he or they can or may, of what person, and what lands and tenements, & for what cause the same particuler summes of money and euery of them bee leuied or leuiable. And that after the same rolles or schedules so deliuered, and the particuler summes of money, in them conteined, apperteyning to their proper fermes, cast & rated in the said court, the said lord Treasorer, Chãberleins, Chauncellor, and the said barons in the absence of þ said Treasorer, Chamberleins or Chauncellour, or any of them for the time being, shall haue full power and authoritie by this act, for the leuying and recouery of such parcels belonging to any the said fermes, called Fermes viscontelles, or any other fermes by what name or title soeuer they shalbe called, being omitted out of the sayd rolles or schedules, and for sauing of other the kings auncient rights and inheritances answerable in the said Eschequer which be now wõgfully withdrawen, or vniustly withholden from the kings Maiestie his possessions, and shal haue power and authority frõ time to time to award such processe, Processe and vse such conuenient waies & meanes by commission or otherwise, according to Commission the course of the said Eschequer, and further, as shalbe deuised by their discretion, so that the kings maiestie, his heires and successors, may be truely answered of the issues and profits of the same, this act or any other statute, act or ordinance, or vse heretofore to the contrary had, made or vsed in any wise notwithstanding. And furthermore, that the sayd Treasorour,

Chãberlaine Chauncellor Barrons. Chamberleins, Chauncellour and Barrons of the saide Eschequier, or the saide Baron in the absence of the said Treasorer, Chamberleines or Chauncellour, or any of them for the time being, shall haue full power and authoritie by their discretions, from time to time, to giue and allowe vnto al and euery such Commissioner or Commissioners (as they shall assigne and appoint by their discretion to enquire of the sayd fermes, and other the kings rights withdrawen) their reasonable costes and charges as from time to time to them shall seeme good and conuenient. An. 2. E. 6. cap. 4.

Northumberland 38 ¶ An. 2. E. 6. cap. 34. an act is made for the sheriffe of Northumberland, to be accõptable for his office as other shirifs be.

☞ 39 ¶ For that since the statute of 1. E. 6 ca. 7. (before in Discõtinuãce of pro. 2.) it seemeth not conuenient, that one same person shoulde exercise at once in one Countie the offices of Shiriffe and Justice of peace: Be it &c. That no maner of person or persons hauing, vsing or exercising the office of the shiriffe of any countie or counties, shall vse or exercise the office of the Justices of the peace by force of any Commission or otherwise, in any countie or counties where he or they shall be shiriffe, during the time only that he or they shall vse or exercise the said office of the shiriffewike: Any thing in the said former act to the contrary in any wise notwithstanding. And that all and euery act and acts to be done by authoritie of any commission of the peace during the time aboue saide, shalbe voyd and of none effect: The sayde former act notwithstanding.

Just. of p.

* Anno 1. M. 1. parl. cap. 8.

40 ¶ Where as the counties and shires of Surrey and Sussex, Essex and Hertford, Somerset and Dorset, Warwike and Leycester, Nottingham and Derby, Oxon. and Barksh. of long time haue had but one shirife to serue for two of the said Counties, that is to say, one for Surrey and Sussex, and one other for Essex and Hertford, and one other for Somerset and Dorset, and one other for Warwike and Leicester, and one other for Nottingham & Derby, and one other for Oxon. & Barksh. &c. Be it &c. that the Queenes most excellent Maiestie, her Heires and successors, Kings or Queenes of this Realme, shall and may from and after the first day of Nouember, wich shalbe in the yere of our Lorde God 1567. yeerely choose and make for euery of the saide counties before named, one sufficient and able person to be shiriffe of the same, in such like maner and forme, as is and hath bene vsed to be chosen, made and done for any other Countie or shire within this realme: Any law, custome, or vsage, heretofore had or vsed, to the contrary thereof notwithstanding. And that euery person, which after the sayd first day of Nouember shalbe made and appointed shiriffe, for any of the sayd Counties, shalbe accomptable and vsed in the order of his accõpt, and all other things, and allowances to him to bee made, in the Court of the Eschequer and al other Courts and places, in such maner and forme, as is commonly vsed for shirifes in like cases.

Shiriffes

Prouided alwaies and be it further enacted by the authoritie aforesaid, that the Barrons of the Queenes highnelle, her heires and successors, of the Court of Eschequer, for the time being, calling vnto them aswell her or their graces Officers of remembrances, and the Treasourers remembrancer together with the Clarke of the Pipe of the same Court, as also the seuerall shiriffes, the which next after the said first day of Nouember, shalbe by her highnesse, her heires and successors, constituted, named, and appointed, of euery of the said seuerall Counties of Surrey and Sussex, Essex and Hertford, Somerset and Dorset, Warwike and Leicester, Nottingham & Derby, Oxon. & Barksh. shall haue by vertue of this act of Parliament full power and authoritie, to seuer and deuide by the discretion & iudgement of the saide Barons, all and singuler the proffers of the said Counties of Surrey and Sussex, Essex & Hertford, Somerset and Dorset, Warwike and Leicester, Nottingham & Derby, Oxon. & Barksh. The which saide seuerance and deuision

Barrons

Remembrances

Seuer

Proffers

of

of the ſaid profers, ſhall be entered of recorde in the ſaide court of eſchequer, and ſhall be finall and perpetuall, during ſo longe time as this preſent acte of parliament ſhall endure and haue continuance.

And it is further enacted by the authoritie aforeſayde, that in ſuch and the ſame maner and forme as the ſaid profers ſhall be deuided, euen ſo the tayle of reward of euery of the foreſaid counties where any tayle of rewarde hereafter ſhall be taken, ſhall be ſeuered and deuided in maner and forme aforeſaid.

Tayle of reward

And be it likewiſe further enacted by the authoritie aforeſaid, that the ſaid Barons for the time being of the Queenes highnes ſaid court of Eſchequer, and of her heires and ſucceſſours, calling vnto them the ſaid officers of the Treaſourers remembrãcer, & the Clarke of the Pipe, ſhall haue ful power and authoritie from time to time to take order and appoyntment for the true and ſpeedy payment & contentation of ſuch creation money, fees and annuities, and all other ſummes of money as hath bene accuſtomed to haue bene payd, or of right ought to haue bene payde, to any perſon or perſons, by the handes of the ſaid ſeuerall ſhirifes. And ẏ ſuch order, direction, and appointment ſo made, had and taken by the ſaid Barons, in maner and fourme laſt before recited, ſhall be obſerued, perfourmed, fulfilled and kept peerely, as well by both the ſhirifes of the ſaid ſeueral counties of Surrey & Suſſex for the time being, as by ẏ ſaid ſeuerall Shirifes for the time being of ẏ ſaid counties of Eſſex and Hertford, and of Somerſet and Dorſet, & of Warwicke and Leyceſter, and of Notingham and Derbie, and of Oron. and Barkſh. any vſage, lawe or cuſtome, to the contrary in any wiſe notwithſtanding.

Barrons

Prouided alwayes, and be it further enacted by the authoritie aforeſaid, that no ſhirife hereafter to be choſen and made of any one of the ſaide counties in this acte mẽtioned, ſhal pay in any court of record for any duetie belonging properly to the office of ſhirife, any other fees or charges, then onely the one halfe of the charges & fees which he ſhoulde be cõpelled to haue paid, if he had bene ſhirife of two of ẏ ſaid Shires and Counties, as before the making of this acte was vſed, any lawe, vſage, or cuſtome, to the contrary notwithſtanding.

Shirifs

Fees

This act to continue and endure vnto the ende of three whole yeeres, to bee accompted from the feaſt of all ſaintes, in ẏ yeere of our Lorde God, a thouſande fiue hundred, threeſcore and ſeuen, and from thence to the ende of the next parliament, then next following the ende of the ſayde three yeeres. Anno 8. El. cap. 16. this is made perpetuall. An. 13. El. cap. 22. here following. 41.

41 ¶ Be it enacted, that ẏ ſaid act made in the ſaide eight yeere of your Maieſties raigne (cap. 16. before 40.) for touching and concerning the choiſe, election, and making of ſhirife and ſhirifes, in the ſaid ſeuerall Counties of Surrey, Suſſex, Eſſex, Hertforde, Somerſet, Dorſet, Warwicke, Leyceſter, Notinghã, Derbie, Oron. and Barkſh. and euery of thẽ, and that all and euery article, clauſe, ſentence, branch and prouiſo therein conteined, ſhall from henceforth for all and euery the ſaid ſhirifes and counties, and euery of them, except the ſaide ſhire of Surrey and Suſſex, ſtande, remaine and continue in full force, ſtrength, vertue and effect, to all intents, conſtructions and purpoſes, to be holden and kept for euer: Any act, ſtatute, lawe, cuſtome or vſage, to ẏ contrary thereof in any wiſe notwithſtãding. An. 13. El. cap. 22.

¶ Silke and Silkewomen.

ANno 33. H. 6. ca. 5. an act was made to endure for v. yeeres againſt bringing into Englãd of certeine ſilke wares wrought.

Wrought ſilke

2 ¶ Anno 3. E. 4. capit. 3. an acte was made to endure for fiue yeeres againſt bringing into England of certeine ſilke wares wrought.

Wrought ſilke

3 ¶ An. 2. E. 4. cap. 3. it was enacted to endure for foure yeeres, that none ſhould bring into Englande ſilke, and certeine

ſilke

Forf. silke wares there named, vpō forfeiture, which act after Anno 1.R.2.cap.10. was made effectual for those 4. peeres & for 5. peeres moe. And after An.1.H.7.cap.9. this act was confirmed for those 4. peres, and from thence to 15. peeres.

Wrought silke 4 ¶ No maner of persō from henceforth bring or cause to bee brought into this realme of Englande to be solde, any maner silke wrought by it selfe, or with any other stuffe or in any place out of this realme in ribandes, laces, girdels, corses, caules, corses of tissues or poynes, vpon

Forf. paine of forfeiture of al the same ribands, laces, girdels, corses, caules, corses of tissues, and points and euery of them in whose handes soeuer they be founde, or ỳ

Moytie value of the same, the one moytie of the same forfeiture to our soueraigne Lorde the king, and the other moitie thereof vnto any of the kings subiectes that wil sease the same, the which to do, it shall be lawefull to euery of the kings subiectes at all times. And ỳ it shall be lawefull to euery person as well stranger as other, to bring into this realme from henceforth al other

Wrought silke maner of silkes, as well wrought, as raw or vnwrought, to sell at his or their pleasure, any act or acts of parliamēt here before to the contrary made in any wise notwithstanding. And that it shall be lawful to all persons that haue any such ribands, laces, girdels, caules, corses of tissues, or points wrought beyonde the sea brought

Licence into this land by the kings licence, and to be sold, to make sale of the same, and euery persō thereof to haue licence & libertie therto, to ỳ feast of Pentecost, ỳ shalbe in ỳ yere of our lord God. 1505. An. 19. H. 7. cap. 21.

¶ Somerset.

Leases Grauntes ANno 2.E.6.cap.12. an act was made to make such leases and grauntes as certaine of the Duke of Somersets officers had made & should make of certaine demeane landes of the said Dukes to be

Copihold of the nature of copihold land.

¶ Southampton.

Wearres IT may be lawefull to euery man to abate, plucke and take away all and euery of ỳ said weares & engins, & euery of them at all times at their pleasure, being in the said Hauen betweene the saide places called Tollhoyd & Redhidge directly

Trouble without trouble, lette or vexation of any man, and that no man let, trouble, vexe, hurt or sue the pluckers vp and takers away of the saide weares & engins or any of them, vpon payne of forfeiture of fortie

Forf. pounde of euery of them, that so letteth, troubleth, sueth, vexeth or hurteth. And that if any person or persons from henceforth make, lewe, fixe or set any weares or engins for fishing, stone, tim-

Fishing ber & earth in the sayd hauen, directly betweene ỳ said places, then he or they that so doe, shall forfaite a hundred pound, the

Forf. Moitie one halfe of either of the saide summes to be to the king &c. the other halfe to him or them that will sue &c. And that the defendant &c. be not essoined &c. And this act to endure the space of twentie yeres next nexte ensuing. An. 11. Hen. septi. cap. 5. This act is made perpetuall. Anno. 14. H. 8. cap. 13.

Pull downe 2 ¶ And furthermore be it &c. that euery owner, fermour and occupier of the said weares, goyes & engins, and euery of the same, do pull down & put away the same, on this side the feast of saint Michael the Archangell nexte comming, without le-

Forf. uying, mainteining, making or repayring ỳ same from henceforth, vpon paine of a hundred pound, to be forfeite and leuied likewise and in like maner as in the same former acte is conteined. This acte to endure for euer. An. 14. H. 8. cap. 13.

¶ Spirituall lawes.

Clergie AN. 25. H. 8. cap. 19. an act was made of the submission of the Cleargie to the king, and that they should not execute any constitutions, ordinaunces, &c. without the Kinges licence, and that two and

32. persons thirtie persons should be by the king appointed to examine those constitutions &c. & to abrogate such as they shal thinke meete, and the residue to stande in force. And after Anno 27. H. 8. cap. 15. it was enacted that the king during three yeeres might name those two & thirtie persons.

And

And after by An.35.H.8.cap.16. ỳ ſame power is giuen to ỳ king during his life, but theſe three actes be repealed by 1.and 2.P.and M.cap.8.and the ſaid act of 25. cap.19.is renued by 1.El.cap.1.

King Repealed.

Renued

2 ¶ Anno 37.H.8.cap.17.an acte was made, that doctours of ciuill lawe, being maried might exerciſe eccleſiaſticall iuriſdiction, but it is repealed by 1.and 2. P.and M.ca.8.as appeareth in Rome.4.

Doctors

3 ¶ Anno 3.Ed.6.cap.11. it was enacted ỳ the king during three peeres might appointe xvi.ſpirituall men and xvi.temporall men to examine the eccleſiaſticall lawes, & to compile eccleſiaſticall lawes with diuerſe articles concerning thoſe matters. But this act tooke no effect.

32. Perſons

4 ¶ Be it enacted that euery perſon vnder the degree of a Biſhop, which doth or ſhall pretende to be a prieſt or miniſter of Gods holy worde and Sacramentes, by reaſon of any forme of inſtitution, conſecration, or ordering, then the fourme ſet forth by parliament in the time of the late king of moſt worthie memorie king Edward the ſixth, or nowe vſed in the raigne of our moſt gratious ſoueraigne Ladie, before the feaſt of the Natiuitie of Chriſt next following, ſhall in the preſence of ỳ Biſhop or Gardian of the ſpiritualties, of ſome one Dioces where he hath or ſhall haue eccleſiaſticall liuing, declare his aſſent and ſubſcribe to all the articles of religion, which onely concerne the confeſſion of the true chriſtian faith, and the doctrine of the Sacramentes, compriſed in a booke imprinted, entituled, Articles whereupon it was agreed by the Archbiſhops and biſhops of both Prouinces, and the whole Cleargie in the conuocation holden at London, in the yeere of our Lord God, a thouſād fiue hundreth ſixtie and two, according to the Computation of the Church of England, for the auoyding of diuerſities of opinions, and for the eſtabliſhing of conſent touching true Religion, put foorth by the Queenes authoritie: And ſhall bring frō ſuch Biſhop or Gardian of ſpiritualties, in writing vnder his ſeale autentike, a teſtimonial of ſuch aſſent and ſubſcripcion, and openly on ſome Sunday in the time of the publike ſeruice afore noone, in euery Church where by reaſon of any eccleſiaſticall liuing hee ought to attende, reade both the ſaide teſtimoniall, and the ſaid articles, vpon payne that euery ſuch perſon which ſhal not before the ſaid feaſt doe as is aboue appointed, ſhall be (Ipſo facto) depriued, and all his eccleſiaſticall promotion ſhalbe void, as if he then were naturally dead.

Prieſt

Biſhop

Aſſent Subſcribe

Teſtimonial

Reade

Depriue

And that if any perſon Eccleſiaſticall, or which ſhall haue Eccleſiaſticall liuing, ſhall aduiſedly maynteyne or affirme any doctrine directly contrary or repugnant to any of the ſaid articles, and being conuented before the Biſhop of the dioceſſe, or the Ordinarie, or before the Queenes highneſſe cōmiſſioners in cauſes eccleſiaſticall, ſhall perſiſt therein, or not reuoke his errour, or after ſuch reuocation, eftſoones affirme ſuch vntrue doctrine: ſuch mainteing or affirming & perſiſting, or ſuch eftſoones affirming, ſhall be iuſt cauſe to deprriue ſuch perſon of his eccleſiaſticall promotions: And it ſhall be lawful to the biſhop of the Dioceſſe, or the Ordinarie, or the ſaid cōmiſſioners, to depriue ſuch perſō ſo perſiſting or lawfully conuicted of ſuch eftſoones affirming, and vpon ſuch ſentence of depriuation pronounced, he ſhal be in deede depriued. And that no perſon ſhall hereafter be admitted to any benefice with cure, except he then be of the age of xxiii. yeeres at the leaſt, and a Deacon, and ſhall firſt haue ſubſcribed the ſayde articles in preſence of the ordinarie, and publikely read the ſame in ỳ pariſh church of that benefice, with declaration of his vnfeigned aſſent to the ſame. And that euery perſō after the ende of this ſeſſion of parliament, to be admitted to a benefice with cure, except that within two monethes after his induction, he doe publikely reade the ſaid articles in ỳ ſame church whereof he ſhal haue cure, in the time of common prayer there, with declaration of his vnfeined aſſent thereto, and be admitted to miniſter the Sacramentes within one yeere after his induction, if he be not ſo admitted before,

Maynteine doctrine

Biſhop

Ordinarie Commiſſioners

Reuoke

Depriue

Sentence

23. yeeres olde

Reade

Admitted One yeere

fore, shall be vpon euery such default, Ipso facto, immediately deprined. And that no person now permitted by any dispensation, or otherwise, shall retaine any benefice with cure being vnder the age of xxi. yeeres, or not being Deacon at the least, or which shall not be admitted, as is aforesaide, within one yeere next after the making of this act, or within vi. moneths after he shall accomplish the age of xxiii. yeres on paine that such his dispensation shall be meerely voyde.

21. yeeres Deacon

24. yeeres olde

And that none shall be made minister or admitted to preach, or minister the Sacraments, being vnder the age of xxiiii. yeeres, nor vnlesse he first bring to the Bishop of that dioces from men knowen to the Bishoppe, to be of sound religion, a testimoniall both of his honest life and of his professing the Doctrine expressed in the said articles: nor vnlesse he be able to answere and render to the Ordinarie an accompt of his faith in Latin, according to the saide articles, or haue speciall gift and habilitie to be a preacher: nor shall be admitted to the order of Deacon or ministerie, vnles he shall first subscribe to the said articles.

Minister Preach

24. yeeres olde

Testimoniall

Latin

Deacon Subscribe

And that none hereafter shall be admitted to any benefice with cure, of or aboue the value of xxx. poundes yeerely in the Queenes bookes, vnlesse he shall the be a Bacheler of Diuinitie, or a preacher lawfully allowed by some Bishoppe within this realme, or by one of the Universities of Cambridge or Oxeforde.

30. li. yeerely

Bacheleur of diuinitie Preacher

And that all admissions to benefices, Institutions, and inductions to be made of any person contrary to the fourme or any prouision of this act, and all tolleracions, dispensations, qualifications, and licences whatsoeuer to be made to the contrary hereof, shall be merely voyde in lawe, as if they neuer were.

Tolleration Dispensation Qualifications Licence Voyde

Prouided alway, that no title to conferre or present by Lapse, shall accrue vpon any deprivation, Ipso facto, but after vi. moneths after notice of such deprivation giuen by the Ordinarie to the patrone. Anno decimo tertio Elizabethæ capitulo 12.

Lapse

¶ Spiritualtie.

The Statutes made the xxv. yeere of King Edwarde, graundfather to our soueraigne loyde the King that nowe is, touching the Clergie of Englande, be entirely holden and kept, and put in due execution. An. 4. H. 4. cap. 2.

Clergie

2 ¶ All the estatutes, ordinaunces and grauntes, made or graunted by his noble progenitours or predecessours Kinges of Englande, to the Clergie of Englande, for the conseruation of their liberties and priuiledges, and for the conseruation of the liberties and muniments of holy Church not reuoked, be firmely holden, obserued and kept, and put in due execution according to their forme and effect. Anno 4. Hen. 4. capitulo tertio.

Clergie

Liberties

¶ Stanes.

Anno 1. Hen. 8. cap. 9. is an Acte concerning the maintaining of a Bridge & Causey of Stanes, and for the gathering of the Tolle there, and the letters patents made of that tolle to be void.

Bridge Causey Tolle Voyde

¶ Staple.

The Staples beyonde the Sea and on this side, ordeined by Kinges in times past, and the paines thereupon prouided, shall cease: And that all marchants strangers and priuie may go and come with their marchandises into Englande, after the tenure of the great charter, and that writtes be thereupon sent to all sherifes of Englande, and to Maiors and Bailifes of good townes where need shall require. An. 2. E. 3. cap. 9.

Marchants strangers

Writtes

2 ¶ The Staple of wolles, leather, woolfelles and lead, growing and coming forth within our sayde Realme and landes, shall be perpetually holden at the places vnder written, that is to say for Englande at Newcastle vpon Tyne, Yorke, Lincolne, Norwiche, Westminster, Caunterburie, Chicester, Winchester, Exceter, and Bristowe. For Wales at Karmardin, and for Ireland at Drueline, Waterforde, Cork & Dyogh-

Woolles Leather Woolfelles Lead

Englands

Wales Ireland

da,

da, and not elſe where. And that all the ſaid wools as well old as new, woolfels, lether and leade, which ſhall be brought out of the ſaide realme and lande, ſhall be firſt brought to ỹ ſaid ſtaples. And there the ſaid wooll and lead betwixt marchant and marchant, and marchant and others to be truelyfully weighed by the ſtandard.

Sacke

Seale

And that euery ſacke and ſarplee of the ſame wools ſo weighed, be ſealed vnder the ſeale of the Maior of the ſtaple. And ỹ the woolles ſo weighed and ſealed in the ſtaple of Yorke, Lincolne, Norwiche, Weſtminſter, Caunterburie and Winchelter: And alſo lether, woolfelles, and lead which ſhal come there (the cuſtomes of the ſtaple thereof payed) ſhall bee witnelled by bill, ſealed with the Seale of ỹ Maior of the ſtaple, and brought to the portes vnder written, that is to ſay, from Yorke to Hull, frō Lincolne to Saint Botolfe, from Norwich to great Yermouth, from Weſtminſter to London, frō Canterburie to Sandwich, frō Winchelter to Southhampton. And there the ſayde wools & lead ſhalbe another time weighed by our cuſtomers aſſigned in the ſame parties. And al ỹ wools and lead brought to the ſayde portes of Newcaſtell, Chichelter, Exceter, Bullowe, Kermarden, Deuelin, Waterford, Cork & Dzoghda, where the other ſtaples be holden, ſhal be but once weighed by the ſtandard betwixt marchant and marchant, or marchant and other in preſence of our cuſtomers there:

Maior

Cuſtomers

Indenture Maior Cuſtomer

And an indenture ſhall be made betwixte the Maior of the ſtaple being in the porte of the ſea and our cuſtomers there, of all the woolles and lead ſo weighed, and alſo of all the lether and woolfels which ſhall come to the ſaide ſtaples to paſſe there, & the ſame woolles and lead, and alſo the lether and woolfelles cuſtomed and rocketted, and the cuſtomes thereof due paid to our ſaid cuſtomers in al the ſaid portes,

Denizens

that is to ſay of Denizens for the time ỹ they haue paſſed halfe a marke of a ſacke of woolle, halfe a marke of CCC. wolfelles, a marke of a laſt of lether. And of

Aliens

aliens x.s. of a ſacke of woll, x.s. of CCC woolfelles, and xx.s. of a laſt of leather, & iii.d. of euery ſowe of lead, then the ſayde marchaundiſes ſhall be brought by marchants ſtraungers, which haue bought ỹ ſame, and not by Engliſhmen, Welſhe men, nor Iriſhmen, to the parties beyond the ſea, out of our ſaid realme and lands, to what parties it ſhal pleaſe the ſaid marchants ſtrangers.

Strangers

And that the ſaid Maior & Cuſtomers ſhall delay no man willingly for gayne, nor for ſuch cauſe, nor in other maner ſhal any thing take of any perſon to doe that that pertaineth to their office, vpon paine of impriſonment, and to pay to the partie the double of that that they haue ſo taken, and alſo of that that the partie ſhall be indammaged becauſe of ſuch taking or delay, and not to be ranſomed at our will, but ſhall holde them content of that that they did take in certaine to doe their office.

Impriſon

2. Damages

Maior Marchants Othe

And that the maior of the ſtaple and the cuſtomers take an othe of al the marchants, which ſo ſhall paſſe with woolles, leather, woolfelles and lead, that they ſhal hold no ſtaple beyond the ſea of the ſame marchandiſes. An. 27. E. 3. cap. 1. ſtatute ſtaple.

Free ſtaple

3 ¶ For as much as no ſtaple may bee profitable for vs and for our ſayd realme and landes, vnleſſe it be free, we will and graunt for vs and for our heyres, for the maintenance of the ſaid ſtaple, that al maner of people may come with their carriage and goods to the ſtaple, and from the ſame returne freely without being diſturbed by priſes of vs or of any other. Saying to vs and to our heires all maner of

Priſes royal

priſes royall, of all maner of carriages & victailes through all our ſayde realme and landes of old times due and vſed of right, as haue bene made by vs and by our auncelters in times paſt. And euery carrier

Carrier

returning frō the ſtaple, ſhall haue a bill

Seale

vnder the ſeale of the Maior of the ſtaple, whereby it may be knowen ỹ he ſerueth the ſtaple, conteining the iourneys that him needeth for his returne to the houſe, which bill ſhall be graunted to him. And the ſame Maior ſhalbe ſworne that he ſhal

Maior

make no ſuch Bill for none other then which ſerueth the ſtaple: And if any ſuch carrier,

carrier, carte, shippes, beastes or other thing, which serueth for carriage of that that perteineth to the staple, be taken, and be within the vierge out of the staple, hue and crie shall be leuied vpon the takers, & the takers shal be forthwith taken by people of ỳ towne, where ỳ price was made, or by people of another towne, if they be lacking, and brought before the Stewarde and marshall of our house.

Vierge
Hue & crie
Steward
Marshall

And there readie punishment shall be made of them, according as the deede requireth. And if any such price be made out of the vierge, hue and crie shall be leuied, and the takers shall be taken and arrested by the towne, where such prices shall be made, or by other townes neere if they be lacking, and brought to the next gaole, & there to be done of them as of theeues, if the deede the same require. And in case that the people of such Townes be negligent and will not pursue and arrest such takers, as before is sayde, the iiii. townes next shall answere of the damnages that may be founde before them, whome wee shall thereto assigne, that the plaintifes haue incurred by their default, if they cannot reasonablie excuse themselfs thereof.

Punish
Arrest
Gaole
Felonie
Negligent

And if such prices be made in a place, where that the staple is, the takers shalbe arrested by the Maiors and ministers of the staple, and right done to the plaintifes by the said maiors and ministers.

Arrest

So alwaps that if such price be made at the staple, and the staple be within the vierge, and the takers arrested be of our house, then the right shall be done of the by the maiors and ministers of the staple. And the Stewarde and Marshall of our house, or the stewardes lieutenaunt shall be thereto called, if they will be there, to see that right be done of the sayde takers according to the law of the staple. And in case they come not, the Maior and Ministers of the staple shal proceede in the processe, and do Justice according to the law of the staple, notwithstanding the not coming of the stewarde or marshall, or lieutenant aforesaide. Anno 27. E. 3. capitulo quarto, stat. staple.

Vierge
Steward

4 ¶ In case that our benche or common bench or Justices in Eyre, or Justices of Assise, or the place of the Marshalsey, or any other Justices come to the places, where the saide staples be, the said Justices, nor stewardes, nor marshalles, nor other the sayde places shall haue no cognisaunce thereof that the thing that pertayneth to the cognisaunce of the Maior and ministers of the staple. Anno 27. E. 3. sta. staple. cap. 5.

Justices

5 ¶ We will and defende that no marshal, nor other minister of our house nor of others, shall make liuerie nor meddle in the places where the staple shal be holden and kept of the houses where the said marchants or their meiny, or woolles or other marchandises of ỳ staple be lodged, nor enter into the same, to doe their office there, nor take any thing thereof to spare any, vpon the payne to make gree to the partie at whose suite he shall be attayned, of the quatreble of that that the playntife shall be indamnaged, and further shall be grieuously punished against vs. An. 27. E. 3. cap.

Marshall
Liuerie
Woolles

6 ¶ We will and graut that no licence nor priuiledge to make passage by Englishemen, Irishemen or Welshemen of woolles, leather, woolfelles or lead out of the same realme and landes, shall be graunted by vs nor our heyres agaynst this ordinance. And if any be granted to the contrary, they shal be holden for none. And they shal giue no warrāt, nor excuse to them, which shall doe to be passed the sayde marchandises, that they shall not incurre the paynes and forfaytures conteined in the sayde article. An. 27. E. 3. ca. 7. stat. staple.

Licence
Woolles
Leather
Woolfelles
Lead

7 ¶ We haue ordeined and established, that the Maiors and Constables of the staples, shall haue iurisdiction and cognisaunce within the Townes where the Staples shall be, of people and of al maner of things touching ỳ staple. And that al marchants comming to the staple, their seruants and meinie in the staple, shall be ruled by the lawe marchant, of al things touching the staple, and not by the common lawe of the Lande, nor by vsage of cities,

Maior
Constable
Marchants
Lawe mer-
chant

cities, boroughes, nor other townes, and
Impleads that they shal not implead nor be impleaded before the iustices of the said places in plea of debt, couenaunt and trespasse touching the staple, but shal implease al persons, of whome they will complaine, as well such as be not of the staple, as those that be of the staple, which shall be there found. And in the same maner they shall be impleaded onely before the Maior and Justices of the staple, which shalbe thereto deputed of al maner of pleas and of actions, whereof the cognisance perteineth to the ministers of ỳ staple. So alwayes,
Couenants that al maner of contracts and couenants made betwixt marchant and marchant or other, whereof the one party is a marchãt or minister of the staple, whether the contract or couenant made be win ỳ staple or without, and also of trespasses done within the staple to marchants or to ministers of the staple by other, or by any of them to other: the partie plaintife shal chose, whether hee will sue his action or quarell before the Justices of the staple by the lawe of the staple, or in other place at the common lawe: And he shall be thereto receiued. So alwayes ỳ in the pleas touching
Steward any of our house, the stewarde or his lieutenant, & the marshals of our house shall be with the Maior of ỳ staple, to see that right be done to the parties, as before is sayde, if they will be there. But pleas of
Pleas of land land and of freeholde shall be at the common lawe. And if marchants or their people being in the staple, because of ỳ same
Felony do felonie or be slain, robbed or maihemed by any persons, the Maior of the staple & other couenable shall be assigned Justices, to heare and determine the said felonies & maihemes within the staple without delay according to the common law. And if any such felon or trespassour be taken and detayned within any fraunchise to whomesoeuer the same be, because of such felony or maiheme done within ỳ staple, it shall be forthwith commaunded by
Writ writ, to make the said felon or him that did ỳ maiheme to come before the saide Justices, to doe right of him in fourme aforesaid. And if they ỳ haue such prisoners in warde, will not deliuer them, they shal
Refuse Fort. incurre the paine of an C. li. towards vs. And neuertheles they shal deliuer the bodie in the fourme aforesaid. And in case ỳ
Indictment any indictment be made out of the staple of felonies or trespasses done by people of the staple, or by other of them within the staple, the same indictment shall be sent before the sayde Maior, and them which shall be assigned iustices with him, to doe right in this partie. And if the plea or debate be made before the Maior of ỳ staple betwixt the marchants or ministers of the same, and thereupon to trie thereof the trouth, an enquest or prose is to be take: we will that if the one party and the other
Enquest be a straunger, it shall be tryed by straungers.
Triall Strangers Denizens And if the one partie and the other be Denizens, it shall be tryed by Denizens. And if the one partie be denizens & the other an alien, the one halfe of the enquest of the prose shall be of denizens, &
Halfe the enquest the other halfe of aliens. An. 27. E. 3. stat. staple, cap. 8.

8 ¶ To the intent that the contractes
Contractes made within the staple shall be the better holden, and the paymentes readily made: we haue ordeyned and stablished, that euery Maior of the sayd staples shall haue
Maior power to take recognisaunces of debtes,
Recognisace which a man wil make before him, in the presence of the constables of the staple or
Constable one of them. And that in euery of the said staples be a seale ordeined, remaining in
Seale the custody of the said maior of the staple, vnder the seales of the same constables. And that all obligations which shall bee made vpon such recognisances, be sealed with the said seale, paying for euery obli-
Pay gation of an C. pound and within, of euery pound an halfe penie. And of euery obligation aboue an C. pounde, of euery pound a farthing. And that the Maior of the staple, by vertue of the same letters so sealed, may take and holde in prison ỳ
Imprison bodies of the debtours after the terme incurred, if he be found within the staple, til they haue made agree to the creditour of the debt and dammages.

And also arrest the goods of the saide
Arrest goods debtours found within the said staple, and deliuer

deliuer the saide goods to the sayd creditours by the estimation, or to sell them at the best that a man may, and deliuer the money to ꝑ creditors till the summe due. And in case that the debtours be not found within the staple, nor their goodes to the summe of the debt, the same shall be certified in the chauncerie vnder the said seale, by which certification a writ shall be sent to take the bodies of the saide debtours, without putting them to mainprise. And to seise their lands and tenements, goods and cattels.

Chauncerie
Writ

Mainprise

And the writte shal be returned in our Chauncerie, with the certification of the value of the said landes and tenementes, goodes and cattels. And thereupon due execution to be made fro day to day in maner as it is conteyned in the statute marchaunt, so that he, to whome the debte is due, haue estate of freeholde in the landes and tenementes, which shall be deliuered to him by vertue of the same writes, and recouerie by writte of Nouell disseisin, in case if hee be out. And that the debtour haue no aduauntage of the quarter of a yeere that is conteined in the sayd statute marchant. And in case that no creditour will haue letters of the said seale, but wil be at the faith of the sayde debtour, if after the terme incurred he demaund the debt, the debtour shall be vpon the faith. Anno 27. Edwardi 3. Statute Staple, capitulo nono.

Nouell disseisin

Woolls
Leather
Felles
Lead

9 ¶ They that haue woolles, leather, felles, and lead in the countrey betwixte the places where the staples bee, and the Sea, and the same will doe carte to the staple by fresh waters, or by armes of the Sea, shal make indentures betwixte them and the bailifes of the townes where they put them in shippe, testifying howe much woolles, leather, felles, and lead is so put in shippe. And the Baylifes of the places shall take an othe and sufficient suertie, for which they will answere, of them and the mariners, which shall goe with the same woolles, leather, felles and lead, to the staple, & no partie else where: And there shall discharge before that they doe enter the Sea.

Indentures

Baylifes
Othe
Suertie

Mariners

And that the Baylifes send forth with the one parte of the indenture, conteining the suretie and the quantity of the woolls, leather, woolfelles and lead, to the Maior of the Staple, at their costs, that owe the goodes, by some man for whom they will answere. And if any Maior, Baylife, or other minister of the places where such marchandises shall be charged, suffer the said marchãdises to passe in other maner, as well the Maiors and baylifes, and ministers aforesaid, as ꝑ marchants, which the same shall charge, shall incurre the paynes and forfaytures conteyned in the said thirde article. Anno 27. Edwardi 3. cap. 15. stat. staple.

Maior

Maior
Baylifes

10 ¶ That in euery towne, where the staple shall be holden, shall be ordayned certaine rowes & places where the woolls and other marchaundises shalbe put. And because that the lordes or wardens of the houses and places (seeing the necessitie of marchants) do set percase their houses at too high ferme: we haue ordeined, that the houses, which be to be leased in such maner, shall be set at a reasonable ferme, according to the ordinaunce of the Maior and Constable of the Staple, and of foure discreete men of the best of the towne, where the staple is, which shall be swoyne in the presence of the saide Maior and Constable, to make a lawefull taxe, so that for defaulte of houses, the Staple shall not be impeached. And that no man, that bringeth his woolles or other marchandises there, be disturbed to lodge the same woolles and marchaundises in the houses, which they haue so hired. An. 27. E. 3. cap. 16. stat. staple.

Woolls

Reasonable rent

Othe

11 ¶ Because we do well perceiue that marchauntes strangers doe not come so commonly into Ireland nor into Wales for marchaundise, as they doe into England, we will of our especiall grace, that it shall be lawefull to the people of Irelande and Walles, which may not deliuer their woolls, leather, woolfelles and lead, in Ireland and in Walles, to ꝑ marchãts straungers, to come with the sayde marchaundises, after that they be customed and cocketted in Irelande and in Walles,

Ireland
Wales

Wales, to any of our Staples in England, which them shall please, bringing their cockets, witnessing their marchandises, which they shal discharge at the staples in England: so that they when they shall come to the staple in Englande, or they that bought their sayd marchaundises of them, shall not paye another time custome nor subsidie for the sayde marchandises so customed in our said landes of Ireland and Wales. And our Treasourer, and the Barons of our Eschequer of England, shall be certified two times by the peere at the least, that is to say, at Easter and Michaelmas, howe much woolles, leather, woolfelles, and lead shal passe out of the sayd land of Ireland, & of the custome thereof payed. And in case that the marchantes, or other people of Ireland, or of Wales, after that they be in the sea with their sayd marchãdises doe passe to any place, other then to the staples in England, they shal incurre the paynes and forfaitures in the sayde third article. Anno 27. Ed. 3. capit. 18. stat. staple. 9.

Custome
Treasorer
Barons
Woolles
leather
lead
Marchant

12 ¶ That no marchant nor other, of what condition that he bee, shall loose or forfaite his goods nor marchaundises for the trespas and forfaiture of his seruant, vnlesse he doe it by the commaundement or procurement of his master, or that hee hath offended in the office, in which his master hath set him, or in other maner, that the master be holden to answere for the deede of his seruant by the lawe marchant, as else where is vsed. And because that marchantes may not often long tary in one place for leuying of their marchãdise: we will & graunt that speedy right be to them done fro day to day, and from howr to howr, according to the lawes vsed in such staples, before this time holden else where at all times, when they will them complayne of any, or that any will complayne of them, so that the marchantes be not by malice delayed for default of speedy remedy. An. 27. E. 3. cap. 16. statute staple. 34.

Seruant
Law marchant
Speedy right

13 ¶ Because we haue taken all the marchants straungers in our said realme & landes, into our special protection, and moreouer graunted to do to them speedy remedy of the greeuances if any be to thẽ done: We haue ordayned and established, that if any outrage or greeuance be done to them in the countrey out of the staple, the Justices of the place where such outrages shalbe done, shall do speedy Justice to them after the lawe marchant fro day to day and from howr to howr, without sparing any man, or to put them to sue at the common law. And if any man be conuict, that he hath greeued the marchants, so taken in our protection, he shall be punished against vs for the contempt done to vs, in asmuch as shall be iudged to the marchantes for their dammages, and to the sayd marchants straungers their double dammages shalbe iudged. An. 27. E. 3. cap. 20. statute Staple.

Marchant straungers
Justices
Law marchant
Punish
Contempt
2. dãmages

14 ¶ Because that the staples may not long hold, nor the ordinances thereof made & to be made, be kept, if good executours and Justices bee not stablished to make thereof good and ready execution: We haue ordeined and stablished, that in euery towne, where the staple is ordeyned, a Maior, good, lawful and sufficient shalbe made & established, hauing knowledge of the lawe marchaunt, to gouerne the staple, and to doe right to euery man, after the lawes aforesaid, without fauour, sparing, or griefe doing to any. And in euery place where the staple is, shall bee two couenable Constables, nowe at his beginning put by vs, to doe that perteyneth to their office, as in other staples is accustomed, and when they shalbe dead, or chaunged, then other shalbe chosen by the comminaltie of the marchants of the sayd places. And that no Maior holde the office ouer the peere, vnlesse he be newely chosen by the comminaltie of the marchantes, aswell of straungers as of denizens. And that the sayd Maior and Constables haue power to keepe the peace, & to arrest offenders in the staples for debt, trespasse, or other contract, and them to put in prison and punish after the lawe of the staple. And a prison shall be ordeyned for the safe keeping of thẽ that so shall be

Maior
One peere
Straungers
Peace
Arrest
Imprison

Maiors Sherifes Bailifes

imprisoned. And the Maiors, sherifes, and bailifes of the townes where the staple is, or toyning to the staple, shalbe attending to the Maior and ministers of the staple, to do execution of their commandements,

Fine.

vpon payne of grieuous forfaiture: and

Lord

one lord or other of the most sufficient in the countrey, where the staple is, shall be assigned, to be aide to the Maior and ministers of the staple, to iustifie the rebels, which by the sayde Maior and ministers can not be iustified, and to maintaine and counsel them when neede shalbe, to good gouernance of the staple, and to redresse at euery mans complaynt that that shall be done amisse by ỹ said Maior or ministers, or other, and to doe right to the complaynantes in this behalfe. And that the same Maior and constables do not nor ordayne any thing contrary to this ordinãces, nor make interpretation nor exception to thẽ otherwise then the wordes doe purport, but if there be any thing that is doubted, it shalbe shewed to our counsel, and there declared by good aduice. An. 27. E. 3. cap. 21. Statute Staple.

Correctors

15 ¶ In euery place, where the staple shalbe holden, there shall be a certaine number of correctors, as wel of strangers as of priuies, good people, sufficient, and learned of such misterry, lawfully to make and record the bargaines betwixt the buiers and the sellers, as hath bene vsed in other Staples holden in other places, and

Mainparnours

that they finde sufficient mainparnours before the maior & cõstables of the staple, lawfully to do that pertaineth to their office: and if they be founde in default, they shall pay to him that is indammaged, as much as his losse shall amount to, so that they meddle them not of any maner of marchaundise for the time that they shall abide in the office. And that no man bee constrayned to haue corrector, vnlesse he will of his gree, nor to pay any thing to any corrector, vnlesse hee meddle of his bargaine at his request. An. 27. E. 3. cap. 22. stat. Staple.

Poytours Packers Labourers

16 ¶ Certaine number of poytours, packers, winders, workers, and other labourers of woolles, and all other marchandises be sufficiently ordained for the place where the staple is, and they and the correctours, and all maner of officers of

Correctors

the staple, besides the Constables, shall be sworne before the Maior of the staple, that

Othe

they lawfully shall doe their office, without fraude or male engine. Also all marchantes aliens and Denizens, comming

Marchants aliens

to the sayd staples because of marchaundise shall be sworne before the same Ma-

Othe

ior and Constables, that they shalbe iustified by the same Maior and Constables, according to the law and vsage of the staple, & shall maintaine almuch as in them is, the staple and the lawes and vsages of the same without fraude or male engyne. And the Maior and Constables shall be sworne in the Chauncery, to do lawfully that that pertaineth to them. Anno 27. E. 3. cap. 23.

Marchants aliens

17 ¶ The marchants strangers shal chose ii. marchantes straungers, whereof the one towardes the South, and the other towards the North, shall be assigned

Maior

to sit with the Maior and Constables of the staples, where some of those persons chosen shall come, to heare the playntes touching marchantes aliens, that shall be moued before the said Maior and Constables, at all times that any of the sayd persons chosen will be there, and to see that plaine right be done to the said marchãts aliens, so that the sayd Maior and Constables shall not cease to goe forth in their processe, in case that those persons chosen come not there. And in case that debate

Debate

rise betwixt them, vpon the discussing of any plea or quarrell: the tenour of the same plea or quarrell shall be sent before the Chauncelour, and other of our counsaile, to be determined there without de-

Chancelor

lay. And also vi. persons shall be chosen,

vi. persons

that is to say iiii. aliens, whereof two shal be of Almaigne, and ii. of Lombardy, and ii. of England, which shall be discreete men, and worthy of faith, and shal sweare,

Othe

that they shall well and lawfully do their office, that is to say, that when and at what time any question or debate shall rise or come amongst marchantes of any vnreasonable wooll or vndue packing,

according

according to the couenants made betwixt the sellers and the buyers, that the sayde persons or foure of them, may before the maior of the staple & the officers, by their othe, say and amend as reason will, and thereupon credence shalbe giuen to them without any contradiction. An. 27. E. 3. cap. 24. Statute Staple.

Conspire

18 ¶ No marchant, nor other, shall make confederacy, cõspiracy, couin, imagination or murmour, or male engine in any poynt that may turne in impechmẽt, disturbance, defeylance, or distresse of the sayd staples, or of any thing that to them perteineth, or may perteine, & if any doe, and thereof be attainted before the maior & ministers of the staples, or other, whom we shall thereto assigne, shall incurre the paynes and forfaitures contayned in the said third article. An. 27. E. 3. cap. 25.

Cities Townes & portes

19 ¶ That al the said things be firmely kept and holden in all points, notwithstanding fraunchise, custome, priuiledge, exemption, iudgements, or other grantes made to cities, boroughs, townes, cõminalties, people of the v. portes, and other ports, or any other singular persons. And in case that any thing be to be amended, added, changed, or withdrawen of any of the said pointes in time to come by a true cause, we will, that the same be done by deliberation & aduise of the great men and other of our counsell in the parliament. Sauing in other things to the Prelates, Dukes, Erles, Barons, & other Lordes, their faires, markets, hundreds, wapentake, leetes, iurisdictions, courtes, fraunchises, & priuiledges, & al other things to thẽ pertaining, in the places where þ staples be & shalbe, & els where, as farforth as they had thẽ before that þ staples were ordained. An. 27. E. 3. cap. 28. stat. staple.

Faires Markets Iurisdictions

20 ¶ Forasmuch as the staple is now of late ordayned, to abyde perpetually in England, & at the beginning there was no euidence in certaine, by which a man might assigne or limitte in certaine that, that the maiors and constables in the places where the staples be ordayned, ought to take by yeere in certaine for their trauaile, but it was then assented by the lords and commons, that of euery sacke should be leuyed viii. d. for the first yere, and deliuered to the sayd maior and constables in the places where the sayd staples be assigned, which first yeere passed out at þ guile of August last past, and now commeth as much wools or well nigh as much, to the port of London, as do in all the other staples through the Realme, and to some of other staples commeth as much of wooles, as to two or three of the other staples, so that to one staple commeth more, and to another lesse, so that the maior and cõstables of some place take too much, and in some places too litle, & the people be very much charged to pay viii. d. of a sacke, (as is aforesayd) hauing regarde to the summe of the wools, that passeth ouer the sea: And al the time that þ said staple was abiding beyonde the sea, he that is chosen maior by the marchants of England, did take a certaine by yeere: And also it were reason that it should be so in England, & that in a reasonable maner, euery man according to his trauayle, & that the people should not be so much charged: Wherefore it is ordeined by the king & the great men, and by the aduise of all the cõsaile, that no more shall be leuied of a sacke but iiii. pẽce, in no part from the guile of August last past hitherto, nor frõ hencefoorth. And that the iiii. pence of the sacke in euery place where the staple is, shalbe put in a bore, and sealed with the seales of the maior and constable, to the entent that the said maior and constables may be thereof payd of their certeine that they shal take. And if at the end of the yere more be found in the bore, then the fees of the said maior and constables shall amount vnto, it shall be safely kept, to pay and perfourme the fees of the maiors and constables in other staples, where the iiii. d. will not thereto suffice. And if any thing remayne in the sayde bores, after the fees payed, the same summe residue, shall be saued to the common profite of the marchantes of the staple for the yere to come, and for to pay for the wayghtes made of newe, and also for payments and other things necessary touching the staple. And as much as is

4. d. the sacke

Fees

Common profit

leuied in all the places, where the staples be, ouer ꝯ said summe of iiii.d. of ꝯ sacke, after ꝯ said guild of August last past, shal be redailed and restored to the vses afore-sayd. And the fees of the maior ꝯ constables be ordayned ꝯ limitted in the forme as followeth, that is to say the maior of the staple of Westm. shall take C.li. ꝯ euery of the constables there x. markes. The maior of Yorke, Kingston vpon Hull, Norwich, ꝯ Winchester, euery of them xx.li. and euery of the constables of the sayd places C.s. the maiors of Newcastell vpon Tyne, Chichester, and of Exceter x.li. and euery of the constables of thole places vi. markes. And if any of the maiors ꝯ constables aboue named refuse the office, he shall pay to the company as much as his fee shall amount to. And proclamation of the same was made through England the vi. day ꝯc. An. 28. E. 3.

Fées

Refuse

21 ¶ All the ordinances made in the great counsaile holden at Westminster the monday next after the feast of Saint Matthewe the apostle last past, together with certaine declarations and additions many in this present parliament, be stedfastly kept ꝯ holde for a statute to endure for euer, which declarations ꝯ additions followeth in this maner: Whereas it is cõteined in the sayd ordinaunces that euery marchant, that selleth his woolles at the staple, shall be holden to warrant the packing of the same woolles, or if plea or debate be moued before the maior of the staple, betwixt the marchantes or ministers of the same, ꝯ thereupon to try the trueth there of approued, enquest shall be taken, ꝯ if the one party ꝯ the other be denizen, or shall be tryed by denizens, or if the one party be denizen and the other alien, the halfe of the enquest or of the prose shalbe of denyzens and the other halfe of aliens. And also that no marchaunt, ynuy nor stranger, nor other of what condition that he be, shall goe by lande nor by water against such shippes charged with wines, wares, or other marchaundises comming into the Realme of England, nor other landes of the kinges, in the Sea nor elsewhere, for to forestal, buy, or in other maner giuing them earnest before that they come to the staple, or to the port where they shalbe discharged, nor enter the ships for such cause, till the marchandises be set to land for to sell: It is accorded and stablished, that the warranty of packing of woolles for diuers mischieues which the commons haue thereof perceyued, shall wholly be out. And that no man be holden to make such warranty, vnles it be by couenaunt made by deede ensealed. Also that no man, other then a marchant denizen or alien, that knoweth not the lawes and vsages of the staple, vses before that the sayde ordinaunces of the staple be made, shall bee charged by the same lawes and vsages, til they be declared in the Parliament. And that in all maner of enquestes and proues, which be to be taken or made amongst aliens ꝯ denizens, be they marchantes or other, aswell before the Maior of the staple, as before any other Justices or ministers, although the king be party, the one halfe of the enquest or prose shall be denizens, and the other halfe of aliens, if so many aliens be in the towne or place where such enquest or prose is to bee taken, that be not parties, nor with the parties in contracts, pleas, or other quarels, whereof such enquestes or proues ought to bee taken, and if there be not so many aliens, then shal there be put in such enquestes or proues as many aliens as shall be founde in the same townes or places, which be not thereto parties, nor with the parties, as afore is sayd, and the remnant of denizens, which be good men and not suspicious, to the one partie nor to the other. And that no maner shippe which is freight towardes England or els where, be compelled to any port of Englande, not here to bide against the wil of the masters and mariners of the same, or of the marchantes, to whome the goods be, and if such come of their gree, or be driuen by tempest or other misfortune or mischiefe to any port in England, and the masters, mariners, or marchants of the same ships will sell or deliuer part of their marchandises with their good wil, it shalbe lawful for euery man to buy such marchaundises

Marchant Woolles Warrant Plea

Enquest

Halfe aliens

Forestall

Warrant voyde

Couenant

Marchant

Enquests

Halfe denizens

Shippe

Tempest

freely

freely without impeachment, in the port where such ships shal come, albeit the said
Sell marchãdises be not put to land for to sell, so alwaies that no marchãt nor other shal go by lãd nor by water against such ships
Forestall charged of marchandises, to forestall the same marchãdises, or to giue them ernest by way of forestalling, vpõ the paines cõteined in the third article of the sayd ordinances, so that the masters, mariners, and marchantes, after that they haue so solde that that pleaseth thẽ of their said goods,
Custome and paied thereof the custome, may freely depart and go with their shippes, & all the remnant of their goods, where as please them, without custome thereof to bee payed. And that none, of what condition that he be, by art nor engine make nor set disturbaunce to any shippe charged with marchaundises, to come to any port of England, but to the port where the masters, mariners, and marchantes will first of their freewil arriue, nor after that they haue arriued, shal meddle with the sale of the same marchandises, nor disturbe the marchants nor their seruantes, that they may not the same by their owne handes, according as to them best shall seeme for their profit, sell & deliuer their marchandises, at what time, & to whom shal them
Disturbe best please. And if any set disturbance, he
Fort. shal incurre a grieuous forfaiture against the king, according to the quantitie of the trespas. An. 28. E. 3. cap. 13.

22 ¶ It is ordeyned & established, that
Woolles shewing of wools shalbe made of the staple euery day of the weeke, except ỹ sonday
Sonday & holy dayes & solemne feasts of the yere. And that no shewing nor sale of woolles be made within iii. miles about the staple, but only at the staple, vpon the paine cõtained in ỹ third article of the ordinance of the staple.
Lord Sauing alwayes that euery lord & other mã thẽ a marchãt, may freely lodge, shew and sel his woolles, which be of his owne growing, in his own house or other place where pleaseth him. An. 28. E. 3. cap. 14.

23 ¶ The staple of Westminster shal
Boundes beginne his bound at Temple barre, and extend to Tutehill. And also in other cities and townes, where staples bee, the boundes of the same staples shalbe within the walles, where the cities & townes be walled or enclosed, and in the cities or townes, which be not walled nor enclosed, the boundes of the sayd staples shal be through all the citie or towne. Anno 28. E. 3. cap. 15.

24 ¶ Anno 34. E. 3. cap. 21. the king by Parliament confirmed his graunt before made by his letters patentes to Englishmen for carrying of marchandise of the staple ouer the sea, contrary to the statute of Anno Ed. 3. cap.

25 ¶ Though it be ordayned by the statutes of the staple, that the maiors and Maior
constables of the said staples shal haue iu- Constable
risdiction & conisance within the townes Conisance
where the staples be, of the people and of all maner of things touching the staple, & of felonies, mayhems, and trespas done within the staple: It is accorded & assented, that the said maiors & constables shal haue conisance only of debts, couenants, Fees
and contracts, & all other pleas touching marchandise and suertie of marchandise betwixt marchants, which be marchants knowen, and processe of felonies, and all Felonies
other places as well within the staple as without, shall be at the common lawe as they were before the making of the staple, and notwithstanding the sayde statute. Sauing alwaies, that the marchants aliens (be they playntifes or defendantes) may sue their playntes and quarrels as Sue
wel of trespas as of other what they wil, before the maior of the staple, by the lawe of the staple, or els where at the common law, as is conceiued in the said statute of Stat. of
the staple. And that the king and all other staple
Lordes within their seigniories haue and enioy their franchises, iurisdictions, and Franchises
priuiledges, as they had before the same statute made, so alwayes that the maior of Maior
the staple haue power to take recogni- Recognisaces
saunces of debtes of euery person (be he marchant or other) in the same maner as is contained in the same statute of the staple. An. 36. E. 3. cap. 7.

26 ¶ The staple shalbe in England. England
And that the statute of the staple made the sayde xxvii. yeere with the declarations,

additions & modifications thereof made, be holden and kept, notwithstanding any graunt, licence, or other statute of ordinãce made afterward. An. 38. E. 3. cap. 7.

Calcis

27 ¶ That the staple be remoued frõ Middelborough to Caleys, so that it shal bee at Caleys the first day of December next comming. An. 12. R. 2. cap. 16.

England

28 ¶ That the staple be remoued frõ Caleis into Englãd, so that it be in England, the monday next after the feast of the Epyphanie, at the furthest. And that it be holden in the places, contained in the statute of the staple, made in the xxbii. yere of the kinges graundfather that nowe is, and in none other place. And that the said statute be firmely & surely holden, & duely executed in all poynts, with the additions vnder written, notwithstanding any declaration or stat. made hereafter to the contrary, that is to say, that euery person alien, of what degree or condition that he bee, that bringeth any marchandise into England, shal finde sufficient suerties before the customers, in the port where the marchandise shalbe brought to buy other marchãdise to the valour of halfe the said marchandises so brought at the least, as woolles, leather, woolfelles, leade, tinne, butter, cheese, clothes, or other commodities of the land. An. 14. R. 2. cap. 1.

Alien

Suerties

Woolles
Leather
Lead, Tinne
Butter,
cheese, cloth

29 ¶ In euery port & place where the staple shalbe, the Maiors, Cõstables, bookers, & all other officers & ministers of the staple shalbe swoine first to the king, & after to the staple. An. 14. R. 2. cap. 3.

Maiors
Constables
Bookers
Othe

30 ¶ The sayd statute, that is to say, An. 27. E. 3. cap. 9. (before 8.) be firmely kept & holden. And that no Maior of the staple take or receiue any recognisance of debt, contrary to the forme of the said statute, vpon payne to paye to the king the moitie of the summe recognised before him. An. 15. R. 2. cap. 17.

Maior
Recognisãce

31 ¶ Anno 21. R. 2. cap. 17. it was enacted, that the statute concerning marchantes of the staple should be kept, & the licences contrary thereunto shoulde bee voyde, but this parliament of. An. 21. R. 2. was repealed by 1. H. 4. cap. 3.

Parliament
Repealed

32 ¶ All the statutes (S. concerning the staple of Caleis) thereof made & not repealed, be holdē & kept, & put in due execution, & that ỳ whole repaire of woolls, woolfelles, leather, lead, whole tinne and shoten tinne, & all other marchãdises pertaining to the staple, passing out of the realme of England, & of the countries of Wales & Ireland, be at the said place of Caleis, & at none other place beyond the sea, as long as ỳ said staple shalbe at Caleis, vpon payne of forfaiture of the very valour of ỳ marchãdises which shal passe els where, but to the parties towards the West, named in the sayd statutes thereof made. And that no licence from hẽceforth be graunted to the contrary, except for woolles, felles, and leather of Northumberland, Westmerland, Comberland, & the Bishoprycke of Durham, sauing the kinges prerogatiue. Prouided alwayes, that if any marchantes vnder colour of any licence ship any woolles of the growing of any party of Yorkeshire, or of any other country of the realme, except of the growing of the same parties of Northũberland, Westmerland, Cumberland, & the bishoprycke of Durham, they shal forfait to the king the valour of al the wools so shipped, & also they shal lose the benefit of the same licence. And he that the same espieth, and thereof giueth knowledge to the treasorer of England for the time being, shall haue the fourth part of ỳ forfaiture so by him notified. An. 2. H. 6. cap. 4.

Woolles, felles, leather, lead, tinne

Marchãdise

Caleis

Forf.

Licence

Woolles, felles, leather

Prerogatiue

Woolles

Forf.

Fourth part

33 ¶ An. 8. H. 6. cap. 18. an act was made that an ordinance made for woolles and marchandises of the staple, should endure for iii. yeres, which ordinance was, that ỳ prices should be enhaũsed, that ready paymẽt should be made, that Bullion should be brought to the mint, that egall partition should be made, & that acquitãces should be made. This statute is cõfirmed by An. 11. H. 6. ca. 13. as it seemeth. Tamen quære, and see both the statutes.

Woolles

Bullion

34 ¶ An. 8. H. 6. ca. 15. it was enacted that the maior of the staple thẽ should cõtinue maior for a certaine time, notwithstanding any statute or ordinances.

Maior

35 ¶ All the recognisances of debts before the sayd Maior and Constables of Caleis,

Recog.

Maior

Caleis, made or to be made by any persons beyond the sea, shalbe as effectuall & executorie, & of such force in all poyntes within the realme, and in the same forme executory, as the sayd recognisaunces made before the said maior & cõstables of the staple of Westm. or before any other maiors or constables of the staple within the said realme be. Anno 10. H. 6. cap. 1.

Woolles Felles

36 ¶ An. 20. H. 6. cap. 2. an act was made to endure for vii. yeres, to auoyd an ordinãce of a partition made vpon woolle and felles in the staple at Caleis, & concerning the sale of woolles & felles there, and tunnage of Bullion there.

Bullion

37 ¶ An. 27. H. 6. cap. 2. an act was made to endure for x. yeres for confirmation of the liberties of the staple, & against licences for carrying of woolle, felles or tinne to any other place then to the staple of Caleis.

Liberties
Licences

38 ¶ An. 4. H. 7. was an act (not printed) made, that none inhabitant of Caleis should be factor or attorney to any marchãt of the staple there dwelling in England, but that act was repealed. An. 19. H. 7. cap. 12.

Factors
Repealed

¶ Steele.

Where diuers persons of late haue deceiptfully forged & made of certeine yron called Bilbow yron like to the fashion & maner of gaddes of steele, and haue sold the same so forged to diuers of the kings subiects for steele, whereby the greatest part of edged tooles, weapons, & other necessary things hauing edges, are of litle or no value or goodnes, to ỳ great hurt of the kinges louing subiectes: For reformation whereof, Be it &c. that if any person after the first day of May next cõming, do forge or make any such gads of yron, or doe bete or put to sale any such gaddes of any yron, shall forfaite for euery gadde so forged or betered, or put to sale, iiii. d. The moity &c. In the which action &c. An. 2. E. 6. cap. 27.

Gads of Iron
Foil.
Moitie

¶ Stillyard.

For marchantes of the same house in Almaine, hauing the house in the citie of London commonly called Guildhalde Theutonicorum, That by auctoritie of this sayd parliamẽt, euery act, statute, or ordinãce, acts, statutes, or ordinãces heretofore made not concerning marchants, marchandises, or other wares, extend not to the preiudice, hurt, or charge of the said marchants of the hanse, contrary to their auncient liberties, priuiledges, free vsages, & customes, of the olde time granted to the said marchants of the house, aswell by the kings noble progenitors, & ratified & confirmed by the kings grace, as by auctoritie of diuers Parliamentes. But that all such act, statute, and ordinaunce, actes, statutes, & ordinances so made or to be made in derogation of the sayde liberties, priuiledges, free vsages & customes, stand and be against the sayd marchantes & their successors, & euery of them, voide, repealed, annulled, & of none effect, any act, statute, or ordinance, actes, statutes or ordinances to the contrary made, or to be made, notwithstanding. Prouided alway, that this act, or any thing therein contained, extend not, or be in any wise preiudicial or hurtful to the Maior, sheriffes, citizens, or comminaltie of the citie of London, or any of them, or to the successors of any of them, of or for any interest, liberty, priuiledges, franchises, or other thing to them or any of them giuen or granted by the kings most noble progenitors or predecessors kings of this realme, or by auctoritie of parliamẽt, or otherwise: This present act or any thing therein cõtayned notwithstanding. An. 19. H. 7. cap. 23.

Maior Sheriffes London

¶ Steward of the Queenes houshold.

A Statute was made An. 32. H. 8. cap. 39. concerning the great Master of ỳ kings houshold, but it is repealed by 1. M. 2. parl. cap. 4. and the office of the lord Steward of the kinges houshold is reuiued, and diuers things at large be in this statute concerning that office.

1. Steward

¶ Stile.

An. 35. H. 8. cap. 3. an act was made concerning the kinges stile, where-

Supremacy

in the Supremacy was. But it is repealed by 1. & 2. P. & M. cap. 8. as appeareth in Rome 4.

¶Strode.

AN. 4. H. 8. cap. 8. an act was made for one Richard Strode that was condempned in the courts of the Stanery in Deuonshire.

¶Surueiours.

Enquire Castels

FIrst it is to be inquired of the castels, and also of other buyldinges ditche about, what the walles, buildings, timber, stone, lead, and other maner of couering is worth, And how they may be solde according to the very value of ỳ same wals and buylding. And for howe much the buyldings without the ditch may be sold, & what they be worth with the gardeins, curtilages, doue houses, and all other issues of the court yardes by the yere. It is to be enquired also, howe many fields are

Demeanes

of the demeanes, and howe many acres are in euery field, and what euery acre is worth by the yere. And how many acres

Medow

of meadowe are of the demeanes, & howe much euery acre by it selfe is worth by the yere to be let out. Also how many acres of

Pasture

pasture there be, & for what beasts or cattels the same pasture is most necessary, & how many it will finde, & of what maner, & what the pasture of euery beast is worth to be let out by the yere. Also foreine pas-

Common

ture, that is common, how many & what beastes & cattel the Lord may haue in the same, and how much the pasture of euery beast is worth by the yere to let. Also it is

Parkes Woods

to bee enquired of parkes, and demeane woods, which the lord may assert and impoue at his pleasure, & howe many acres they containe, & how much the vesture of an acre is worth, and how much the land is worth after the wood is felled, & howe many acres it containeth, and how much euery acre is worth by yere. Also it is to be inquired of foreine woods, where other men haue common, and howe much the lord may impoue to himselfe of the same woods, & how many acres, and for howe much the vesture of euery acre may bee solde, and how much the ground is worth yeerely after that the wood is felled, and howe many acres it containeth, and what euery acre is worth by the yere. Also it is to be enquired, whether the Lorde may giue or sell any thing of the residue of the foresayd woods, and what such giftes or sales are worth by the yeere. Also it is to bee inquired of pawnage and herbage of

Pawnage Herbage Knotts

the towne, and all other profites of forestes, woods, tyuers, moores, heithes, and waste, and howe much it is worth by

Waste Mylles

the yeere. Also of mylles, fishy ponds, seuerall and common, what they be worth by the yeere. Also it is to bee inquired of

Freholdars

freeholders, the which dwell without as well as within, that is to say, howe many freeholders there bee, and what maner landes and tenementes, and what fees they holde, and by what seruices, whe-

Service

ther it be by seruice of knightes seruice, or otherwise, And what they pay yeerely of rent of assise, and who holde by Char-

Rent

ter, and who not, and who by olde tenure, and who by newe settlement. Also it is to be inquired of the sayde free tenaunties, which shall follow the court of the countie, and which not, and what & how much falleth to the Lord after the death of such free tenauntes. It is to bee inquired also of customary tenauntes, that is to witte, howe many there be, and how much land euery of them holdeth, and what workes and customes he doth, & what the workes and customes of euery tenaunt be worth yeerely, and howe much rent of assise he payed yeerely, besides the workes and customes, and which of them may bee taxed at the will of the Lorde, and which not. It is also to be enquired of cotages,

Cotages

that is to say, what cotages, and curtelages they holde, and by what seruice, and howe much they do pay by the yere for all their cotages and curtilages. It is also to be enquired of pleas & perquisities of

Pleas Perquisities

the counties of the courtes of the forests, with lawing of dogges, and howe much they bee worth by the yeere in all issues. It is also to be inquired of churches that

Churches

belong to the Lordes gift, howe many there

there be, and what, and where, and how much euery church is worth by the yere after the true estimation of the same. It is also to be inquired, what be the value of herriotes, layres, markets, eschetes, customes, seruices, and forreyne workes and customes, and what the pleas & perquisities of courtes, fines, reliefes, and al other casualties are worth by the yere, that may fal in any of these things. Ann. 4. E. 1.

Heriots Fayers Markets

Courtes Reliefes

¶ Suit.

For doing suites vnto the courtes of great Lordes, or of meaner persons, from henceforth this order shalbee obserued, that none that is infeffed by deede, from henceforth shalbe distrayned to doe such suit in the Court of his Lord, without he be specially bounde thereto by the forme of his deede. These onely beeing excepte, whose auncestours or they themselues, haue vsed to doe such suit before the first voyage of the sayde king Henry into Britaine, sithence which xxxix. yeres and an halfe are passed vnto the time that these statutes were enacted. Likewise from henceforth none that is infeoffed without deede from the time of the conquest, or any other auncient settlemẽt, shalbe distreyned to do such suites, vnles that he or his auncestors vsed to doe it before the sayde voyage. And they that are infeoffed by deede to doe a certayne seruice, as for seruice of so many shillings by yere, to be acquitted of all seruice frõ henceforth shall not bee bounden to such suites or other like, cõtrary vnto ỹ forme of their feoffemẽt. And if any inheritance (whereof but on suite is due) discend vnto many heires, as to parceners, who so that hath the eldest part of the inheritãce shall do that one suit for himselfe and his fellowes, and the other coheires shall bee contributaries according to the portion for doing such suit. And if many feoffees be seised of any inheritãce, (whereof but one suit is due) ỹ Lord of the fee shal haue but that one suit, & shall not exact of the said inheritance but that one suit, as hath beene vsed to be done before. And if those feoffees haue no warrãt or meane which ought to acquite them, then all the feffees according to their portion, shall be contributaries for doing the suite of them. And if it chaunce that the lordes of the fee doe distrayne their tenaunts for such suites, contrary to this act: then at the cõplaint of the tenaunts, the lords shalbe attached to appeare in the kinges court at a short day, to make answere thereto, and shall haue but one essoyne therein (if they bee within the realme.) And immediatly the beasts or other distresses taken by this occasion, shalbe deliuered to the plaintifes, and so shal remaine vntil the plea betwixt them be determined. And if the lordes of the courtes, which tooke distresses, come not at the day that they were attached, or do not keepe the day giuen to them by essoyner then the sherifes shalbe commaunded to cause them to come at another day, at which day if they come not, then he shal be cõmanded to distraine them by all the goods and tattelles, that they haue in the shire, so that the sherife shal answere to the king of the issues of the sayd inheritance, And that he haue their bodies before our Justicers at a certaine day limitted. So that if they come not at that day, the party playntife shall goe without day, and his beastes or other distresses taken by that colour, shall remaine deliuered vntill the same lords haue recouered the same suite by award of the kinges court, and in the meane time such distresses shal cease. Sauing to the lordes of the court their right to recouer those suites in forme of lawe, whe they will plead therefore. And when the lords of ỹ courts come in to answere ỹ plaintifes of such trespasses, & be conuict thereupon, then by award of the kinges court the plaintifes shall recouer against thẽ the dãmages, that they haue sustained by occasion of the said distresse. Likewise if the tenaunctes after this act withdrawe from their lords such suites, as they were wont to do, and which they did before the time of the said voyage, and hitherto vsed to doe, then by like speedinesse of Justice as be to limitting of daies, and awarding of distresses, the Lordes of the Courtes

Feoffement Distrayne

Without deede

Seruice

Distraine

Lordes attached

Sherifes

Distrayne

Conuict

Dammages

Tenant

shal

Dammages

shall obtaine Iustice to recouer their suites with their dammages, in like maner as the tenauntes shoulde recouer theirs. And this recouering of dammages must be understand of withdrawing frō themselues, & not of withdrawing from their auncestours, neuertheleſſe the Lordes of the courtes shal not recouer seisin of such suits against their tenants by default, as they were wont to do. And touching suites withdrawen before þ time afore thencioned let the cōmon lawe runne as it was wont beforetime. Marl. cap. 9. Anno 52. Henrici 3.

¶ Swannes.

NO person of what estate, degree, or condition he be, other then þ Sonne of our soueraigne lord the king, from the feast of S. Michael next comming, shal haue or possesse any such marke or game of his owne, or any other to his vse shall haue or possesse any such marke or game, except he haue landes and tenementes of the estate of freeholde to the yerely value of x. markes aboue all yerely charges. And moreouer that euery person or persons now hauing any such marke or gāe, shall sel or giue the same betwixt this and the feast of S. Michaell next ensuing to the vse of them to whome they shal bee so solde or giuen. And if it happen any person or persons, not hauing landes or tenements to the sayd yerely value to haue or possesse any such marke or game after þ sayde feast: that then it shalbe lawefull to any of the kings subiectes, hauing landes or tenementes to the sayde value, to seaſe the sayd Swannes as forsayd. Whereof the kinge shall haue the one halfe, and he that shall so seaſe, the other halfe. Anno 22. E. 4. cap. 6.

Game

x. markes

Seaſe Forf.

Moitie

¶ Tayle.

COncerning landes, that many times are giuen vpon condition, that is to witte, where any giueth his land to any man & his wife, & to the heires begotten of the bodies of the same man & his wife, with such condition expreſſed, that if the same man & his wife dye without heires of their bodies betweene them begotten, the land so giuen should reuert to the giuer or his heire. In case also where one giueth landes in free marriage, which gift hath a condition annexed, though it bee not expreſſed in the deede of gift, which is this: That if the same husband and wife die without heire of their bodies begotten, the lande so giuen shall reuert to the giuer or his heire. In case also where one giueth lande to another, and to the heires of his body issuing: it seemeth very hard, and yet seemeth vnto the giuers and their heires, that their will being expreſſed in the gift, was not heretofore, nor yet is obserued. In all the cases aforesayde, after issue begotten and borne betweene them (to whom the landes were giuen vnder such condition) heretofore such feffees had power to alien the lande so giuen, and to dilherite their issue contrary to the mindes of the giuers, and cōtrary to the forme expreſſed in the gift. And further, where the issue of such feffee is fayling, the lande so giuen ought to retourne to the giuer or his heire, by forme of the gift expreſſed in the deede, though the issue (if any were) had died: yet by the deede and feoffement of them, (to whome land was so giuen vpon condition) the donours haue heretofore bene barred of their reuersiō, which was directly repugnaunt to the fourme of the gift: wherefore our Soueraygne Lorde the king, perceyuing howe necessarie and expedient it should bee to prouide remedy in the aforesayde cases, hath ordayned, that the will of the giuer, according to the fourme in the deede of gift manifestly expreſſed, shall be from henceforth obserued, so that they, to whome the lande was giuen vnder such condition, shall haue no power to alien the land so giuen, but that it shall remayne vnto their issue after their death, or shall reuert vnto the giuer or his heires (if issue fayle) where as there is no issue at all, or if any issue bee, and fayle by death, or heire of the body of such issue fayling: Neither shall the seconde husband of any such

Condition

Frank mariage

Dilherit

Fine

Alien

Second husband

such woman, from henceforth haue any thing in the lande so giuen vpon condition after the death of his wife by the lawe of England, nor ꝑ issue of the second husband and wife, shal succeede in the inheritance, but immediatly after the death of the husband and wife (to whome the land was so giuen) it shall retourne to their issue, or to the giuer, or his heire, as before is said. And forasmuch as in a newe case newe remedy must be prouided, this maner of writ shalbee graunted to the party that will purchase it.

Præcipe A. quod iuste &c. redd. B. manerium de F. cum suis pertinentiis qd. C. dedit tali viro, & tali mulieri, & hæredibus de ipsis viro & muliere exeuntibus. Or thus, Quod C. dedit tali viro in liberum maritagium, cum tali muliere, &c. & quod post mortem prædictorum viri & mulieris, prædicto B. filio eorundem viri & mulieris descendere debeat per formam donationis prædictæ, vt dicit. &c. vel quod C. dedit tali & hæredibus de corpore suo exeuntibus, & qd. post mortem illius talis, prædicto B. filio prædicti talis descendere debeat per formam &c.

The writ whereby the giuer shall recouer (when issue fayleth) is common enough in the Chancery. And it is to wit, that this statute shall holde place touching alienation of lande contrary to the forme of the gift hereafter to bee made, & shal not extend to gifts made before. And if a fine bee leuied hereafter vpon such landes, it shalbe void in the law. Neither shall the heires, or such as the reuercion belongeth vnto, though they bee of full age wtin England, & out of prison, neede to make their claime. W. 2. cap. 1.

Fine

¶ Taxes, Tenthes, Fifteenes, Subsidies, relieses, contributions, & beneuolences.

ANno 25. E. 1. it is ordayned that the taxes taken shal not be taken in custome, nor but by the common assent of this Realme, except the auncient aydes and taxes. And the taxes of woolles of xl. Shillinges of a sacke was released.

2 ¶ No Tallage or aide by vs or our heires in our Realme bee put or leuied without the will and assent of the Archbishoppes, Bishoppes, Earles, Barons, knightes, burgesses, and other free commons of our realme, no thing bee taken from henceforth, in ꝑ name or by occasion of maletout of a sacke of wool. Stat. de tallagio non concedend.

3 ¶ Because the commons haue felt great griefe where as they graunted any ayde to the king of their goods, and certayne were assigned to taxe their goods, & the taxers haue leuied the same taxe, & yeelded their accompt for the same at the Eschequer, & there payed money: Iustices haue beene assigned afterward to enquire vpon their doings, which Iustices haue taken raunsomes and fines of the taxers and other by colour of their Commissions, to the great oppression and empouerishing of them, the kinge will that from henceforth, they shalbe taxed after the olde maner, and not otherwise. Anno 1. Edwardi. 3. stat. 2. cap. 6. Taxt

4 ¶ An. 14. Ed. 3. capitulo 20. & An. 14. Ed. 3. stat. Prelatorum capitulo. 1. It appeareth that a taxe was granted to the kinge for two yeres, of the ix. sheafe. ix. fleese and ix. lambe, and of Citizens and Burgesses the ix. part of their goodes, and of other that liued not by gayne, the xv. part of their goods, and it was there enacted that that graunt shoulde not bee drawen in example and preiudice in time comming. Taxe ix. part xv. part

5 ¶ An. 14. E. 3. cap. 21. & An. 14. E. 3. stat. prelatorum cap. 4. it appeareth that a taxe was granted to the king vpon woolles and felles, and other merchaundise for a time. Taxe Woolles Felles

6 ¶ Anno 18. E. 3. a statute contayning vii. chapters concerning a taxe of wools, fleese, & lambe granted to ꝑ king. Woolles Fleese Lambe

7 ¶ Anno 18. E. 3. cap. 1. the temporalty graunted to the kinge certayne dismes and fifteenes. Dismes Fifteenes

8 ¶ Anno 18. E. 3. pro clero cap. 1. the clergy graunted to the king a disme for thee yeres. Clergie Disme

9 ¶ Anno

9 ¶ Anno 25. E. 3. ſtat. de forma leuationis quindecim, fines, iſſues, amerciamentes, & diuers other forfaitures were granted to the cõmons in ayde of a tenth and fifteene granted to the king.

10 ¶ An. 36. E. 3. cap. 14. it was enacted, that certaine fines and amerciaments ſhould be leuied to the payment of the fifteene graunted for three yeres. Fifteenes

10 ¶ An. 5. R. 2. ſtatut. 2. capitulo 3. a Subſidie graunted for two yeres. Subſidie

11 ¶ Item that no impoſition nor charge be put vpon woolles, leather, or wooll felles, other then the cuſtome and Subſidie granted to the king in this preſent Parliament, and if any be, the ſame ſhalbe repealed and annulled as it was an other time ordained by ſtatute, ſauing alway to the kinge his auncient right. An. 11. R. 2. cap. 9. Charge Woolles Felles

12 ¶ All maner forreynes, hauing landes or tenements, goods, and cattels, within any townes at the day of ỹ grant of any diſme or quinzime, or any other taxe, althoughe they leade awaye their beaſtes, or carp away their goods & cattels out of the ſame Towne after the day of the ſayde graunt, that the ſame forreyns and euery of them, ſhalbee contributorie with the inhabitauntes of ſuch Townes to ſuch diſme xv. or taxe, and that the collectours of the ſame diſme, quinzyme or taxe for the time being, within ſuch townes, ſhall haue power by auctority of their office, to taxe and aſſeſſe ſuch forreines according to the quantity of their goods, cattels, and poſſeſſions being in in the ſayd townes at the day of the grant of the ſayde diſmes, quinzime, or taxe, and for the ſame ſummes, whereto they be aſſeſſed or taxed, to diſtreyne in euery place within the County, aſwell before that our ſayde ſoueraigne lord the kinge be anſwered of the whole ſummes that attayneth to the ſayde Townes as after. Forreines Collectors Taxe Diſtreyne

Prouided alwaies, that no man nor woman bee two times charged for any ſuch beaſtes, goods, nor cattels in any wiſe by occaſion thereof. An. 9. H. 4. cap. 7.

13 ¶ An. 31. H. 6. a ſubſidy of pondage and a ſubſidy of wool was granted to the king for his life. And after ỹ ſame yeres, An. 31. H. 6. cap. 8. part of thoſe ſubſidies were diſcharged for certaine yeres. Pondage Woolle

14 ¶ An. 12. E. 4. cap. 3. a ſubſidie of Tonnage and Pondage was giuen to the king for his life, for certayne wares expreſſed in the act. Tonnage Pondage

15 ¶ The Subiectes and commynalty of this his realme from henceforth ſhall in no wiſe bee charged by any ſuch charges or impoſition, called a Beneuolence, nor by ſuch like charge. And that ſuch exactions, called a Beneuolence before this time taken, ſhalbee taken for no exãple, to make ſuch or any like charge, of any of his ſayd ſubiects of this realme hereafter, but ſhalbe dampned and annulled for euer. Anno 1. R. 3. cap. 2. Beneuolent Pope

16 ¶ An. 11. H. 7. capit. 10. an acte was made for the leuying of a Beneuolence graunted to the king. Beneuolent

17 ¶ If any Maior, Sherife, baylife or other officer in any citie, borough or towne within this Realme, diſtrayne, take and leuie any cuſtome called Scauage otherwiſe called Shewage, of any merchant denizen, or of any other ỹ kings ſubiects denizens, of or for any maner of merchandiſe to our Soueraigne Lorde the kinge before truely cuſtomed, that is brought or conueied by lande or by water to be vttered and ſolde in any Citie, borough and towne in this lande. Or if that any Maior, ſherife, baylife, or other officer in any citie, borough, & towne for non payment of the ſaid Scauage, let or diſturbe any merchaunt, or any other perſon or perſons being denizens to ſell & vtter their merchandiſe by thẽ brought into any Citie, borough, or towne, that then euery maior, ſherife, bailife, or other officer diſtreining, leuying, or taking any ſuch Scauage, or otherwiſe offendinge in any thinge contrary to this preſent acte, ſhall forfayt for euery time that hee ſo offendeth twenty pounde, the one moitie thereof to the kinge, and the other moity thereof to the party in that behalfe greeued, or to any other that firſt ſueth in that part by action of debt, in any ſhyre within this Realme to bee ſued, and that Maior Sherife Baylife Diſtrayne Scauage Merchant Maior Sherife Baylife Diſtourbe Forf. Moitie

that the defendants in any such action be not admitted to wage or do their law &c.

Maior Sherifes London

Prouided alway that the Maior, Sherifes and cõminalty of the Citie of London, and euery of them shal haue and take all such summes of money for the sayde Scauage, & of euery person Denizens, as by our Soueraigne Lorde the kinge and his honorable counsell shalbe determined to be the right right of the Maior, sherifes, and cõminaltie of the said citie of London, or of any of them, this act in any wise notwithstanding. Anno 19. H. 7. cap. 8.

Connage Pondage

18 ¶ Anno 6. H. 8. cap. 14. the subsidie of Tonnage & Pondage graunted to king Ed. 4. An. 12. Ed. 4. cap. 3. during his life was enacted to stande good & effectuall during the life of Henry 8.

Englishemen

19 ¶ Wee Englishmen &c. that Englishmen sworne to forayne Princes shall pay Subsidies and impositions as straungers.

Subsidie iiii. s. Clergie

20 ¶ An. 32. H. 8. c. 23. an act is made concerning a Subsidie of iiii. s. of the pounde granted by the clergie of the prouince of Canterbury to the kinge.

Tempozalty Subsidie

21 ¶ Anno 32. H. 8. cap. 50. the tempozalty by Parliament, graunted great subsidie to the kinge with many articles and clauses concerning the same.

Subsidie Tempozalty

22 ¶ An. 34. H. 8. cap. 16. an acte was made concerning a great Subsidie granted of the tempozalty, with many articles and clauses concerning the same.

Clergie

23 ¶ Anno 34. H. 8. cap. 27. an acte was made for the confirmation of a subsidy graunted by the clergie.

Clergie

24 ¶ Anno 47. H. 8. cap. 24. an act was made for the confirmation of a subsidy granted by the clergy.

Subsidie Tempozalty

25 ¶ An. 37. H. 8. cap. 25. an act was made concerning a great subsidy graunted of the tempozalty with many articles and clauses concerning the same.

Tonnage Pondage Woolle Felles Hydes

26 ¶ Anno 1. E. 6. cap. 13. was granted by the parliament to E. 6. during his life a subsidy of Tonnage and Pondage, and an other subsidy for woollfells, and hides with a prouiso for the confirmation of the priuileges of the merchaunts of the Stillyard, which prouiso to endure to the ende of the next parliament. Stillyard

27 ¶ An. 2. E. 6. cap. 35. an act was made for the confirmation of a Subsidie granted by the clergy of vi. s. of ỳ pound. Subsidie Clergie

28 ¶ An. 2. E. 6. cap. 36. a relefe was graunted to the king for three yeres, and yerely twelue pence of the pound of goods of the naturall subiects and corporations, and of aliens two shillings of the pound, and a certaine summe for sheepe, and for woollen clothes, and there be many long articles for the leuying of the same. And after An. 3. E. 6. cap. 23. an act was made for the releafe of the breaches in the sayde act of relefe, for the payment for sheepe and clothes, and a graunt of a subsidie to be payed in one yere. Relefe xii. d. Aliens Sheepe Clothes Releafe

29 ¶ In Anno 7. E. 6. cap. 12. there was granted to the king by the temporalte two dismes, two fifteenes, & a subsidie of viii. shillings of the pound vpon lands, and two shillinges and eight pence vpon goods. And there be many long articles for the leuying therof. And after Queene Mary by her letters patentes, dated 1. Septembris. An. 1. M. did pardon and remitte the sayd subsidie of iiii. s. & ii. s. viii. pence. And after Anno 1. M. 1. parl. cap. 17. she did acquite and discharge the sayd subsidie of viii. s. and ii. s. viii. d. sauing the ii. fifteenes and dismes &c. Tẽporalte 2. Dismes 2. fifteenes A subsidie Pardon

Subsidie Clergy

30 ¶ Anno 7. E. 6. cap. 13. a subsidy of vi. s. of the pound graunted to the king by the cleargy, was confirmed by parliamẽt. And in that act be diuers articles for the leuying of the same.

Pondage Tonnage

31 ¶ An. 1. M. was a subsidie graunted her of pondage and tonnage during her life.

Subsidie Clergie

32 ¶ An. 2. & 3. P. & M. cap. 22. a subsidie of vi. s. of the pound, then graunted by the cleargy was confirmed by parliament. And in the same parliament cap. 3. a subsidie was granted by the tempozalty of iiii. s. of the pound for landes, and ii. s. viii. d. of the pound for goods. Tẽporaltie

33 ¶ An. 4. & 5. P. & M. a subsidie of viii. s. in the pound, granted by ỳ clergie, was cõfirmed, and a subsidie granted by the tempozaltie of iiii. s. of the pound for lands,

lands, and ii.s. viii.d. goodes. And the like subsidie was graunted An. 1. El.

34 ¶ We giue & graunt to you our Supreme liege Lady & soueraigne, one subsidy called Tonnage, that is to say of euery tonne of wine cõming, or that shall or is come into this your realme, by way of merchaundise, the summe of three shillinges, and so after the rate. And of euery tonne of sweete wine as well malmesey as other, that shall or is come into the same your realme, by euery or any merchaunt alien, as well by the merchaunts of Haunse, and Almayne, as by any other merchaunt straunger of what nation soeuer hee be, three shillinges. And so after the rate ouer & aboue the three shillinges afore granted. And of euery aume of rennishe wine, comming, or that shal or is come into this your Realme, by way of merchandise, by euery or any merchant Denizen or alyen, of what nation soeuer he bee xii. d. And also one other subsidie called pondage, that is to say, of al maner of goodes & merchandises of euery merchant Denizen and alien whatsoeuer he be, caried and to be caried out of this your said Realme, or brought or to be brought into the same by way of merchaundise, of the value of euery twenty shillings of the same goods & merchaundise twelue pence, and so after the rate. And of euery twenty shillinges value of tinne and pewter vessell, caried out of this your realme by any and euery merchant alien xii. pence ouer & aboue ỹ xii. pence afore sayd. Except and alwayes foreprised out of this graunt of subsidy of Pondage, all maner of wollen cloth made or wrought, or that shalbe made and wrought within this your realme of Englande, and by euery or any merchaunt denizen, and not borne alien caried or to be caried out of this your sayde Realme. And all maner of woolles, woolfelles & hides, & backes of leather, also caried or to be caried out of this your realme. And al wines and al maner of freshe fishe, and bestiall, comminge, or that is or shall come into the same your realme.

Tonnage Wine

Rennishe wine

Pondage

Subsidy Wollen clothes

Denizen

Woolles Felles Leather Wines

Freshe fishe

And further wee your sayde poore commons, by the aduise, assent, and auctoritie afore sayd, giue and graunt vnto you our sayd soueraigne liege Lady and Soueraigne, for the causes afore said, one other subsidy of al maner of wooll, woolfelles & leather, caryed or to be caried out of this your realme, in maner and forme following (that is to say) of euery marchaunt denizen, of and for euery sacke of wooll xxiii.s.iiii.d. and for euery C Crl. woolfelles xxxiii.s. iiii.d. and of and for euery last of hydes and backes of euery such marchant denizen xlvi.s.viii. pence. And of euery marchaunt straunger, not borne your liege man, as well those that be made denizens, as hereafter shall bee made by letters patents, or otherwise, as all other marchant straungers, of and for euery sacke of wooll iii.li.vi.s.viii.d. and of, and for euery C Crl. woolfelles iii.li. vi.s.viii.d. and also for euery last of hides and backes iii.li.xiii.s.iiii.d. And so of al the sayd woolles, woolfelles, hydes and backes, and euery of them, after the rate, that is or shalbe caried to haue, take, enioy, and receyue the subsidies afore sayd, and euery of them, and euery part & parcell of them to your highnesse, from the sixteenth day of November last past, during your life natural.

Subsidie Woll Leather

Denizen

Marchant straungers

And further we your sayd poore commons most humbly desire your Maiesty, that it may be enacted by your highnesse, by thaduise and assent of the Lords afore sayd, and vs your sayd commons, and by the afore sayde auctoritie of this present Parliament assembled, that the giftes and grauntes afore sayd, shalbe good and effectuall, according to the true meaning of the same.

And that it may be further enacted by auctoritie afore sayd, that if any wines, goods, marchaundise, woolles, woolfels, hydes, and backes of leather afore sayde, or other thinges afore specified, whereof the subsidies afore sayd, or any of them is or shall be hereafter due, shall at any time hereafter during the time afore sayde, be shipped or put into any boate, craier, ship or vessel, to the intent to be caried into the parties of beyonde the Seas, or else bee brought

Wines

Marchandise

Shipped

brought from the partes of beyonde the Seas, into any port, Hauen, creeke, or other place of this your Realme by way of merchandise, and there laide on lande, (the subsidies aforesaid of the premisses due or to be due, by ẏ reason of this grant not payd) or the collectour of that same Subsidie or his deputy, with and by the consent, knowledge and agreement of the comptroller and surueiour, or one of them at the least, not agreed with for the same in the Custome house, according to the true meaning & intent of these aforesayde grauntes and euery of them, that then from the sayd xvi. day of Nouember last past, and not before, al the said wines, goods, merchandise, woolles, woolfels, hides and backes, and other the premisses aforesayde, and euery part and parcell thereof so Shipped, or else put into any boates, craier, or other vessell aforesaid, to the entent aforesayde, or brought into this Realme, and there layed on land, as is also aforesayde, shalbee and remayne forfayt to your highnes during the time aforesayde, the one moitie of the value thereof to your highnes, & the other moitie to him or them, that shal sease ẏ same, or sue for ẏ same. And that it may please your highnes, that all merchants, aswell denizens as strangers, cõming into this your realme, be wel and honestly entreated and demeaned, for such things as subsidy by this acte is graunted for, as they were in the time of your sayde noble progenitours, without oppression to them to be done, paying the subsidies aforesaid.

Collectour

Wines

Merchandis

Fayt.

Moitie

Merchants

And further that it bee enacted by the aucthoritie aforesayde, that if any goods, merchandises, woolles, woollfelles, or leather aforesayde or any part thereof, of any Marchaunt Denizen, naturally borne your liege man, which hath or shall passe out of this your sayde Realme, after the sayde sixteenth day of Nouember last past, during the terme of this gift and graunt, hath or shal happen to bee taken with enemies or pyrates vpon the sea, or perished by infortune in any shippe or shippes that shal happē to be taken or perished wiin the time of the sayde grant, whereof the subsidies aforesayd, or any of them to your highnes due, or to be due, is or shalbe in forme aforesaid duely paied or agreed for, without fraud or collusion, & such losse or losses as bene before rehearsed, be found and proued before the Treasorer of England, or ẏ chiefe baron of your Eschequer for the time being, by the examination of the same merchaunts if they be aliue, or of their executours or administratours if they bee dead, or two true credible persons sworne, or other reasonable witnes, and prooues sworne, witnessing the same merchandises so to be lost or perished, that then ẏ same merchants denizens that were or shalbee owners of the aforesaid goods, merchãdises, wooll, woollfelles, hides, or other merchandises aforesaid as shalbe so perished, or lost, if they be on liue, their executours and administrators, if they be dead, & euery of them, by force & vertue of this act when them liketh, during the said terme, shall, or may newely ship as much wooll, woolfelles, hydes or other goods & merchandises in the same port or portes in the which the same wooll, woolfels, hides or other goods & merchandises aforesayd so lost and perished were or shalbe shipped, without any of the subsidies aforesayde nowe granted to be had or payd therefore to your highnes in any wise. And that al such profites of the premisses so to be lost or perished, be certified into your chancery by your said treasorer or chiefe baron, there to remayne of Record. And after such certificat made, the Chancellour of England, or the Lorde keeper of your great Seale for the time being, shall make and deliuer vnto the sayde merchaunts, their executours or administratours or any of them, or to their attourney or attourneis in the behalfe of any of them, as many and such writtes and warrauntes to bee directed as well to the Collectours of the Subsidies aforesaid, or any or euery of them for the time beeing, as to the Treasourer and Barrons of your Eschequer for the time being, shall bee thought requisite and needeful for the sayd merchauntes, their

Merchandises

Pyrats

Merchandises lost

Newely ship

Without subsidie

Certified Chauncery

Writtes

executours or administratours, or their attourney or attourneys or any of them, or the sayd collectours or any of them, to haue for the obtayning as wel of the shippinge, as of the allowance thereof. And further that euery merchant denizen, that shall shippe hereafter any wooll, woolfelles, hides, or any other good and merchaundise in any Carrike, or Galley, shal pay to your maiesty during the time aforesaid, all maner of customes, & al the subsidies aforesayde, as any alien borne out of this your realme. An. 1. El. c. 19.

Denizen
Woolle
Felles
Hydes

35 ¶ An. 5. El. cap. 29. a subsidy of vi. shillinges the pound was granted by the Clergy, and a subsidy two fifteenes and tenthes granted by the temporalty. The like graunted. 8. El. cap. 17. & 18.

36 ¶ Ann. 13. El. cap. 26. a subsidie of 6. s. the pound granted by the spiritualty was confirmed, and ii. fifteenes and tenthes granted by the temporalty, and a subsidy of viii. groates the pound of cattels &c. and for lands iiii. s. to be payd at ii. seucrall paiments, with many longe articles for the collection of the same.

37 ¶ Anno 18. El. cap. 22. a subsidy of vi. s. in the pound was granted by the clergy. And two fifteenes and tenthes by the Temporalty, & one subsidy of iiii. s. the pound lands, and ii. s. viii. d. goods.

38 ¶ An. 23. El. cap. 15. a subsidy and two fifteenes & tenthes was graunted by the temporalty.

¶ Templers

AN. 17. E. 2. it was enacted, that neyther the king nor the Lordes shoulde haue by eschete the landes that were the Templers, (which order was then dissolued.) But that these landes shoulde remayne to the priour and brethren of the order of the hospital of S. Jhons of Jerusalem, which order was then erected for the defence of Christendome.

Eschеat

S. Johns Jerusalem

¶ Tenure

NO man shalbe distrained to do more seruice for a knightes fee, nor for any freeholde, then thereof is due. Magna Charta. 10.

Distreyne

2 ¶ If any man hold of any eschеate as of the honour of Wallingforde, Nottingham, Boloine, or of any other eschetes which be in our handes, & are baronies, & die, his heire shall giue none other reliefe, nor doe none other seruice to vs, then he shoulde to the baron, if it were in the barons hand. And wee in ỳ same wise shall holde it as the baron held it, neither shall we haue by occasion of any such barony or eschеat, any eschеat or keeping of any of our men, vnlesse they do hold of vs other where in chiefe, or els he that held the barony or eschеate other where, held of vs in chiefe. Magna Charta. cap. 31.

Eschеat
Reliefe
Seruice

3 ¶ No free man from henceforth shall giue nor sell any more of his lande, but so that of the residue of the landes the lorde of the fee may haue the seruices due to him which belongeth to the fee. Magna Charta. cap. 32.

Free man
Seruice

4 ¶ From henceforth it shalbe lawefull to euery free man to sell at his owne pleasure, his landes & tenements or part of them, so that the feoffee shall holde the same land or tenement of the chiefe lorde of the fee, by such seruice and customes as his feoffour held before.

Free man
Feoffee

And if hee sell any part of such landes or tenementes to any, the feoffee shal immediatly hold it of the chiefe Lorde, and shalbe forthwith charged with the seruices, for so much as pertayneth or ought to pertayne to the sayde chiefe Lorde for the same parcell according to the quantity of the land or tenement so sold. And so in this case the same part of the seruice shall remayne to the Lord to be taken by the handes of the feoffee for the which he ought to be attendant and answerable to the same chiefe Lorde, according to the quantity of the land or tenement sold for the parcell of the seruice so due.

Seruices

And it is to be vnderstanden, ỳ by the sayd sales or purchases of lands or tenements, or any parcels of them, such lands or tenementes, shall in no wise come into mortmaine, either in part or in whole, neither by policie, ne craft, contrary to the

Mortmaine

the forme of the statute made thereupon of late. And it is to witte, that this statute extendeth but onely to lands holden in fee simple. Anno 28. El. 1. called quia emptores terrarum.

Fee simple

5 ¶ Where as diuers people of the Realme, complaine them selfe to be greeued by that that Lands and Tenements, which be holden of the king in chiefe, and alienedwithout licence, haue bene seysed heretofore in the kings hands, and holden as forfait: The king shall not hold them as forfait in such case, but wil and graunt from henceforth of such Lands and tenements, so alienedthere shalbe reasonable fine taken in the Chauncery by due proces. Anno 1. E. 3. cap. 12.

Chiefe

Fine

6 ¶ Whereas diuers haue complained that they bee greeued by reason of purchasing of lands and tenemẽts, which haue bene holden of the kings progenitours that now is, as of honours, and the same lands and tenements haue bene taken into the kings hands, as though they had bene holden in chiefe of the king, as of his crowne: The king will, that from henceforth no man bee greeued by any such purchase. Anno 1. E. 3. cap. 13.

Chiefe

Alienation

7 ¶ Item it is accoyded, that the alienations of lands and tenements, made by people, which hold of king Henrie, great graundfather to the king that nowe is, or of other kings before him to hold of them selfe, that the alienations shall stand in their force, sauing alwayes to our Soueraigne Lord the king his prerogatiue of the time of his graundfather, his father and of his owne time. Anno 34. E. 3. capitulo 15.

8 ¶ All lands, tenements, hereditaments, and other possessions, which the first day of March next before the fowerth day of March, the first yere of the kings raigne, were holden by fealtie and rent, or other seruices, of any person or persons not attainted, which lands, tenements, hereditaments, or other possessions, the fowerth day of March in the first yere of the kings raigne, or any time after came into the kings hands or possession by reason of any attainder of treason. And after

Fealtie

Attainder

passed from the king by any of his letters patents, to any person or persons, or hereafter shall passe from the king by any of his Letters patents to any person or persons, that the same person or persons, and euery of them, and euery their heire and heires, assignee and assignees, successour and successours, shall haue, perceiue and take such rent and rents, as to any of them were due, and ought to be due of the same lands, tenements, hereditaments, or other possessions, or any of them, being in the hands of any other person or persons then the king, as if the sayd attainders had not bene had. And that it shalbe lawfull to euery person or persons not attainted, and to euery of them, and to euery of their heire or heires, assignee and assignees, successour and successours, in the same lands, tenements, hereditaments or other possessions, being in the hands of any other person or persons then of the king, for the said rent or rents to distraine after such maner and forme, as they and euery of them might haue done if the same atteinders had not bene had. This act to be in force the first day of this sayd Parliament. Anno 7. Ed. 4. cap. 5.

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Rent

Distraine

9 ¶ From and after the xxiii. day of Aprll in the xxb. yere of your most noble reigne, that your said highnes your heires or successours, shall or may at your will and pleasure vpon your letters patents, of any mannors, lands, tenements, reuersions, rents, seruices, tithes, pencions, porcions, aduowsons, patronages, or other hereditaments, not exceeding the cleare yerely value of xl. s. which were belonging to any of the sayd houses, comprised in the said act, whereby any estate of inheritance doth or shal passe from your sayd highnesse, your heires, successours (houses, tenements, cotages and gardeines, whereunto no lands, tenements, or hereditaments doe appertaine only excepted) reserued vnto your said highnesse, your heires and successours, either a tenure by knights seruice in capite, or els a tenure in socage or free burgage, and not in capite at your free will and pleasure, with the yerely rent of the tenth part of the said

Letters p. Lands

xl. s. by yere

Knights seruice Capite Socage Tenth

lands and tenements to be compriſed in euery ſuch Letters patents, according to ſuch rate and value, as the ſame mannors, lands, and tenements ſhalbe expreſſed and rated to be of the perely value in the ſame letters patents, the ſaid rent to be paied to the officers of your highneſſe ſaid Court of the augmentations of the reuenues of your crowne, to your ſaid highneſſe vſe, according as other reuenues there be and ſhalbe paied by the authoritie of the ſayd act. And that of houſes, tenements, cotages, and gardeines whereunto no lands, tenements, or hereditaments do appertaine, not being any of the kings princely houſes, reſerued and kept by a keeper thereof to the kings vſe, which were belonging to any of the ſaid houſes compriſed in the ſaid act, vpon euery the letters patents of any the ſaid houſes, tenemẽts, cotages and gardeines, to the which noe lands do appertaine, wherby any eſtate of inheritance doth or ſhall paſſe therin from your ſayd highneſſe, your heires or ſucceſſours, to reſerue vnto ꝑ ſame your highneſſe, your heires and ſucceſſours at your owne wil and pleaſure, either a tenure by knights ſeruice in capite, or els a tenure in ſocage, or free burgage, & not in capite with that perely rent of the tenth part as is aforeſayd: any law, ſtatute, cuſtome, vſage or any other thing or things heretofore to the contrary thereof in any wiſe notwithſtanding. An. 36. H. 8. cap. 14.

Houſes

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Knights ſeruice

Capite

Socage

Tenth

Lands

10 ¶ All mannours, lands, tenements, rents, reuenues, parſonage, tithes and other hereditaments, not being at the time of the making of any ſuch Letters patents, heretofore made ſithẽ the ſaid xxiiii. day of Aprill (S. mencioned in the act of 35. H. 8. cap. decimo quarto before 9.) aboue the clere perely value of xl.s. and al houſes, meſuages, cotages, curtilages, orchards, pards and gardens wherunto no other lands, tenements or hereditaments were belonging or appertaining, not being any of the kings princely houſes, reſerued and kept by a keeper thereof to his graces vſe, by whatſoeuer title or titles they or any of them came vnto his Maieſties hands, heretofore giuen or graunted by his maieſtie, to any perſon or perſons, or bodies politike, ſithen the ſayd fower and twenty day of Aprill in the ſaid xxxv. yere of his raigne, by his letters patents, wherby any eſtate of inheritance hath paſſed from his highneſſe to hold the ſame of his highneſſe, his heires and ſucceſſors by fealty only, or by fealty only and not in capite, or in ſocage or free burgage, or by fealty only in free and common ſocage & not in capite, or by any maner of ſuch like words in effect. Or to hold the ſame by fealty, as of any of his graces honors, manors, or lands, or by fealty only, as of any of his graces honors, manors or lands, & not in capite, or by any like words in effect: ſhall from the date of euery ſuch letters patents, be adiudged, taken and deemed, to al intents and purpoſes to be holden in ſocage or burgage, & not in capite, according to the very expreſſe and playne words contained in any ſuch Letters patents, without any further implication, conſtruction or explanation of the lawe therof to be made or had by any perſon or perſons againſt the ſame, and in no maner of wiſe to be deemed, adiudged or take to be holde in capite. Any ambiguity, doubt, or other thing heretofore riſen or moued, or hereafter to be moued, ſtirred, or ſet forth to ꝑ cõtrary thereof notwithſtãding.

xl.s. by pere

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Fealtie

Socage

Burgage

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And be it &c. that the kings highneſſe, his heires or ſucceſſours at any time or times within v. yeres, next after the firſt day of November laſt paſt, ſhall and may at his or their owne willes and pleaſures vpon any letters patents made, or hereafter to be made of any manors, lands, tenements, rents, reuerſions, ſeruices, parſonages, tithes, porcions, pencions, and other hereditaments not being rated or valued at ꝑ time of the making of any ſuch letters patents aboue the ſummes of xl.s. by pere, whereby any eſtate of inheritãce hath or ſhall paſſe from his highneſſe, his heires or ſucceſſors, (houſes, meaſuages, cotages, orchards, pards and gardens, wherunto no other lands, tenements, or hereditaments doe appertaine, onely except.) And alſo ſhall & may vpon any like letters patents hereafter to be made with-

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in

in ỳ ſaid fiue yeres, of any houſes, meſuages, cotages, orchards, yards, curtilages or gardēs, wherunto no other lands, tenemēts, or hereditamēts do appertaine, not being any of ỳ kings princely houſes, reſerued and kept by a keeper thereof to his graces vſe, by whatſoeuer title or titles ỳ ſaid manors, lāds, tenemēts, rents, reuerſiōs, ſeruices, parſonages, tithes, porciōs, pēciōs, houſes, tenemēts, cotages, gardēs & other ỳ premiſſes, or any of thē ſo to be giuē or graūted, be come, or hereafter ſhal come to his graces hāds, his heires or ſucceſſors, reſerue either a tenure by knights ſeruice in capite, or elſ a tenure by fealty or in ſocage, or burgage, & not in capite.

Tenure

And thacal and ſinguler the ſaid ſeueral tenures, as well heretofore reſerued and made ſithen the ſaid xxiiii. day of Aprill, in the ſaid xxv. yere of our ſaid ſoueraigne Lord ỳ kings raigne, as hereafter within the ſaid fiue yeres next after following to be reſerued or made, and hauing theſe words, & non in capite, ſhall from the date of euery ſuch letters patents be deemed, adiudged, and taken to be tenures in ſocage or burgage, and not in capite.

Socage
Burgage

And that the patentees of the ſame manors, lands, tenements, and other the premiſſes, or any part thereof, their heires and aſſignes, and euery other perſon or perſons, hauing ỳ ſame or any part thereof, ſhal hold the ſame manors, lands, tenements, houſes, cotages, and other hereditaments, cōpriſed in any ſuch letters patēts of our ſaid ſoueraigne lord the king, his heires & ſucceſſors, & hauing the ſaid words, & non in capite, by the ſeruice of fealtie in ſocage or burgage, according to the expreſſe words contained in any ſuch letters patents, and ſhal not hold the ſame or any part thereof, of our ſayd Soueraigne Lord, his heires or Succeſſors in chief or in capite, nor ſhalbe compelled by reaſon only of the ſame, to ſue any liuery, make fine for alienatiō, or ſue any licence or pardon for alienation only therof. And the heire and heires of euery ſuch patentees, or of their heires or aſſignes, or of any other hauing any eſtate, right or title of, in, or to the ſame mannors, lands, tenements, or hereditaments, and hauing no other lands, tenements, or hereditaments holden of the kings highneſſe in capite, ſhall and may freely & lawfully after the death of any ſuch patentee, their heires or aſſignes, or other perſon or perſons hauing any ſuch eſtate, right or title, enter into ỳ ſaid manors, lands, tenemēts, houſes, cottages & other hereditamēts cōpriſed, or to be compriſed in any ſuch letters patēts, without ſuing of liuery, ouſter le maine, or any fine or fee to be paied for any liuery only thereof, to our ſoueraigne lord the king, his heires or ſucceſſours for the ſame by reaſon only of ſuch tenure in ſocage or burgage expreſſed or to be expreſſed in any of ỳ ſayd letters patents, any lawe, cuſtome or vſage heretofore had or vſed to the cōtrary thereof in any wiſe notwithſtanding. An. 37. H. 8. cap. 20.

Heires
Enter
Ouſter le mayne
Liuery

11 ¶ Where before this time ambiguities, queſtions, and doubts haue bene moued and ſtirred in diuers and ſundry the kings courts of record, whether ſuch honors, caſtels, manours, lands, tenements, and other hereditaments are holden of the king in capite, which any of his louing ſubiects, doe hold by knights ſeruice, ſocage, or other ſeruices of the king, as of his Duchies, Earledomes, Baronies, honours, caſtels, manors, lands, tenements, fees & ſeigniories, which haue come to ỳ hands & poſſeſſion of diuers of his highneſſe moſt noble progenitors, by attainder of treaſon, miſpriſion of treaſō, attainders of premunire, and prouiſion, had & done by act of parliamēt, by verdict, cōfeſſion, conuiction or vtlagary, and offices or no offices thereupon found, or by the diſſolution, ſurrēder or giuing vp to the king, or to any his noble progenitors of any religious or eccleſiaſtical houſes or places, or of any manors, lāds, tenemēts, or other hereditaments, to any of the ſame religious or eccleſiaſticall houſes or places in any wiſe appertaining or belōging or no, by reaſon of which doubt ſo moued, his ſaid humble and obedient ſubiects and tenants haue bene heretofore much vnquieted, moleſted and greeued: Wherfore the king our ſoueraigne Lord mynding, and

Capite
Knights ſeruice
Attainder
Miſpriſion
Premunire
Vtlagary

entierly desiring the quietnes of his sayd subiects, & that the certeintie of his lawes in that behalfe might be knowen and declared to his sayd louing Subiects for a plaine declaration & resolution to be had of, for, or concerning the premisses at the humble petition and suit of the Lordes, and commons in this present parliament assembled doth ordeine &c. That all such honours, castels, mannours, lands, tenements, and other hereditaments, and euery of them, which now be, or at any time hereafter shalbe holden of the king, or of any of his heires or successors, or by any of his sayd subiects by knights seruice, soeage or otherwise, as of any of his or their dukedomes, earldomes, baronies, castels, manors, lands, tenements, fees or seigniories, which be come to ỹ king, or his most noble progenitors, or hereafter shal come to the king, his heires or successours, by meanes of any such attainder, ebuition, delagary, or of any such dissolution, surrender, or giuing vp of any religious or ecclesiasticall houses or places, or of any mineors, lands, tenements or hereditaments, to any of the sayd religious or ecclesiasticall houses or places in any wise belonging, or appertayning, shall not frō henceforth be adiudged, deemed, taken or construed to any intent, construction or purpose, to be holden in capite, or as tenure in capite, any ambiguitie, question or doubt heretofore moued to the contrary notwithstanding.

Lands

Knights seruice Socage

Lands

Capite

Prouided alwaies and be it &c. that this act or any thing therein contained, shall not in any wise be preiudiciall ne hurtfull to ỹ king, his heires or successors, to, for, or concerning any wardship, liuery, primer seasen, fine for alienation, or to or for any other profit or aduantage, which now is come, or hereafter shall or may come, fall or grow to the king, his heires or successors, by or from any person or persons which now doth, or hereafter shall hold any honors, seigniories, castels, mannors, lands, tenements or other hereditaments, of the king in chiefe, as of his person, or of any other his auncient possessions, and being not come to the king by any such attainder, confession, conuiction, delagary, dissolution, giuing vp, or surrender, as be about sayd.

Wardship Fine Primer seasen

Chiefe

Prouided also, and be it &c. that this present act, or any thing therein contayned, or specified, shall not in any wise or by any meanes, giue any aduātage, liberty or profit to any tenant or owner in fee simple of any honours, mannours, lands, tenements, or other hereditaments which haue heretofore sued any speciall or generall liuerie, or oustre le maine out of the hands of the king, or of any his noble progenitours, of any honours, mannours, lands, tenements or other hereditaments, by what tenour or seruice they were or be holden, or that haue, or shall confesse by any matter of record, any tenure in chiefe of the king, but that they, their heires and assignes shall haue and hold the same manours, lands, tenements and other hereditaments, in like maner and forme as they did before the making of this present act, and as though this present act had neuer bene had ne made, any thing aboue declared and enacted to the contrary notwithstanding. An. 1. E. 6. cap. 4.

Tenant

Liuery Ouster le mayne

Confesse Tenure

¶ Tyles.

FOr the harme that hath growne for default of true & sufficient making, whiting and anealing of plaintile, roofetyle, cornertyle and Guttertyle: Be it &c. that all & euery person or persons which hereafter shal vse the occupation of making of any such tile, as before is said, shal make it good, reasonable, and very sufficient, and throughly whited & anealed. And that the ground wher of any such tile shalbe made, shalbe digged & cast by before the first day of Nouember next before that they shalbe made, and that the same earth be treared & tourned, before ỹ first day of February, then next following, and not wrought before the first day of March, then next following, & that ỹ same ground, before it be put to making of tile, be truely wrought and tried from stones. And also that the baines called Maline or Marle, & Chalk lying commonly in the ground, nere to the earth conuenient to make Tile, after the

Maline Marle Chalke

the digging of the sayd ground, whereof any such tile shall be made, shall be well, lawfully and truely seuered and cast fro the earth whereof any such tile shall be made. And that euery such plaine tile so to be made, shall containe in length x. ynches & an halfe, and in breadth vi. ynches & a qnarter of an ynche, and in thicknesse, halfe an ynche and halfe a quarter at the least: And ꝑ euery such roofetile or creasle tile so to be made, shall conteine in length xiii. ynches, and the thicknesse of halfe an ynche and halfe a quarter at the least, with conuenient deepnes accoꝛding. And that euery gutter tile and couertile to be made, shall containe in length x. ynches & an halfe, with cõuenient thicknes, breadth & deepenes accoꝛding. And if any person oꝛ persons set to sale to any person oꝛ persons, any such tile aboue specified, made oꝛ to be made against the sayd oꝛdinance: thẽ ꝑ seller therof shal foꝛfait to the buyer of the same, the double value of the same tile, and besides that shal make fine & ransome to ꝑ king at his wil. And that euery person that feeleth him selfe greeued, and wil sue in this behalfe, shal haue an action of debt against ꝑ offenders, wherein shall be made & had like pꝛoces, recouerie and execution, as is oꝛ may be at this day, in any other actions of debt pursued at the common law. And that the plaintife in euery such action (if it be found with him) may recouer against the defendant in the same action, his reasonable costs and expences of his suit. And that the defendant in any such action, shal not be admitted to wage his Lawe, oꝛ to haue any essoine oꝛ pꝛotection allowed, noꝛ no aduantage by furching by essoine oꝛ distresse. And also that the Justices of peace foꝛ the time being, within any county of this realme, and euery of them shal haue full power to enquire, heare and determine, by their discretions, as well by examination oꝛ otherwise, the defaults, offences and trespasses, which shal happen to be done against this oꝛdinance, as well at the kings suit, as at the parties which shall feele himselfe greued in that behalfe. And if it be found, oꝛ may appeare to the Justices of peace, oꝛ any of them by examination, oꝛ otherwise by their discretion, that any person oꝛ persons hath offended contrary to this oꝛdinance, that then the same Justices, before whom it shalbe found oꝛ appeare, shall assesse vpon the offender in this behalfe no lesse fine, then foꝛ euery M. of plaine tile set to sale contrary to this oꝛdinance v.s. And euery C. roofetile vi. s. viii. d. And foꝛ euery C. coꝛner tile oꝛ gutter tile, ii. s. sold contrary to this oꝛdinance. And that lesse fine be made after ꝑ rate of the same by the discretion of the sayd Justices, oꝛ any of them. And that the same Justices shall haue full power, to call before them, oꝛ any of them, at any time and place requisite such and so many persons, as by their discretion haue, oꝛ shall haue best experience oꝛ knowledge, in the occupation of making of tile, to search & examine the digging, casting, turning, departing, making, whiting, and aneling afoꝛesaid. And that the same person oꝛ persons which so shalbe assigned searchours, shall haue full power to make such search. And that no person put no such tile to sale, before that it be searched by the sayd searchers, vpon paine of foꝛfaiture of the same tile. And if the same searchers oꝛ any of them do find, that any person oꝛ persons exercising the occupation of tile making, do offend contrary to this oꝛdinance, that then the same searchers shall pꝛesent such defaultes, before the Justices of peace at their next sessions. And that euery such pꝛesentment, be as strong and effectuall in the lawe, as the pꝛesentment of xii. men. And that such searchers so to be oꝛdained, assigned and deputed, shall haue of euery such tile maker foꝛ his labour of the sayd search, foꝛ euery M. plaine tile searched i. d. Of euery C. roofe tile i. ob. And euery C. couer tile & gutter tile a q. And that ꝑ same searchers shall doe and execute their effectuall deuoir and diligẽce in this behalfe, accoꝛding to this oꝛdinance, vpon paine of foꝛfait to our soueraigne loꝛd the king foꝛ euery default in this behalfe x.s. And that the Justices of peace shall haue power to examine, enquire & determine the faultes of such searchers in the pꝛemisses, in like

plaine tile
length
breadth
Roofetyle
Gutter tile
Foꝛf. 2. value Fine
Costs
Any Iust. of p.
Enquire Diet & ter.
Fine
One Iust. of p.
Examine
Search Foꝛf.
Iust. of p. Sessions
Foꝛf.
Iust. of p.

forme as aboue is ordayned for the defaultes of Tyle makers. This ordinance to beginne to take effect at the feast of Saint Michael next comming, and not
* before. Anno 17. Ed. 4. cap. 4.

¶ Tyndale, Riddesdale, and Exhamshire.

IF any person of the sayd franchises of Tyndale and Exhamshire, reliant or dwelling in the same, of what estate or condition that he be, doe any murders, treasons, manslaughters or robberies, or consent to doe them out of the sayd franchises of Tyndale and Exhamshire, Murder Treason Felonie Proces
Processe shalbe made against him by the common law, vntill he be outlawed. And that after such outlagarie pronounced and returned, the Justices, before whom such outlagaries is returned, shall make thereof certification to such minister or ministers of the said franchises, as to them best shall seeme in this behalfe according to their discretion, and such felons shalbe taken by such minister or ministers, and his Seale lands
lands and tenements, goods and cattels being within the same franchise sealed into the hands of the lords of the same franchises of Tyndale and Exhamshire for the time being as forfayt. And that the other lands and tenements, goods and cattels of such felons, being out of the same franchises, shall wholy remayne to the king
king and to other lordes, hauing thereof franchise as forfait. Sauing alwayes to the king the forfaitures of such murderers, traitours, manslears, robbers, and other offenders, & of other things which to him doe belong, as of the right of his Crowne. Anno 2. Henrici 5. cap. 5.

2 ¶ Such processe, certification, and execution, shall be made from henceforth against such murderers, manslears, robbers, consenters and offenders, abyding or reliant within the said franchise of Riddesdale, because of their offences done out of the sayd franchise of Riddesdale. And also such maner forfaiture shall runne in all points, aswel towards our soueraigne lord the king, as against al other persons, as it was ordained for ỳ sayd offenders of Tindale and Exhamshire, by the sayd statute made at Leicester, and according to the forme and equitie of the same statute. Sauing alwayes to the king that, that perteyneth in this behalfe, as of the right of his Crowne. Anno 9. Hen. 5. cap. 7.

3 ¶ The said lordship and bounds of North and South Tindale nowe being in his hands, and all lands and tenements within the same, in whose possession soeuer they be, and euery part thereof stande and bee from henceforth gildable and part Gyldable Northumberland
of the shire of Northumberland aforesaid, and no franchise ne franchises: but that al maner of the kings writs shall runne, and Wyttes
all his officers aswell the warden or wardens of the East and middle Marches of Wardens
England towards Scotland, the Lieutenāt or lieutenants, the Justices of peace, Inst. of p. Shirife
shirife, Escheto, Coroner, Bailifes and Escheators
other officers and their deputies, and euery of them, of, and within the Countie of Coroners Baylife
Northumberland aforesaid, and all their warrants and precepts shalbe obeyed, and Warrants
of as great authority in the law by reason of this act within the sayde Lordship and bounds of North and South Tyndale, and euery part thereof, as in any other partie of the sayd shire of Northumberland. And ouer this, that no person or persons, of what estate, degre or condition he or they bene of, that nowe hath, or that hereafter shal haue authoritie or power in his or their own right, or any other mans, to dimit or let to ferme for yere or yeres, terme of life or at will, any Landes or Lands
Tenementes within the Lordship and boundes of North and South Tyndale aforesayd. But that the Lessee or Lessees Leases
before he or they take or occupie by force of any such lease, any such Lands or Tenements, find good and sufficient suertie Suerties
at the least two persons haning Landes and Tenements within the sayd shire of Northumberland, not being within the sayd Lordship and bounds of North and South Tyndale to the full yerely value of forty shillings, ouer and aboue all ma- xl.s. land
ner charges and reprises, by recognisance Recognisance
to the King our Soueraygne Lorde in

twenty

twenty pound, before two at the least of the Justices of the peace of the said shire of Northumberland for the time being, whereof one shalbe of the Quorum vpon this condition, that if the said Lessee or Lessees within eight dayes warning to them, or any of them personally or openly, at his or their owne houses: or in his or their parish church giuen by any of the said Justices of the peace, the Shirife of the said countie of Northumberland, and warden of the East & middle marches foragainst Scotland, or his Lieutenant personally appeare not before the same Justices of the peace, warden or Lieutenant at any Session or sessions, gaole deliuery, warden Court, at such place and day within the said shire of Northumberland, or day, or dates of truce wheresoeuer it shall fortune them to bee assigned, and as they, or any of them shalbe thereunto as before is rehearsed, warned, there and then to answere al such treasons, felonies, murders and trespasse, or attemptes contrarie to the truce from henceforth by them, or any of them to be done, then the said summe of twentie pound shalbe forfait, thone halfe therof to the king &c. and the other halfe to him or them that will sue therefore, giuing thereof to the Justices, before whom the recognisance is or shalbe taken after the execution therof be had of his said part so recouered, vt s.

And that the said Justices of whome the said recognisance is or shalbe taken, as before is rehearsed, and all other Justices of the peace within the said Shire of Northumberland for the time being, shall by reason of this said act, haue full authoritie to enquire thereof, and to take presentments and information thereupon, and to award proces and execution of and for the same summe vpon any presentments or information made thereon, in like, and as ample forme as the kings Justices of his bench shal or may do, of, or for any recognisance taken afore them forfeited for the keeping of the kings peace.

And if any person or persons after the feast of Easter next comming, taking vpon him or them to let or dimit as before is rehearsed, any lands or tenemẽts within the said lordship or bonds of North and South Tindall, where no such suertie is before had and found, as before is rehearsed, that ꝑ person or persons that so letten or dimitten shall by the same act for euery acre of ground, and euery mese and mansion, or dwelling place within the said Lordship and bounds aforesaid, by him or them so letten or dimitten, forfait forty shillings, thone halfe to the king, and the other to him or them ꝑ will sue therefore.

And that the Justices of the peace of the said shire of Northumberland for the time being, shall haue like authoritie in all things concerning this forfaiture, as by this act or ordinance is giuen to them in the recognisance afore expressed, and that all maner of Leases, dimissions, made or to be made of any lands, tenements within the said lordship and bounds of North and South Tindal, for the which no such suertie shall be had and found at the saide feast of Easter, and so forth as to fore is rehearsed, be and stand from thence forward void, and of none effect.

And if any person or persons, of what estate, degree, or condition he or they bee of, take vpon him or them after the sayde feast of Easter, to enter, occupie, dwell, hold, or inhabit any Lands, tenements, or ground within the said lordship & bonds, of North and South Tindall, not being his owne inheritance in fee simple or in fee tayle, without lawfull or sufficient suerty by him or them found, as before is rehearsed, except he be a lord spirituall or temporal of this Realme, that he and they so doing, haue imprisonment by the space of a whole yere without bayle or mainprise, ꝑ so forth to cõtinue till he haue found sufficient suertie vnto our Soueraigne Lord the king, by recognisance afore the Justices of the said County to be of good abearing against the king and al his liege people. Anno 11. H. 7. cap. 9.

Just. of p.
Quorum Condition
Forf. Poyntie
Just. of p.
Leases
Suertie
Void
Forf. Poyntie
Just. of p.
Suertie
Lord
Imprison
Mainprise
Just. of p.
Good abearing

¶ Tynne.

ANno 14. R. 2. cap. 7. It was enacted that the passage for Tynne to be ca-

ried out of the Realme, shoulde bee at the Dertmouth Port of Dertmouth and no where els. And after Anno 15. R.2.cap.8. that statute was repealed Repealed, and that to the feast of Saint John next comming, Tinne to be caried out, might be charged in any Port in England.

2 ¶ After the sayd feast they shall repaire to Caleys Caleys for the time that ẏ resort of wooll shall be there, paying alway the customes, subsidies, and deuoyers thereof due before the passage of the said time. Anno 15. R.2. cap.8.

¶Tithes.

Scire facias WHere as Writtes of Scire facias haue bene graunted, to warne Prelates religious and other clerkes, to Chauncery answere of dismes in our chauncery, and to shewe if they haue any thing, or can any Dismes thing say, wherefore such dismes ought not to be restored to the said demandants, and to answere aswel to vs, as to the partie of such dismes, that such writtes from hencefoorth be not graunted. And the processe hanging vpon such writtes, bee annulled and repealed. Repealed And that the parties be demissed frō the seculer iudges of such maner of pleas. Sauing to vs our right, such as we and our auncesters haue had, and were wont to haue of reason. An. 18. Ed. 3. cap. 7. pro clero & cap. 14.

2 ¶ At what time that any person of holy church be drawen in plea, in the Seculer court Seculer court for his owne tithes taken by ẏ name of goods taken away, and he which is so drawen in plea maketh an exception, or alleageth that the substance and suit of the busines is onely vpon tithes, due of Church right and of possession to his church, and to an other his benefice, that in such case the generall auerment Auerment shall not be taken without shewing specially, how the same was his lay cattell. An. 1. R. 2. cap. 14.

3 ¶ The fermours and al maner occupiers of the Mannours, lands, tenements Fermours and other possessions of aliens, shall pay, Aliens and be bound to pay all maner of dismes thereof due to parsons and vicars of holy church, in whose parishes the same Mannors, Lands, tenements and possessions be so assessed and due, as the lawe of holy church requireth, notwithstanding that the sayd Mannors, lands, tenements, or other possessions be seased into the kings Seised hands, or notwithstanding any prohibition made, or to be made to the contrarie. Prohibition Anno 5. H. 4. cap. 11.

4 ¶ See prouision. 17. & 18. against them that obtaine bulles from Rome to Bulles Rome be discharged of tithes.

5 ¶ Forasmuch as many euil disposed persons, haue attēpted to withhold their tithes, aswell prediall as personall, and haue also contemned and disobeyed the proces and decrees of the Ecclesiasticall Courts of this Realme: Be it &c. That euery of the Subiects of this Realme of England, Ireland, Wales and Caleis, and marches of the same, according to the ecclesiastical lawes and ordinance of this church of England, and after the laudable vsages and customs of the parish or other Customes place where he dwelleth or occupieth, shal yelde and paie his tithes, offerings and o- Offrings ther dueties of holy church, and that for such subtractiōs of any of the sayd tithes, Subtractions offerings, or other dueties, the parson, vicar, curat, or other partie in that behalfe greeued, may by due proces of the kings Proces Ecclesiasticall ecclesiasticall lawes of the church of En- lawes gland conuent the person or persons so offending before his Ordinarie, or other Ordinary competent iudge of this Realme, hauing authoritie to heare & determine the right of tithes, and also to compell the same person or persons offending to doe and yelde their sayd dueties, in that behalfe. And in case the ordinary of the diocesse, or his cōmissarie, or the Archedeacon or his Commissarie Archdeacon official, or any other cōpetēt iudge afore- Officiall sayd, for any contempt, contumacie, dis- Contempt obedience, or other misdemeanour of the partie defendant, make information and Information requeste to any of the kings most honora- K. Counsell ble counsaile, or to the Iustices of peace of the shire, where such offendour dwelleth, to assist or aide the same ordinarie, commissary, archdeacon, official or iudge, to order or reforme any such person in any cause before rehearsed, that then he or the

2. Justices of peace
Quorum
Authoritie
Attach
Imprison
Mainprise
Suertie
Recognisãce
Vse
Obedience
Proces
Decrees
K. Counsel
2. Iust. of p.
Record
Recogni.
Obligation
London
Parties
Action
Appeales
Prohibitiõ
Ecclesiasticall lawes

the kings said honorable counsell, or such two Justices of peace, whereof one to be of the Quorum, to whome such informacion or request shall be made, shall haue full power & authority by vertue of this acte, to attach, or cause to be attached, the person or persons against whome such information or request shal be made. And to commit the same person or persons to ward, & there to remaine without baile or mainprise, till ẏ he or they shall haue found sufficient surety, to be bound by recognisance or otherwise, before the kings saide counsellour, or Justice of peace, or any other such like Counsaylour or Justice of peace, to the vse of our sayde soueraigne lorde the king, to giue due obedience to the proces, proceedings, decrees and sentences of the ecclesiasticall courte of this realme, wherein such suite or matter for the premisses shall depend or be. And that euerie of the kinges said counsailours, or two Justices of peace, whereof one to be of the Quorum, as is aforesaid, shal haue ful power and authoritie by vertue of this act, to take, receiue and record recognisances and obligations in any of the causes aboue witten.

Prouided alway, that this act or any thing therein conteined, shall not extende to any inhabitaunt of the citie of London for or concerning any maner of tithe, offring, or other ecclesiasticall duetie growen and due to be payde or yeelden within the same citie, because there is an other order made for the payment of tithes and other dueties within the said citie.

Prouided also that euery person and persons, being partie or parties to any such suite, shall and may make and haue his or their lawefull action, demaund or prosecution, appeales, prohibitions, and all other their lawful defences and remedies in euery such suite, according to the sayd ecclesiasticall lawes and statutes of this realme, in as ample and liberall maner and fourme, as they or any of them might haue had, if this acte had neuer bin made, any thing in this acte aboue writtē notwithstanding.

Prouided alwayes and be it &c, ẏ this act for recouering of tithes, ne any thing therein conteined shal take force or effect, but onely vntill such times as the kinges highnesse, and such other xxtii. persons, which his highnes shal name and appoint for the making and establishing of such lawes as his highnesse shall affirme & ratifie to be called ẏ ecclesiasticall lawes of his church of Englād. And after the said lawes so ratified and confirmed, as is aforesaid, that then the said tithes, to be paid to euery ecclesiastical persō, according to such lawes, and none otherwise. Anno 27. H. 8. cap. 20. Ratified

6 Be it &c. that all and euery the citizens & inhabitants of the citie of London and suburbes, within the liberties of the same, shall at this present time of Easter nexte comming, pay vnto the curates of ẏ said city & suburbes, al such & like sūmes of money, for tithes, oblations and other dueties, as the said cittzens & inhabitāts by ẏ order of my lord chauncellor and other of ẏ kings most honorable counsaile, and ẏ kings proclamation, paid or ought to haue paid by force & vertue of the saide order, at Easter, that was in the yeere of our lord God. 1535. And the same payments so to continue from time to time, vntill such time as any other order or law shalbe made, published, ratified and confirmed by ẏ kings highnes, and the xxtii. persons by his grace to be named, aswell for the full stablishement concerning the paiment of all tithes, oblations and other dueties of thinhabitants within the sayde citie & suburbes within the liberties of ẏ same, as for ẏ making of other ecclesiastical lawes of this realme of Englād. And that euery person denying to pay as is aforesaid, shall by the commandement of ẏ maior of London for ẏ time being, be cōmitted to prison, there to remaine vntill such time as he or they haue agreed with the curate and curates for the said tithes, oblations & other dueties, as is aforesaid. Anno 27. H. 8. cap. 21. London Suburbes Oblations Chauncelor Proclamatiō Order Denie Maior Imprison Agree

7 Forasmuch as in ẏ statute of ẏ payment vnto the kinges maiestie, his heires and successors of the first fruits of the spirituall promotions, offices, benefices and Act. 26. H. 8. cap. 3. First fruites

and dignities within this Realme, and o-
ther the kinges dominions, expresse men-
cion and declaracion is not hadde made,
from what time the peere shalbe accompt-
ed, in which, the first fruites shall be due
and payable to his highnesse, that is to
wit, whether immediatly from the death,
resignation or deprivation of euery in-
cumbent, or from the time of admission
or new taking of possession in euery such
promotion.

And also by reason that in the same sta-
tute, it is not declared who shall haue the
fruites, tithes, and other profites of the
said benefices, offices, promotions and
dignities spirituall, during the time of va-
caion thereof, diuers of the Archbishops
and Bishoppes of this Realme, haue not
onely whē the time of perceiuing and ta-
king of tithes (that is to say wool, lambe,
corne, and hay and tithes vsually paid at
the holy time of Easter) hath approched,
differred & collation of such benefices as
haue bene of their owne patronage, but
also haue vpon presentations of clarkes
made vnto them by the iust patrons, pro-
tracted and deferred to institute, inducte
and admitte the same clarks, to the intent
that they might haue & perceiue to their
owne vse the same tithes growing, du-
ring the vacation: So that though such
delayes (ouer and aboue the first fruites,
which be iustly due to the kings highnes)
they haue bene constreined also to lose al,
or the most part of one yeeres profites of
their benefices & promotions, & to serue
the cure at their and their friendes proper
costes and charges, or vtterly to forsake
and giue ouer their benefices and pro-
motions to their great losse and hinderance:
For reformation whereof it is &c. that the
sayd yeere, in which the first fruits shalbe
payd to the kinges grace, shall beginne &
be accompted immediatly after the auoy-
dance or vacation of any such benefice or
promotion spirituall afore rehearsed. And
that the tithes, fruites, oblations, obuen-
tions, emoluments, cōmodities, aduan-
tages, rentes and al other whatsoeuer re-
uennes, casualties or profites certayne &
vncertaine, afferring or belonging to any
Archdeaconrie, Deanrie, Prebend, Par-
sonage, vicarage, Hospitall, wardshippe,
prouostship, or other spirituall promoti-
on, benefice, dignitie or office, (chaunte-
ries onely except) within this Realme, or
other the kinges dominions, growing,
rising or comming, during the time of
vacation of the same promotion spiritual
shall belonge, and after, to such person,
as shall be thereunto next presented, pro-
moted, instituted, inducted or admitted, &
to his executours, towardes the paiment
of the first fruites to the kinges highnes,
his heires and successours: any vsage, cu-
stome, libertie, priuiledge or prescription
to the contrary had, vsed or being in any
wise notwithstanding.

And it is also &c. that if any archbishop,
bishop, archdeacon, ordinarie or any other
person or persons to their vse & behoofe,
at any time heretofore sith the first day of
May last past haue perceiued, receiued or
take, or at any time hereafter do perceiue,
receiue or take the fruites, tithes, obuen-
tions, oblations, emolumentes, commo-
dities, reuenues, rentes, aduantages, pro-
fites or casualties, comming, growing
or belonging, or which hereafter shall
come, growe, afferre or belonge to any
archdeaconrie, deanrie, prebend, par-
sonage, vicarage, hospitall, wardenship,
prouostship or other spirituall promotion,
benefice, dignitie or office (Chauntries
onely excepted) within this realme or o-
ther the kinges dominions, during the va-
cation of such Archdeaconrie, deanrie,
prebend, parsonage, vicarage, hospitall,
wardenship, prouostship, or other spiritu-
all promotion, benefice, dignitie, or office
(Chauntries onely excepted.) And the
same vpon reasonable requeste frō hence-
forth to be made, doth not render, restore,
satisfie, content & pay to the next incum-
bent being lawefully instituted, inducted
or admitted to such archdeaconrie, dean-
ry, prebend, parsonage or vicarage, or other
promotion, benefice, dignitie or office spi-
rituall, except before excepted, or doe let
or interrupt the sayde incumbent to haue
the same: that then euery archbishop, by-
shoppe, Archdeacon, Ordinarie or other

person

Vacation Archbishops Bishops

Woolle Lambe Corne Hay

Begynne

Vacation Auoidance

Executours First fruites

Custome

Archbishop Bishop Ordinarie

Receiue

Vacation

Pay Incumbent Instituted

Interrupt

Forf. 3. value

person so doing, shal forfait and lose ꝑ treble value of so much as he shall then haue receiued of the fruites of euery Prebend, Parsonage, Vicarage, Hospitall, Wardenshippe, Prouostship, or other spiritual promotion, whereof he so shall perceiue, receiue or detayne, let or interrupt the incumbent to percepue, recepue, and haue the fruites, tithes, obuencions, oblations, emolumentes, commodities, reuenues, rentes, aduantages, profits or casualties, the one moytie of which forfeiture shalbe to the king &c. and the other moitie thereof to the incumbent of the same prebend, parsonage or vicarage, or other spirituall promotion, to be recouered in any of the kings courtes by action, bill, plaint, information or otherwise, in which action or suite the defendant shall not be admitted to wage his lawe &c.

Moytie

Action Bill

Prouided alway, that it shall be lawefull to euerie archbishoppe, bishop, archdeacon, and ordinaries, their officers and ministers, to retayne in his or their custodie, so much of the tithes, fruites, obuentions, oblations, emolumentes, commodities, aduantages, rentes, reuenues, casualties, and profits, as shall amount to pay vnto such person or persons, as hath or shall serue to keepe the cure of such archdeaconry, deanry, prebend, parsonage or vicarage, or other spirituall promotiō, during the vacation of his or their reasonable stipend or salarie. And also for the collection, gathering and leuying of such tithes, fruites, emolumentes, rentes and other profits, rising and growing, during the vacation aforesayd, any thing in this act conteined to the contrarie in any wise notwithstanding.

Reteine

Vacation

Collection

Prouided also and be it &c. that in case any of the incumbents aforesaide happen to die, and before his death hath caused any of his glebe landes to be manured and sowen at his proper costes and charges with any corne or graine, that then in that case al and euery of the same incumbents may make and declare their testamentes of all the profites of the corne growing vpon the same glebe landes so manured and sowen: Any thing conteyned in this

Incumbēts

Glebe lands

Testaments

Corne

present act in any wise notwithstanding. Prouided alway, that if the fruites of the vacation of the said spirituall promotion be not sufficient to pay the curats stipend and wages for serung the cure the vacation time, that then the same to be borne and payd by the nexte incumbent within fourteene dayes nexte after that he hath ꝑ possession of any the said promotions spirituall. Anno 28. H. 8. capitulo 11.

Wages

8 ¶ Where diuers & many persons inhabiting in sundry counties & places of this realme and other the kinges dominions, not regarding their dueties to almightie God, and to the king our soueraigne lorde, but in few yeeres past more contemptuously & commonly presuming to offende and infringe the good and holsome lawes of this realme and gracious commandements of our said soueraygne lord, then in times past hath bene seene or knowen, haue not letted to subtract and withdrawe the lawefull and accustomed tithes of corne, hay, pasturages, and other sort of tithes and oblations, commonly due to the owners, proprietaries and possessours of the Parsonages, Vicarages and other ecclesiasticall places, of & within the sayd realme and dominions, being the more encouraged thereunto, for that, that diuers of the kinges subiectes being lay persons, hauing parsonages, vicarages & tithes to them & to their heires or to thē & to their heires of their bodies lawefully begottē, or for terme of life or yeres, cannot by the order and course of the ecclesiasticall lawes of this realme, sue in any ecclesiasticall courte, for the wrongful withholding and deteining of the said tithes or other dueties, nor cannot by the order of the common lawes of this realme haue any due remedy against any person or persons, their heires or assignes that wrongfully deteineth or withholdeth the same, by occasion whereof much controuersie, suite, variance and discorde is like to ensurge, and ensue among the kinges subiects, to the great detriment, dammages and decay of many of them, if conuenient & speedie remedie therefore be not had & prouided. Wherefore it is &c. that

Subtract

Corne

Hay

Pasturage

Ecclesiastical lawes

Common lawes

all

all and singular persones of this saide realme and other his dominions, of what estate, degree or condition so euer he or they be, shall fully, truely and effectually deuide, set out, yeelde, or pay all and singuler tithes and offerings aforesaid, according to the lawfull customes and vsages of the parishes and places where such tithes or dueties shall growe, arise, come or be due. And in case that it shall happen any person or persons of his or their vngodly and peruerse will & minde to deteine or withholde any of the saide tithes or offrings, or part, or parcel thereof: then the person or partie being ecclesiasticall or lay person, hauing cause to demaunde or haue the said tithes or offerings, being thereby wronged or grieued, shall and may conuent the person or persons so offending before the ordinary, his commissarie, or other competent minister or lawfull Judge of ẏ place where such wrong shall be done, according to the ecclesiasticall lawes: And in euery such cause or matter of suit, the same ordinarie, commissarie, or other competent minister or lawfull iudge hauing the parties or their lawfull procurators before him or them, shall and may by vertue of this act proceede to the examination, hearing and determination of euery such cause or matter, ordinarily or summarily, according to the course and proces of the said ecclesiasticall lawes, and thereupon may giue sentence accordingly. And in case that any of the parties, for any cause or matter concerning that suit, doe appeale from the sentence, order, and definitiue iudgement of the saide ordinarie, or other competent iudge, as is aforesaid: Then the same Judge by vertue of this acte, forthwith, vpon such appellation made, shal adiudge to the other partie the reasonable costes of his suite therein before expended, and shall compell the same partie appellant to satisfie and pay the same costes so adiudged by compulsorie proces and censures of the said lawes ecclesiasticall, taking surety of the other partie, to whome such costes shall be adiudged and payed, to restore the same costes to the partie appealant, if after the principall cause of that suite of appeale shalbe adiudged against the same partie, to whome the sayde costes shalbe yelden: And so euery ordinarie or other competent iudge ecclesiasticall by vertue of this act, shal adiudge costes to the other party vpon euery appeale to be made in any suit or cause of subtraction or detencion of any tithes, offerings, or in any other suite to be made for or concerning the duetie of such tithes or offrings. And further be it &c. that if any person or persons after such sentence definitiue giuen against them, obstinately and wilfully refuse for to pay their tithes or dueties, or such summes of money so adiudged, wherein they be condemned for the same: that then two Justices of the peace of the same shire, whereof one to be of the Quorum shall haue auctho[illegible]itie by this act vpon information, certificate, or complaint to them made in writing by the saide ecclesiasticall iudge that gaue the same sentence to cause the same partie so refusing, to be attached and committed to the next gayle, and there to remaine without baile or mainprise, till he or they shall haue founde sufficient sureties to be bounde by recognisance or otherwise before the same Justices to the vse of our soueraigne Lorde the King, to performe the saide definitiue sentence and iudgement.

Deuide Set out Customes

Deteine

Ordinarie

Commissarie

Procurators

Sentence

Appeale Judgement

Costes

Proces Censures Suretie

Appeale

Detencion

Sentence

Refuse

ii. Just. of p.

Quorum

Complaint

Attache Imprison Mainprise

Recog.

Vse

Prouided alwayes and be it &c. that no person or persons shall be sued, or otherwise compelled to yeelde, giue or pay, any maner of tithes for any manors, lands, tenements or hereditaments, which by the lawes or statutes of this realme are discharged or not chargeable with the payment of any such tithes. Prouided also and be it &c. that this acte or any thing therein contained, shall not in any wise binde the inhabitants of the Citie of London and suburbes of the same, for to pay their tithes and offrings within the same Citie and suburbes, otherwise then they ought or shoulde haue done before the making of this acte, any thing in this act contained to ẏ contrary notwith-

Not charged

London Suburbes

notwithstanding.

And be it &c. that in all cases, where any person or persons, which nowe haue, or which hereafter shal haue any estate of inheritãce, freehold, terme, right or interest, of, in or to any parsonage, vicarage, porciõ, penciõ, tithes, oblatiõs or other ecclesiastical or spiritual profit, which now be, or which hereafter shalbe made tẽporal, or admitted to be, abide & go to or in tẽporal hands or lay vses and profits by the lawes or statutes of this realme, shall hereafter fortune to be disseised, deforced, wronged, or otherwise kept or put frõ their lawfull inheritance, estate, seison, possession, occupation, terme, right or interest, of, in or to the same, or of, in, or to any parcell thereof by any persõ or persons, claiming or pretending to haue interest or title in or to the same, þ then in al & euery such case or cases, the persõ or persons so disseised, deforced, or wõgfully kept or put frõ his or their right or possession as is afore rehearsed, their heires, wiues & such other to whõ such iniury or wrong shal be done or cõmitted, shal & may haue their remedy in the kings tẽporal courts, or other tẽporal courte, as the case shal require for þ recouery, getting or obteining of such inheritaunce, estate, freehold, seison, possession, terme, right or interest, by writs original of Præcipe quod reddat. Assi. of nouell disseisin, Mordaunc, Quod ei deforciat, writs of dower, or other writs originall, as the case shal require, to be deuised and granted in the kinges court of chauncerie, of euery such parsonage, vicarage, porcion, pencion or other profite called ecclesiasticall or spiritual, so to be demaunded according to the nature and cause of the suite thereof, in like maner and forme as they should, ought or might haue had of or for landes, tenementes, or other hereditamentes, in such maner to be demaunded. And that writtes of couenaunt and other writs for fines to be leuied, and all other assurances, to be had, made or conueied of any such parsonage, vicarage, porcion, pencion or other profite, called ecclesiasticall or spiritual, as is afore said, shall be hereafter deuised and graunted in

Free hold

Lay vses

Disseised

Heires Wiues

Recouerie

Præcipe quod reddat Mordaũt cester Quod ei deforciat

Chauncerie

Writs

Assurances

thé saide Chauncerie, according as hath bene vsed for fines to be leuied, and assurance to bee had, made or conueied of Landes, tenementes or other hereditaments. And that all iudgements to be giuen vpon any of the sayd writs originall, so to be deuised and graunted of or for any the premisses, or any of them, and all fines to be leuied and knowledged in any of the kinges said courtes thereof, shal be of like force and effect in the lawe to al intentes and purposes, as iudgementes giuen & fines leuied of lands, tenements and hereditaments in the said courtes vpon writs originall therefore duely pursued and prosecuted, albeit no such fourme of writtes originall out of the said courte of chauncerie haue heretofore proceeded or bene awarded. Prouided alwayes, that this last acte shall not extende nor be expounded, to giue any remedie, cause of action or suite in the courtes temporal against any persõ or persons which shal refuse or deny to set out his or their tithes, or which shal detaine, withholde or refuse to pay his tithes or offeringes or any parcel thereof, but that in all such cases the person or partie, being ecclesiasticall or laye person hauing cause to demaunde or to haue þ said tithes or offrings, and thereby wronged or grieued, shall take & haue þ remedie for their said tithes or offrings in euery such case in the spiritual courts, according to the ordinance in þ first parte of this act mencioned, and not otherwise: any thing herein expressed to þ contrarie therof notwithstãding. An. 32. H. 8. ca. 7.

¶ Sithen which acte (s. An. 27. H. 8. cap. 21. before 6.) diuers variances, contencions and strifes, are newly risen and growen betweene the sayde parsons, vicars and curats, and the said citizens and inhabitantes (of London) touching þ payments of their tithes, oblations and other duetes by reason of certayne words and termes specified in the sayde order, which are not so plainly & fully set forth, as is thought conuenient and meete to be, for appeasing whereof as wel þ said parsons, vicars and curates, as the sayd citizens and inhabitants haue compromitted and

Chauncerie

Fines

Iudgementes

Force

Writs originall

Refuse

Remedie

Spiritual courtes

Compromitted

and put themselues to stand to such order and decree touching the premisses, as shal be made by the said right reuerend father in God, Thomas Archbishop of Caunterburie, Metropolitan and primate of Englande, the right honourable Sir Thomas Wryothesly knyght, lord Wryothesly and Loyde chauncellour of England, the right honorable Thomas duke of Norff. the Lord treasorer of Englād, the right honorable sir William Pawlet knight, Lord S. John, Lord president of the Counsaile, and Lord great master of the kinges most honourable household, the right honourable Sir John Russell knight Lord Russell, & lord priuie seale, the right honourable Edwarde Earle of Hertford, lord great Chāberlaine of England, the right honourable John vicount Lisle, high admirall of England, sir Richard Lister chiefe Justice of England, sir Edward Montague knight, chiefe Justice of the common benche at Westminster, & sir Roger Cholmeley knight, chiefe Baron of the Eschequer, for a final ende and conclusion to be had and made touching the premisses for euer. And to ỳ intent to haue a ful peace and perfect end betweene the said parties, their heires & successours, touching the said tithes, oblations and other dueties for euer: Be it ēc. that such ende, order and direction, as shall be made, decreed and concluded by the forenamed Archbishoppe, Lordes and Knyghtes, or any sixe of them before the first day of March nexte ensuing, of, or for and concerning the paymentes of ỳ tithes, oblations & other dueties within the said city & the liberties of the same, and enrolled in the kinges high courte of Chaunterie of Recorde, shall stande, remaine, and be as an acte of parliament, & shall binde as wel all citizens and inhabitantes of the said citie and liberties for the time being, as the said parsons, vicars, curates and their successors for euer, according to the effecte, purporte and intent of the said order & decree, so to be made and enrolled. And that euerie person denying to pay any of his or their tithes, oblatiōs, or other dueties, contrary to the saide decree so to be made, shal by the commandement of the maior of London for the time being, and in his default or negligence by the lord chancellor of England for ỳ time being, be committed to prison, there to remaine till such time as he or they haue agreed with the curate or curats for his or their said tithes, oblations and other dueties as is aforesayd. An. 37. H. 8. cap. 12.

Arbitrators

Refuse

Maior

1. Chaunces lour Imprison

The decree

AS touching the payments of tithes in the citie of London and the liberties of the same: It is fully ordered and decreed by the most reuerende Father in God Thomas Archbishop of Caunterburie, primate and Metropolitane of all England, Thomas Loyde Wryothesley, Lord chauncellour of Englande, William Loyde Sainte John, President of the kings maiesties counsaile, and lord great master of his highnesse housholde, John Lord Russell, Lord priue seale, Edward Earle of Hertford, lord great Chamberlaine of Englande, John viscount Lisle, high admiral of England, Richard Lister knyght, chiefe Justice of Englande, and Roger Cholmeley knyght, chiefe barron of his Graces Eschequer, this present twenty and fourth day of Februarie, Anno domini secundum cursum & computationem ecclesiæ Anglicanę millesimo quingentesimo quadragesimo quinto, according to the statute in such case lately provided: That the citizens and inhabitantes of the said citie of London and liberties of the same, for the time being, shall yeerely without fraude or couin for euer, pay their tithes to the parsons, vicars and curates of the said citie and their successours for the time being, after the rate hereafter following: that is to witte, of euery ten shillings rent by the yeere of al and euery house and houses, shoppes, warehouses, sellers and stables, and euerie of them, within the said citie and liberties of ỳ sayne xvi. d. ob. And of euery xx. s. rent by yeere of all and euery such house and houses, shops, warehouses, sellers and stables, and euery of them within ỳ said citie

London

Leafe

Parsons Vicars Curates

Tithes

citie and liberties it.s.and ix.d.And so aboue ꝑ rent of xx.s.by peere ascēding frō x.s.to x.s.according to ꝑ rate aforesayde.

Item that where any lease is or shall be made of any dwelling house or houses, shops,warehouses,sellers or stables,or of any of them by fraud or couin, reseruing lesse rent then hath bin accustomed, or is, or that any such lease shall be made without any rent reserued vpon the same, by reason of any fine or income payed before hande, or by any other fraude or couin: That then in euerie such case the tenaunt or fermour,tenantes or fermours thereof shal pay for his or their tithes of the same, after the rate aforesaide,according to the quantitie of such rent or rents, as ꝑ same house or houses, shops, warehouses, sellers or stables or any of thē were last letten for,without fraud or couin before the making of such lease.

Item that euery owner or owners,inheritour or inheritours of any dwelling house or houses, shops, warehouses, sellers or stables, or any of them within the said citie and liberties, inhabiting or occupying the same himselfe or thēselues, shall pape after such rate of tithe as is aboueſaid after the quantitie of such peerely rent as the same was last letten for,wout fraud or couin.

Item if any person or persons haue taken or hereafter shall take any meale or mansion place by lease, and ꝑ taker or takers thereof, his or their executors or assignes doth or shal inhabite in part thereof, and haue or hath within eight yeeres last past before this order, or hereafter wil or shall let out the residue of the same: That then in such case the principall fermour or fermors, or first taker or takers thereof,his or their executors or assignes shall pay his or their tithes after the rate aforesaid, according to his or their quantitie therein,and that his or their executors, assigne or assignes shall pape his or their tithes after the rate aboueſaid according to ꝑ quantitie of his or their rent by yere. And that if any person or persons haue or shall take diuers mansion houses, shops, warehouses, Sellers or stables, in one leaſe, & letteth or shal let out one or more of the sayde houses, and keepeth or shall keepe one or more in his or their owne hands, & inhabiteth or inhabite in ꝑ same: That then the saide taker or takers, & his or their executours or assignes shall pape his or their tithes after the rate aboueſaid according to the quantitie of the yeerely rent of such mansion house or houses, reteined in his or their handes. And that his assignee or assignees of the residue of the said mansion house or houses, shal pay his or their tithes after the rate aboueſaid, according to the quantitie of their yeerely rentes.

Leaſe

Item if such fermour or fermours, or his or their assignees of any mansiō house or houses,warehouses,shoppes,sellers or stables,hath at any time within eight yeeres last past, or shall hereafter let ouer all the said mansiō house or houses conteyned in his or their lease, to one person or to diuers persons: that then the inhabitantes, lessees or occupiers of them and of euery of them, shall pape their tithes after the rate of such rents as the inhabitants, lessees or occupiers, and their assignee or assignees bene or shalbe discharged withall, without fraude or couin.

Item if any dwelling house within eight yeeres last past was, or hereafter shal be conuerted into a warehouse,storehouse, or such like, or if a warehouse, storehouse or such like within the saide eight yeeres was or hereafter shalbe conuerted into a dwelling house: That then the occupier or occupiers thereof shal pay tithes for the same, after ꝑ rate aboue declared of mansion house rents.

Item that where any person shall demise any diehouse or brewehouse, with implements conuenient & necessarie for dying or brewing, reseruing a rent vpon the same alwell in respect of such implementes, as in respecte of such diehouse or brewehouse: That then the tenant shal pay his tithes after such rate as is aboueſaid, the third penie abated. And that euery principall house or houses with key or wharfe, hauing any crane or gibet belōging to ꝑ same,shal pay after ꝑ like rate

of

of their rentes as is afore saide, the thirde penie abated. And that other wharfes belonging to houses hauing no crane or gybet, shall pay for their tithes as shall be payed for mansion houses in fourme afore sayde.

Item that where any mansion house, with a shop, stable, warehouses, wharfe with crane, timber, parde, teinter yard, or garden belonging to the same, or as parcell of the same, is or shall be occupied together, that if the same be hereafter seuered or deuided, or at any time within eight yeeres last past were seuered or deuided: That then the fermor or fermors, occupier or occupiers thereof shall paye such tithes as is aboue saide for such shops, stable, warehouses, wharfe with crane, timber parde, teinter parde or garden afore sayde, so seuered or deuided after the rate of their seueral rentes thereupon reserued.

Item that the said citizens and inhabitauntes shall paye their tithes quarterly, that is to say, at the feast of Easter, the natiuitie of saint John Baptist, the feast of S. Michael the archangell, and the natiuitie of our Lord, by euen portions.

Item that euery householder paying x. shillinges rent or aboue, shal for him or herselfe be discharged of their foure offering dayes, but his wife, children, seruant or others of their familie, taking their rightes of the church at Easter, shall pay two pence for their foure offring dayes peerely.

Prouided alwayes and it is decreed, þ if any house or houses, which hath beene or hereafter shalbe letten for ten shillings rent by yeere or more, bee or hath at any time within eight yeeres last passed, or hereafter shall bee deuided and leased into small parcels or members, yeelding lesse yeerely rent then tenne shillinges by yeere: That then the owner or owners, if he or they dwel in any part of such house, or else the principall lessee or lessees, if the owner or owners doe not dwell in some part of the same, shal from henceforth pay for his or their tithes after such rate of rent, as the same house was accustomed to be letten for, before such deuision or deuiding into partes or members: And the vnderfermour and fermours, lessee and lessees, to be discharged of all tithes for such small parcelles, partes or members rented at lesse yeerely rent then ten shillinges by yeere without fraude or couin, paying ii. pence a peece yeerely for their foure offring dayes.

Prouided alway, and it is decreed, that for such gardens as apperteine not to any mansion house, and which any person or persons holdeth or shall holde in his or their handes for pleasure, or to his owne vse, that then the person so holding the same, shal pay no tithes for the same. But if any person or persons, which holdeth or shal holde any such garden, conteining halfe an acre or more, doth or shall make any yeerely profit thereof by way of sale: that then he or they shall pay tithes for the same after such rate of his rent as is herein first aboue specified.

Prouided also that if any such gardens nowe being, of the quantitie of halfe an acre or more, be hereafter by fraude or couin deuided into any lesse quantitie or quantities, then to pay tithe according to the rate aboue saide.

Prouided alway that this decree shall not extende to the houses of great men or noble men, or noble women, kept in their owne handes, and not letten for any rent which in time past hath payd no tithes, so long as they shal so continue vnletten, nor to any halles of crafts or companies, so long as they be kept vnletten, so that the same halles in time past haue not vsed to pay any tithes.

Prouided alwayes, and it is decreed, þ this present order and decree, shall not in any wise extende to bind or charge any sheds, stables, cellers, timber pardes, ne teinter pardes, which were neuer parcell of any dwelling house, ne apperteining or belonging to any dwelling house, ne haue accustomed to pay any tithes: but þ the sayde citizens and inhabitauntes shall thereof be quite of payment of any tithes, as it hath bene vsed and accustomed.

Prouided also and it is decreed, that where

where lesse summe then after xvi. pence halfepeny in the x.s. rent, or lesse summe then two shillings nine pence in the xx.s. rent, hath bene accustomed to be paied for tithes: that then in such places the said citizens and inhabitants shal pay but onely after such rate as hath bene accustomed.

Item it is also decreed, that if any variance, controuersie, or strife, doe or shall hereafter arise in the sayde citie for non payment of any tithes: or if any variance or doubt arise vpon the true knowledge or diuision of any rent or tythes within the liberties of the said citie, or of any extent or assessemēt thereof, or if any doubt arise vpon any other thing cōtcined within this decree: that then vpon complaynt made by the party grieued to the Maior of the citie of London for the time being, the sayd Maior by thaduise of counsaile, shall call the sayd parties before him, and make a finall end in the same with costes to be awarded by the discretion of the said Maior and his assistants, according to the intent and purport of this present decree.

And if the said Maior make not an ende thereof within two monethes after complaint to him made, or if any of the sayde parties finde themselues greeued: That then the Lord Chauncelour of England for the time being, vpō complaynt to him made within iii. moneths thē next following, shal make an end in ꝑ same with such costes to be awarded as shall be thought conuenient, according to thintent and purport of this said decree.

Prouided alwayes, that if any person or persons take any tenement for a lesse rent then it was accustomed to be letten for, by reason of any great ruine or decay, hemming, or such like occasions or misfortunes: That then such person or persons, his executors or assignes, shall pay tithes only after ꝑ rate of the rent reserued in his or their lease, & none otherwise, as long as ꝑ same lease shal endure.

10 ¶ Not only the said actes made in the said xxvii. & xxxii. yeres of the raigne of the said late king Henry the eight (before 5. & 8.) concerning true payment of tithes, & euery article & iaunch therein conteined, shall abide & stand in their full strength & vertue: but also be it &c. that euery of the kings subiects, shal frō henceforth truely and iustly without fraude or guile, deuide, set out, yelde & pay all manner of their prediall tithes in their proper kind as they rise & happen, in such maner & forme as hath bin of right yeelded & paied within xl. yeres next before the making of this act, or of right or custome ought to haue bene paied. And that no person shall frō henceforth take or cary away any such or like tithes which haue bene yeelded or payed within the said xl. yeres, or of right ought to haue bene payed in the place or places tithable in the same, before he hath iustly deuided or set forth for ꝑ tithe thereof the tenth part of the same, or otherwise agreed for the same tithes with the parson, vicars, or other owner proprietarie, or fermour of the same tithes, vnder the payne of forfaiture of treble value of the tithes so taken or caried away. And be it &c. that at all times whensoeuer & as oftē as the said predial tithes shalbe due at the tithing time of the same, it to be lawfull to euery party, to whome any of the sayd tithes ought to be payed, or his deputy or seruant, to viewe & see their said tithes, to be iustly & truely set forth & seuered from the nine parts, & the same quietly to take and cary away. And if any person cary away his corne or hay, or his other prediall tithes, before the tithe thereof be set forth, or willingly withdrawe his tythes of the same, or of such other thinges whereof prediall tythes ought to be payed, or doe stoppe or let the parson, vicar, proprietarie owner, or other their deputies or fermours, to viewe, take, and cary away their tythes, as is aboue sayde, by reason whereof the said tithe or tenth is lost, impaired or hurt: that then vpon due proofe thereof made before the spiritual Judge, or any other Judge, to whom heretofore he might haue made complaint, the party so carrying away, withdrawing, letting, or stopping, shall pay the double value of the tenth or tithe so taken, lost, withdrawen, or caryed away, ouer and besides the costes, charges, and expences of the suite

Deuide
Set out
Predial tithes
Cary away
Tenth part
Viewe
Disturbe
Spiritual Judge
2. Value
Costes

in the same, the same to be recouered before the ecclesiastical Iudge according to the kings ecclesiasticall lawes. And be it &c. that all & euery person which hath or shal haue any beasts or other cattel titheable, going, feeding, or depasturing in any waste or cõmon ground, whereof ỳ parish is not certainly knowen, shall pay their tithes for the increase of the said cattel so going in the said wast or cõmon, to ỳ parson, vicar, propietary, portionary, owner, or other their fermers or deputies of the parish, hãlet, towne or other place, where the owner of the sayd cattell inhabiteth or dwelleth. Prouided alwayes & be it &c. ỳ no person shall be sued or otherwise compelled to yeeld, giue, or pay any maner of tithes for any manors, lands, tenements, or hereditamẽts, which by the lawes & statutes of this realme, or by any priuiledge or prescription, are not chargeable with ỳ payment of any such tithes, or that be discharged by any cõposition real. Prouided alwaies & be it &c. that al such barrẽ heath or waste ground, other thẽ such as be discharged for ỳ payment of tithes by act of parliament, which before this time haue lien barrẽ, & paid no tithes by reason of ỳ same barrennesse, & nowe be or hereafter shalbe employed & cõuerted into errable ground or medow, shal frõ hẽceforth after thend & terme of vii. yeres next after such improuement iustly ended & determined, pay tithe for the corne and haye, growing vpon the same, any thing in this act to the contrary in any wise notwithstanding. Prouided alwayes & bee it &c. that if any such barrẽ, wast, or heath ground hath before this time bene charged with the paymẽt of any tithes, & that the same be hereafter employed & conuerted into errable ground or medow, ỳ then ỳ owner or owners therof shal during vii. yeres next following, frõ & after ỳ same improuemẽt, pay such kinde of tithe as was payd for ỳ same before ỳ said improuemẽt, any thing in this act to the cõtrary in any wise notwithstãding. And be it &c. that euery person exercising marchandises, bargaining and selling, clothing, handicraft, or other art or faculty, being such kind of persons, and in such places as heretofore within these xl. yeres haue accustomably vsed to pay such personal tithes, or of right ought to pay, other then such as be commõ day labourers, shall yerely at or before ỳ feast of Easter, pay for his personal tithes, the tẽth part of his clere gaynes, his charges & expences according to his estate, cõdition, or degree, to be therein abated, allowed, & deducted. Prouided alway and be it &c. ỳ in all such places where handicrafts men haue vsed to pay their tithes within these xl. yeeres, the same custome of paymẽt of tithes to be obserued, & to cõtinue, any thing in this act to the contrary notwithstãding. And be it &c. that if any person refuse to pay his personall tythes in forme aforesaid, that then it shalbe lawful to the Ordinary of ỳ same diocesse where the party that so ought to pay the sayde tithes is dwelling, to call the same partie before him, & by his discretion to examine him by all lawfull & reasonable meanes, other then by the parties owne corporall othe, concerning the true payment of the sayd personall tithes. Prouided alwayes and be it &c. that all and euery person and persons, which by the lawes & customes of this Realme, ought to make or paye their offrings, shall yeerely from henceforth well and truely content and pay his or their offrings to the parson, vicar, propietary, or their deputies, or their fermers of the parish or parishes, where it shall fortune or happen him or them to dwell or abide. And that at such foure offring dayes, as at any time heretofore within the space of foure yeres last past, hath bene vsed & accustomed for the payment of the same, & in default thereof to pay for their said offrings at Easter then next following. Prouided also & be it &c. that this act or any thing therein contayned, shall not extend to any parish which standes vpon & towardes the sea coastes, the commodities and occupying whereof consisteth chiefely in fishing, & haue by reason thereof vsed to satisfie their tithes by fish, but that al & euery such parish and parishes, shal hereafter pay their tithes according to the laudable customes as they haue

Beastes
Waste
Lands not charged Priuiledge
Heath Wast ground
vii. yeres
Warren
vii. yeres
Marchants Artificers
Labourers
Tenthe
xl. yeres
Refuse
Ordinary
Examine
Offrings
4. offring dayes
Sea coastes
Fishe

xl. peeres

London Canterburp

Withyhold

Hyer & ter.

Bone other Judge Archbishop Bishop Chauncelor

Dilobey

Excommunicate

xl. dapes

haue heretofore of auncient time within this xl. peeres vsed and accustomed, and shall pay their offringes, as is aforesayd. Prouided alwaies & be it &c. that this act or any thing therein contained, shall not extend in any wise to the inhabitantes of the citie of London and Canterbury, and the suburbes of the same, ne to any other towne or place that hath vsed to pay their tithes by their houses, other wise thē they ought or should haue done before the making of this act, any thing contayned in this act to the contrary in any wise notwithstanding. And be it &c. that if any person do subtract or withdrawe any maner of tithes, obuentions, profites, commodities, or other dueties before mentioned, or any part of them, contrary to the true meaning of this act, or of any other act heretofore made: that then the party so subtracting or withdrawing ẏ same, may or shalbe conuented and sued in the kings ecclesiasticall Court, by the partie from whom the same shalbe subtracted or withdrawen, to the intent the kings Judge ecclesiasticall, shall and may then and there heare and determine the same, according to the kinges Ecclesiasticall lawes. And that it shal not be lawful vnto the parson, vicar, propietarie, owner, or other their fermers or deputies, contrary to this act, to cōuent or sue such withholder of tithes, obuentions, or other dueties afore said before any other Judge then ecclesiasticall. And if any Archbishop, Bishop, Chaūcellor, or other Judge ecclesiasticall, giue any sentēce in the foresaid causes of tithes, obuentions, profits, emoluments, & other dueties afore said, or in any of them, (& no appeale ne prohibition hāging) the partie condemned do not obey the sayd sentēce, that then it shall be lawfull to euery such Judge ecclesiasticall, to excommunicate the said party, so as afore condemned, and disobeping, in the which sentence of excōmunication, if the said party excommunicate wilfully stand & endure stil excōmunicate by the space of xl. dayes next after, vpon denunciation & publication thereof in the parish church of the place or parish where the party so excōmunicate is dwelling or most abiding, the said iudge ecclesiastical may then at his pleasure signifie to the king into his court of chaūcery, of the state & cōdition of the said party so excōmunicate, & thereupon to require proces De excōmunicato capiendo, to be awarded against euery such person as hath bene so excommunicate. Be it &c. that if any party at any time hereafter, for any matter or cause before rehearsed, limitted, or appoynted by this act, to be sued or determined in ẏ kings ecclesiasticall court, or before the ecclesiasticall Judge, do sue for any prohibition in any of the kinges courts where prohibitiōs before this time haue bene vsed to be graunted: That then in euery such case, the same party before any prohibition shalbe granted to him or them, shal bring & deliuer to the hands of some of the Justices or Judges of ẏ same court where such party demanded prohibition, the very true copy of the libell depēding in the ecclesiastical court, concerning the matter wherefore the party demaundeth the prohibition, subscribed or marked with the hand of the same partie. And vnder the copy of ẏ said libell shalbe writtē the suggestion wherfore the party so demādeth the said prohibition, & in case the sayd suggestion by ii. honest & sufficient witnesses at the least, be not proued true in the court, where the sayd prohibition shalbe so grāted, within vi. moneths next following after the sayd prohibition shalbe so granted & awarded: that then the party that is letted or hindered of his or their suite in the Ecclesiasticall court, by such prohibition, shal vpon his or their request & suite, without delay haue a cōsultation granted in the same case in ẏ court where the said prohibition was granted, & shall also recouer double costes & dammages against ẏ party that so pursued ẏ said prohibition, the said costes and dammages to bee assigned or assented by the court where the sayd consultation shalbe so granted, for which costs & dammages, the party to whome they shalbe awarded, may haue an action of debt by bil, plaint, or infomation in any of ẏ kings courtes of record, wherein the defendant shall not

Chauncery

Excōmunicato capiendo

Prohibition

Copy

Suggestion

Cōsultation

2. Costes & dammages

wage his or their lawe, nor haue any essayne or protection allowed or admitted. Prouided alwayes & be it enacted by the aucthoritie aforesayd, that this act, or any thing therein contained, shall not extend to giue any minister or Judge ecclesiasticall, any iurisdiction to holde plea of any matter, cause, or thing being contrary or repugnant to or against the effect, intent, or meaning of the statute of Westl. 2. the vi. chapter, the statutes of Articuli cleri, Circumspecte agatis, Sylua cedua, the treatise de regia prohibitione, ne against the statute of Anno 1. Ed. 3. the 10. chapter, or any of them, ne yet holde plea in any matter whereof the kinges court of right ought to haue iurisdictiõ, any thing herein contayned to the contrary in any wise notwithstanding. Prouided neuertheless, where heretofore such a custome hath bene in many partes of Wales, that of such cattell & other goods as hath bene giuen with the marriage of any person, their tithes haue bene exacted and leuyed by the parsons and curates in those parties, which custome being dissonant from any part of this realme, as it seemed whē the said countrey of Wales was through ciuill dissention inculted, for want of other sufficient profites that might otherwise growe to the curates and ministers, there to haue before that time tollerable, so that now the countrey being well manured and husbanded, & that tithe is duely payed there of corne, hey, wooll, and cheese, and of other increase, of all maner of cattell, as it is commonly in all other parties of this realme, the same custome seemes to be grieuous & vnreasonable, specially where the benefices are els sufficiēt for the finding of the sayd ministers & curates: That it be therefore enacted by thauctho͂itie aforesayd, that from & after the first day of May next cõming, no such tithes of martage goods be exacted or required of any person within the sayde dominion of Wales, or marches of ỹ same: Any thing in this act conteined, or any other act, custome, prescriptiõ, had or made to the contrary hereof notwithstanding. An. 2. E. 6. cap. 13.

R. court

Custome Wales

Mariage goods

¶ Tolles.

TOuching them that take outragious tolle, contrary to the common custome of the realme in market townes: It is prouided, that if any do so in the kings townes which is giuen in fee ferme, the king shall seale into his owne hande the franchise of the market. And if it be an other towne, & the same be done by the lord of the towne, the king shall do in like maner. And if it be done by a baylife, or any meane officer, without the commãdemẽt of his lord, he shall restore to the plaintife as much more for the outragious taking, as he had of him if he had caried his tolle, & shal haue xl. dates imprisonment. Touching citizens & burgesses, to whome the king or his father hath graunted murage to enclose their townes, which take such murage otherwise thē it was granted vnto them, & thereof be attainted: It is prouided that they shal lose their grant for euermore, and shalbe greeuously amerced vnto the king. Wi. 1. cap. 30.

Fée ferme Seale Fraunches

Bailife

Imprison

Citizens

Murage

Fork.

¶ Townes.

FOrasmuch as diuers & many houses, mesuages & tenements of habitations in the townes of Notingham, Shrewesbury, Ludlowe, Bridgenorth, Quinborow, Northãpton, & Glocester, now are, & of long time haue bene in great ruine & decay, & specially in the principall and chiefe streetes there being, in the which chiefe stretes in times past haue bin beautifull dwelling houses, there well inhabited, which at this day much part therof is desolate & void grouds with pits, cellers, & vautes lying open and vncouered, very perilous for people to go by in the night, without ieoperdy of life, which decayes are to ỹ great impouerishing & hinderãce of ỹ same townes: For ỹ remedy wherof, it may &c. ỹ if ỹ owner or owners of any such void & decaied houses or grounds win ỹ precinct of ỹ said townes of Notingham, Shrewsbury, Ludlow, Glocester, Bridgenorth, Quinborow, & Northampton, within iii. yeres next after proclamation therof be made by ỹ maiors, sherifes, & baylifes of any of the sayde townes, by

Houses

Chiefe streets

3. yeres

Maiors Sherifes Bailifes

what

what name or names soeuer they bee incorporated, in & vpon any such vacant or decaied houses and grounde in any such townes as is aforesaide, and according to this act do not enter & sufficiētly reedifie & buylde the said decayed houses or voyd grounds: that then it shalbe lawful to the lord of whom such vacant grounds or decayed houses bin, or shalbe holdē, to enter immediatly after ỳ said iii. peres expired, & to haue ỳ same grounds to them & their heires or successors for euer. So that the said lords do sufficiently reedifie & buyld the same vacant or voide grounds, wherein he or they may enter by this act, within iii. yeres next & immediatly following ỳ determination of the former iiii. peres, in the which the owners ought to haue entred, reedified, & builded the same, by vertue of this act. And if such lordes as may enter by this act, do not enter, & well and sufficiently reedifie & build the same void & decayed houses & grounds, in the sayd iii. peres to them limitted by this act: that then it shalbe lawful to ỳ maiors, sherifes, bailifes, & cōminalty of the said townes, by what name or names soeuer they bee incorporated, & their successours for the time being, immediatly after ỳ said three yeeres expired, to enter into euery such voyde or decayed grounde or ground, to hold and retaine, without interruption of them & their successours for euer, cleerely discharged of all rentes going out of the same, as well against the lord or lordes, of whom such ground or grounds be holdē, as all other, so that alwaies the same maiors, sherifes, bailifes, or comminaltie, or their successors for the time being, do wel & sufficiently reedifie and buyld the same ground or grounds, wherein they may so enter by this act, within three peres next & immediatly folowing the determinatiō of the former three peres, in the which the aforesaid lords, of whome such ground or grounds were holden, should or ought to haue entred, reedified, & builded the same. And in case the said maiors, sherifes, bailifes, & cōminaltie, or their successors for the time being, do not enter & sufficiētly reedifie & build the same voyde or decayed houses or grounds, in forme aforesayd, within ỳ said terme of three peres, according to this act, that then it shalbe lawful to ỳ firste owner & owners of such decaied & voyd grosids, their heires or successors, immediatly after the same three peres expired, into the same ground & grounde to reenter, & them to retaine to thē, their heires or successors, as in their firste estate: any thing in this act to the contrary notwithstāding. Prouided alwaies, that this act nor any thing therein contained, be in any wise prejudiciall or hurtfull to any person or persons, being at ỳ time of the said proclamation made, vnder the age of xxi. yeres, or to any womā couert baron, or any person or persons being in prison, or beyonde the sea in the kinges warres, or his other lawfull affaires, during such times as such person or persons shall be within age, couert baron, in prison, or beyond the sea, so that ỳ same person or persons after he or they be come to full age, or being not couert baron, out of prison, & come againe within this realme, within iii. yeres next ensuing, do reedifie ỳ same houses so decayed. An. 27. H. 8. cap. 1.

2 ¶ Forasmuch as there hath bene in time past diuers & many beautiful houses of habitation within ỳ walls & liberties of the cities, boroughs, & townes of Yorke, Lincolne, Canterbury, Couentry, Bathe, Chichester, Salesbury, Winchester, Bristow, Scarburghe, Hertford, Colchester, Rochester, Portesmouth, Poole, Lynne, Feuersham, Worcester, Stafford, Buckinghā, Pomfret, Grantham, Exceter, Ipswich, Southāpton, great Yarmouth, Orenf. great Wicombe, Guylford, Elstredford, Kingston vpon Hull, Newcastel vpō Tine, Beuerley, Bedford, Leicester, & Barwike, & now are fallen downe, decaied, & at this day remaine vnreedified, & do lie as desolate & vacant grosids, many of thē nigh adioyning to the high stretes, replenished wt much vncleānes & filth, wt pits, cellers, & vaultes lying open & vncouered, to ỳ great peril & dāger of thinhabitāts & other ỳ kings subiects passing by the same, & some houses be feeble & very like to fall downe, dāgerous to passe by,

which decayes are to the great impouerishing and hinderaunce of the same cities, boroughes and townes: It may &c. that if any person or persons, or bodies politike, being owners or possessioners of any such desolate or voide grounds, that haue bene at any time within xxb. peres, immediatly past before the xii. day of Aprill, in the xxxi. pere of his maiesties raigne, builded for houses of habitation, or of any other house or houses of habitatiõ, now or hereafter being in decay, and not fully fallen downe, within the libertie or precincts of any of ỳ said cities, boroughs or townes, do not sufficiently reedifie, builde, and repaire, or cause to be reedified, builded, and repaired the said desolate void grounds, or decaied houses conueniẽt for habitatiõ and dwelling, within iii. peres next after proclamation therof to be made in or vpõ the same void ground or grounds, decayed house or houses, by ỳ maiors, sherifes, bailifes, or other head officers of euery of the said cities, boroughes, or townes, by what name or names soeuer they bee incorporated, euery of them within the precinct of their owne auctho͞itie: that thẽ it shalbe lawful to ỳ lord or lordes of whom such desolate void grounds, or decaied or ruinous houses bene holdẽ after ỳ said iii. peres expired, to enter into the same, & to haue the same grounds or houses to them and to their heires & successours, to their owne proper vses for euer, so that the said lord or lordes so entring by auctho͞itie of this act, do sufficiently reedifie, builde, & repaire the same void grounds or decaied houses within ii. peres next & immediatly following the determination of the said iii. peres. And in case such lord or lords as may enter by this act, do not enter, & wel & sufficiently reedifie, build, or repaire the same voyde groundes or decayed houses within the said ii. peres, to thẽ limitted by this act, that then it shalbe lawfull to all such person or persõs, or bodies politike, as shall then haue any rent charge going seuerally out of any of ỳ said voide groũd or grounds, or decaied house or houses in any of ỳ said cities, boroughs, or townes, immediatly after ỳ said ii. peres expired, to enter into the same, & to haue the same void grounds, or decaied houses, to them, their heires or successors for euer, to their owne proper vse, so that the said person or persons, or bodies politike, hauing ỳ said rent charge, entring by auctho͞itie of this act, do sufficiently builde, reedifie, and repaire the same desolate and voide ground or grounds, or decayed house or houses within one pere next and immediatly following the determination of the said two peres, to the said lord or lordes appointed by this act. And in case such person or persons, or bodies politike, hauing the sayd rentes charges, as may enter by this act, do not enter, & wel & sufficiently reedifie, build & repaire the same void grounds, or decaied houses within the said one pere to them appoynted by vertue of this act: that then it shalbe lawfull to the Maiors, sherifes, bailifes, or comminaltie, or other head officers of the said cities, boroughs, and townes, by what name or names soeuer they be incorporat, or their successors, euery of them within the limittes of their auctho͞itie, immediately after the sayde peere expired, into euery such desolate or void grounds, decayed or ruinous houses to enter, and the same groundes and houses, and euery of them, to holde & enioy to them and their successors for euer, clerely discharged of al rent going out of the said grounds or houses, aswel against the said lord or lordes, as al person or persons, or bodies politike, hauing any such rent or rentes, as before is said, so that the same maiors, sherifes, bailifes, and cõminaltie, or other head officers, as is afore said, or their successors for the time being, do reedifie, build, or repaire, or cause to be reedified, builded, and repaired the same ground & grounds, house or houses, within iii. pere next & immediatly following the determination of the said pere, to such person or persons, or bodies politike, that shall haue any such rent as is afore saide. And in case the said maiors, sherifes, bailifes, cõminalty, or other head officers, as is afore said, or their successors, do not enter & reedifie, build, and repaire the same void ground or grounds, or decaied house or

Reedifie
3. peres
Maiors Sherifes Bailifes
Lords
Enter
Reedifie
Reedifie
One pere
Maiors Sherifes Bailifes
Enter
Reedifie
3. peres

or houses, in forme aforesaid, within the said terme of three yeres after the said entry: that then it shall be lawfull to the first owner or owners, possessioner or possessioners of such voyd ground or grounds, or decayed house or houses, their heires or successors, immediatly after the said three yeres to the said maiors, sheriffes, bailifes, cõminalty, or other head officers, as is afore limitted, expired, into ỳ same ground or grounds, house or houses, to reenter, & the same to retaine to them, their heires or successours, as in their first estate, any thing cõteined in this present act to ỳ contrary notwithstãding. Prouided alwaies, that this present act, nor any thing therein contained, be in any wise prejudiciall or hurtful to any person or persons, being at the time of the sayde proclamation made vnder the age of xxi. yeres, or to any woman being married to any person or persons being in prison, or beyõd the sea in ỳ kings warres, or in his other lawfull affaires, during such time as such person or persons shalbe within age, maried, in prison, or beyond ỳ sea, so that ỳ same person or persons, after he or they shal come to ỳ age of xxi. yeres, or being not maried, out of prisõ, or come againe ỳn this realme, within iii. yeres next ensuing, do reedifie ỳ same desolate or void grounds, or repaire the decayed houses. An. 32. H. 8. cap. 18.

First owner

Reenter

Vnder age
Couert
In prison

3 ¶ Anno 32. H. 8. cap. 19. a like act is made (almost worde for worde to this last act) concerning the repairing of the Boroughes and Townes of Shafton, Shireburne, Dipont, Dorchester, and Weymouth within the coũty of Dorset, and the boroughes and townes of Plymouth, Plimpto, Barstable, Taunstock, & Dartmouth, within the county of Deuonshire, and the boroughes & townes of Launceston, Liskerd, Lestuthiel, Bodeman, Truru, & Helston, within the countie of Cornewall, and the boroughes and townes of Bridgewater, Taunton, Somerton, and Ilchester, within the countie of Somerset, & the borough of Maldon in the countie of Essex, and also the borough and shire towne of Ware in the countie of Ware.

4 ¶ Forasmuch as in times past, diuers & many beautifull houses of habitation haue bene within ỳ wals & liberties of the city of Canterbury, the city of Rochester, ỳ boroughs & townes of Stamford, & great Grimesby in the countie of Lincolne, the towne of Tauntridge in the coũty of Cãbridge, the borough or towne of Darby in the county of Darby, the borough or towne of Gylford in the countie of Surrey, the towne of Dunwich in the countie of Suffolke, the boroughes or townes of the Cinque portes with their members, the towne of Lewes in the coũtie of Sussex, and the towne of Buckingham in the countie of Buckinghã, which nowe are fallen downe, decayed, & at this time remaine vnreedified, lying as desolate & voide grounds, and many of them adioyning nigh vnto the high streetes replenished with much ordure, filth and vncleannesse, with pittes, cellers, & vaultes, lying open and vncouered, to the great perill and danger of all the inhabitantes, & other the kings subiects passing by the same, and some houses be very weake & feeble, ready to fall downe, and be very dangerous to passe by, to the great decay & hinderance of the said cities, boroughs, townes, and Cinque portes:

Houses

It may therefore be enacted &c. that if any person or persons, or bodies politike, beyng owners or possessioners of any such desolate or voyd grounds, that at any time within xlv. yeres next before the making of this act, haue bene buylded for houses or habitations, or for any house or houses of habitations nowe or hereafter being in decay, & not fully fallen downe, within the liberties and precinctes of any of the sayd boroughs, townes and places, doe not sufficiently reedifie, buylde, and repaire, or cause to bee reedified, buylded, and repaired the sayd desolate voyde groundes, and decayed houses conuenient for habitation and dwelling, within two yeres next after Proclamation to be made, or vpon the same voyde ground or groundes, decayed house or houses, by the Maiors, Aldermen, and Burgesses, or other head officers within the precinct

45. yeres

Houses

Reedifie

Decayed houses

2. yeres

Maiors

of their owne auctho̅rities, that then it
Chiefe lord shalbe lawfull fo̅r the chiefe lord o̅r lords
immediate, of whome such desolate and
voyde grou̅des decayed, & ruinous hou-
ses be holden, after the sayd two yeres be
Enter expired, to enter into the same, & to haue
the same grou̅ds o̅r houses with the cur-
Garden telage, backside, and gardeine adioyning
to the same, if they be of the inheritaunce
of the owner o̅r owners of the sayde de-
cayed house o̅r grou̅de, and exceede not
one acre of grou̅de, to them and to their
heires o̅r succe̅ssours, o̅r to their owne
proper vse fo̅r euer, so that the sayd Lorde
Reedifie o̅r Lordes immediate entring by the auc-
thoritie of this act, do sufficietly reedifie,
buylde, o̅r repaire the same voyde ground
2. yeres and halfe o̅r decayed houses, within two yeres and
a halfe next and immediatly folowing the
determination of the fo̅resayde first two
yeeres. And in case such Lord o̅r Lordes
as may enter by this act, doe not enter,
and well and sufficiently reedifie, buylde
o̅r repaire the same voyde grou̅nds o̅r de-
cayed houses, within the sayd two yeeres
and an halfe to them limitted by this act:
O̅r if such Lord o̅r Lordes immediate, as
may enter by this act, do sufficiently ree-
difie, buylde, and repaire the same voyde
grou̅des o̅r decayed houses, within the
sayde two yeeres and an halfe to them li-
mitted, and after they, their heires o̅r suc-
cessours suffer the same houses o̅r voyde
grou̅des to fall in ruine and decay, and
do not buylde to reedifie the same sufficie̅-
tly within two yeeres and an halfe of
such ruine o̅r decay: that then it shall bee
lawefull to all person o̅r persons, o̅r bo-
dies politike, as shall then haue any rent
charge ioyntly o̅r seuerally going out of
the sayd voyde grou̅de o̅r grou̅des, o̅r
decayed house o̅r houses in any of the
sayde cities, boroughes, townes, o̅r pla-
ces immediatly after the sayd two yeeres
Enter and an halfe expired, to enter into the
same, & to haue such of them, their heires
and succe̅ssors, to their owne proper vse,
as shal so buylde the sayd voyd grou̅des
o̅r decayed houses, by auctho̅ritie of this
act, the same voyd ground o̅r houses with
Garden the curtelage, backeside and gardeyne
adioyning to the same, if they be of thin-
heritaunce of the owner o̅r owners of the
sayd decayed houses o̅r grou̅de, and ex-
ceede not in quantitie one acre of ground
discharged of all rentes going out of the
same grou̅des o̅r houses, aswell against
the said Lord and Lords immediat, as all
other person o̅r persons, o̅r bodies poli-
tike, hauing any rent, o̅r rentes charges,
o̅r rent secke out of the same, other then
the fee ferme of the sayde citie, borough,
towne o̅r place, o̅r some parcel thereof, so
that the sayd person o̅r persons, o̅r bodies
politike, hauing the sayd rent charge en-
tring by thauctho̅ritie of this act, do suffi-
cietly reedifie, builde & repaire the same Reedifie
desolate & voyde ground o̅r grou̅des, o̅r
decayed house o̅r houses, within one yere One yere
and three quarters next and immediately 3. quarters
following the determination of the sayde
two yeeres and an halfe to the sayd Lord
o̅r Lordes immediate appoynted by this
act. And in case such person o̅r persons, o̅r
bodies politike, hauing any of the sayde
rentes charges as may enter by this act,
do not enter & wel & sufficietly reedifie,
builde, o̅r repaire the same voyd grou̅nds
o̅r decayed houses, within one yeere and
three quarters to them appoynted by ver-
tue of this act, o̅r if they o̅r any of them,
hauing such rent charge, and that may en-
ter by this act, do sufficietly buylde and
repaire the same void ground o̅r grou̅ds,
o̅r decayed house o̅r houses within the
said one yere & iii. quarters to them limit-
ted, & after they, their heires o̅r succe̅ssors
suffer the same voyd ground o̅r grou̅nds,
house o̅r houses to fall in ruine & decay, & Ruine
do not buylde o̅r reedifie the same sufficie̅-
tly within one yere & iii. quarters after
such ruine o̅r decay: that then it shall be
lawful to the Maiors, Aldermen & Bur- Maiors
gesses, and other the head officers of the
sayd cities, boroughes, townes & places,
by what name o̅r names soeuer they be in-
corporated, & their succe̅ssors, & euery of
the̅ within the limits of their auctho̅rities
immediatly after the sayd yere & iii. quar-
ters expired, into euery such desolate and
void grou̅nds, decaied o̅r ruinous houses,
to enter, & to haue, hold, & enioy to them & Enter

so

to their succeſſors for euer, to their owne vſe, the ſame ground or houſes, and euery of them with ỳ courtilages, gardens and backſides to the ſame, if they be of the inheritaunce of the owner or owners of the ſayde decayed houſe or grounde, and exceede not in quãtity one acre of groũd, clearely diſcharged of all rentes going out of the ſame groũds or houſes, aſwell agaynſt the ſayde Lorde or Lords immediat, as al other perſon or perſons, or bodies politike, hauing ſuch rent charge, or rent ſecke as before is ſaid, other then the fee ferme of the ſayde citie, borough, towne, or place or parcell thereof, ſo that ỳ ſame Maiors, aldermen & burgeſſes, or other head officer as is afore ſaid, or their ſucceſſors for the time being, do reedifie, build or repaire, or cauſe to bee reedified, buylded or repayred the ſame grounde or groũds, houſe or houſes within iii. peres next & immediatly following the determination of the ſaide pere & iii. quarters limitted or appoynted to ſuch perſon or perſons, or bodies politike, that haue or ſhall haue any rent as is afore ſaid. And in caſe the ſaid Maiors, Aldermen and burgeſſes, or other head officers as is afore ſaid, or their ſucceſſors do not enter & reedifie, build & repaire ỳ ſame voyd groũd or grounde, decayed houſe or houſes in forme afore ſaid, with ỳ ſaide terme of iii. peres after their ſaid entrie, or if they ſufficiẽtly reedifie, build & repaire the ſame void groũd or groũds, or decaied houſe or houſes within the ſayde iii. peres to them limitted by this acte, & after they or their ſucceſſours ſuffer the ſame houſe or houſes, voide grounde or grounde to fall to ruine & decay, & doe not build & reedifie the ſame ſufficiently within iii. peres after ſuch ruine or decay: that then it ſhalbe lawful to the firſt owner or owners, poſſeſſor or poſſeſſors of ſuch void ground or grounds, decayed houſe or houſes, their heires or ſucceſſors, immediatly after the ſayd iii. peres (to the ſayde Maiors, Aldermen & burgeſſes, and other head officers as is afore limitted) expired, into the ſame houſes, ground or grounde, curtilages, gardens & backſides to enter, and the ſame to retayne to them, their heires and ſucceſſours, as in the firſt eſtate, any thing contayned in this preſent act to the contrary notwithſtanding.

Fee ferme

Maior

Reedifye

3. peres

Reedifie

Prouided alway, that this act, or any thing therein contained, bee not in any wiſe hurtfull or preiudicial to any perſon or perſons, being at the time of the ſayde proclamation made, vnder the age of xxi. peres, or being feme couert or in priſon, or beyond the ſea in the kings warres, or in his other lawful affaires, or to any perſon or perſons not being then of whole & perfect memory, during the time that ſuch perſon & perſons ſhalbe within age, maryed, in priſon, or of no perfect memorie, or beyond the ſea, ſo that the ſame perſon or perſons, their heires or ſucceſſors, after that he or they come to their full age of xxi. peeres, or be vnmaryed, out of priſõ, or come againe within this realme, or be of whole and perfect memory, within thee peres then next enſuing, do reedifie the ſame deſolate or voyde groundes, or repaire the ſayd decayed houſes. An. 33. H. 8. cap. 36.

Vnder age

5 ¶ An. 35. H. 8. cap. 4. a like act is made (almoſt word for worde to this laſt acte) for the repayring of the towne of Shrewelbury in the Countie of Salop, the citie of Chester in the county of Cheſter, the towne of Ludlowe in the county of Salop, Hauerford Weſt in the county of Hauerford in ſouth Wales, the towne of Pembroke temby in the county of Pẽbroke, the towne of Karmardin in the coũty of Karmardin, the towne of Moũtgomery, in the county of Moũtgomery, Cardife, Swanelle, Cowbridge, newe Radnor, and Preſtend in the countie of Radnor, the towne of Brecknocke in the county of Brecknocke, and the towne of Monmouth in the coũtie of Monmouth, the towne of Maldon in the Countie of Eſſex, ỳ townes of Abargauenny, Vſke, Carlion, and Newport in the countie of Monmouth, the townes of Lancaſter, Preſton, Lerepoole, and Wigam in the county palantine of Lancaſter.

6 ¶ That any perſon or perſons which do nowe inhabite and dwell, or hereafter

ſhall

Countie

shall inhabit and dwell in the countrey any where or county whthin this realme of England, out of any of the said cities, boroughes, townes corporat or market townes, from and after the feast of saynt Michael the archaungel next comming, shal not sell or cause to be solde by retaile, any woollen cloth, linnen cloth, haberdashe wares, Grocery wares, Mercery wares, at, or within any of the sayde Cities, Boroughes, townes corporat or market townes, or within the suburbes or liberties of the sayd cities, boroughes, townes corporat & market townes within the said realme of England except it be in open fayres vpon payne to forfayt and lose for euery time so offending, the summe of vi. shillinges eight pence, and the whole wares so solde, proffered and offered to be solde contrary to the forme, intent & effect of this present act as aboue is sayde: the one moitie of all which forfaitures to be to the vse of our sayde soueraigne Lorde and Ladie, the kinge and Quenes maiesties, and the other halfe to him or them that shall seyse and sue for the same in any of the kinges & Quenes courtes of record by bill, playnt, action of debt, information, or otherwise, wherein no essoine, protection or wager of law shal be had or allowed.

Woollen cloth Wares

Market townes Fayers Forf.

Moitie

Prouided alway that this act shall not in any wise extend nor be hurtfull to any person or persons, that bying any of the said woollen cloth, linen cloth, haberdash, Grocery, mercery ware or wares to any of the said cities, boroughes, townes corporat, or market townes, to bee solde or cause to be sold by whole saile in grosse & not by retaile, but they and euery of them may lawefully sel the same, in as large & ample maner, forme & condition by whole sale in grosse, and not by retayle, as they and euery of them might haue done at any time or times before the makinge of this act: Any thing therein to the contrary notwithstanding.

Wares

Whole sale

Retayle

Prouided alway that this present acte shall not extend to any person or persons that now dwel or inhabit in the countrey, or hereafter shall dwell or inhabit out of any of the said cities, boroughes, townes corporat, or market townes, but that they & euery of the at any time hereafter, whe they or any of them shalbe free of any the guildes or liberties of any the said cities, boroughes, townes corporat, or market townes, & dwell or inhabit within any of ỹ same cities, boroughs, townes corporat, or market townes: that they and euery of the so being free, shal & may sell or cause to be solde, any of the wares aforesayd, by retaile, in as ample and large maner, as they and euery of them might haue done, being free of the saide cities, boroughes, and townes aforesaid, before the making of this act: Any clause or article in this act to the contrary notwithstanding.

Countrey

Fre

Retaile

Prouided alway, and be it &c. that it shall be lawfull to all persons, to sell or cause to be solde by retaile or otherwise, all maner of cloth, linnen or woollen, of their owne making in euery Citie, Borough, towne corporat, & market towne within this realme, as freely and frankely as they might haue done before the making of this act. Any thing in the same conteyned to the contrary hereof notwithstanding.

Wares

Prouided alway, that this act or any thing therein conteyned, shal not be preiudiciall or hurtful to the liberties, and priuiledges of the vniuersities of Oxford & Cambridge, or either of them, any thing in this act heretofore mentioned, to the contrary notwithstanding. An. 1. & 2. P. & M. cap. 7.

Oxford

Cambridge

7 Where the Borough Towne of newe Woodstocke, in the county of Oxford, is fallen into great pouertie, ruine, and decay, which was wont to be chiefely supported by the accesse of the kinges & Queenes of this realme, the Queenes Maiesties noble progenitors, vnto their Manour of Woodstocke, which hath very seldome happened for many yeeres nowe past, which borough being redified, would be very necessary for many artificers of sundry occupations and misteries, if any vent or traffike might there be had and maintained, whereby the said artificers drawen thither might liue and maintenat

Woodstocke

maintaine themselues and their families.

And where it is thought and certainely knowen, that the free buying & selling of wooll, yarne, and cloth making in the sayde borough, being in the middest of the realme, farre distant from the Seas, and in Cotsolde, from whence great store of very good woolles are gotten, would be a great aduauncement and enriching to the same, without preiudice or hurt to any, and a speciall meane whereby many poore people there, and in the countries enironing, should be wel set on worke and releeued, as in spinninge, cardinge, weauing, fulling, and such like:

Free buying

Woolles

Poore people

And forasmuch as the said towne and borough, is a very fit place both to dispatch & make a staple of woolles, which would be also very commodious & profitable to the countrey there aboutes: Be it therefore enacted by the auctoritie of this present parliament, that from henceforth it shall and may bee lawefull to and for all & euery person & persons, freely to buy and sel within the said borough of newe Woodstocke, all manor of wools and yearnes brought or to be brought into the said borough, vpon the vsuall markets and fayre daies, and the same wools and yearnes to vse and implay to their best profit and aduantage: any statute or statutes, vsage or prescription heretofore had, made or prouided to ỹ cõtrary in any wise notwithstanding. An. 18. El. ca. 21

Staple

Woolles

¶ Treason.

WHere as diuers opinions hath beene before this time what case shoulde be adiudged treason & what not: The kinge at the request of the Lordes & of the cõmons, hath made a declaration in ỹ maner as hereafter foloweth. That is to say, when a man doth compasse or imagine the death of our soueraigne lord the kinge, or of the Lady his wife, or of their eldest sonne and heire, or if a man doth violate the kings wife, or the kings eldest daughter vnmaried, or the wife of the kings eldest sonne & heire, or if a man doe leuye warre against our soueraigne Lorde the kinge in his Realme, or bee adherent to the kinges enemies in his Realme, giuing to them ayde and comfort in the realme or elsewhere, & thereof bee probably attaynted of open deede by men of his condition: And if a man counterfayte the kings great or priuie Seale, or his money, and if a man bringe false money into this Realme counterfayte to the money of Englande, as the money called Lushburgh or other, like to the said money of Englande, knowing the money to be false, to merchaundise or make payment, in deceite of our sayde Soueraigne Lord the king and of his people. And if a man slea the Chauncellor, treasourer, or the kinges Iustices of the one benche or the other, Iustices in eyre or Iustices of Assise, and all other Iustices assigned to heare & determine, being in their places doing their offices.

Imagine K. death K. Wife

Sonne

Daughter

Warre

Counterfait Great seale Priuie seale Money

Chauncelor Treasorer Iustice

It is to be vnderstand that the cases aboue rehearsed, ought to be iudged treason, which extendeth to our Soueraigne Lord the kinge and his royalle maiestie. And of such treason the forfayture of the escheates pertaineth to our Soueraigne Lorde aswell of the lands and tenements holde of other as of himselfe. And moreouer there is an other maner of treason, that is to say, when a seruaunt sleeth his master or a wife her husband, or when a man seculer or religious sleeth his prelat to whome he oweth faith and obedience. And of such treason the eschetes ought to pertaine to euery Lorde of his owne fee. And because that many other like cases of treason may happen in time to come, which a man can not thinke nor declare at this preset time: It is accorded, that if any other case supposed treason, which is not aboue specified do happen before any Iustices, the Iustices shall tary without any going to iudgemẽt of the treason, til the case be shewed and declared before the king & his parliament whether it ought to bee iudged treason or felony. And if percase any man of this realme ryde armed couertly or secretly with men of armes agaynst any other to slea him or rob him, or to take him or keepe, till he hath made

Forf.

Master Husband Prelat

Forf.

Iustices Doubtfull

Ride armed

made fine or ransome for to haue his deliuerance, it is not the minde of the kinge nor his counsel, that in such case it shalbe iudged treason, but shalbe iudged felony or trespas accordinge to the lawes of the land of olde time vsed, and according as the case requireth.

Felony Trespas

And if in such case or other like, before this time any iustices haue iudged treason, & for this cause the landes and tenements haue cõmen into the kings handes as forfait, the chiefe Lords of the fee shal haue the escheates of the tenementes holden of them, whether that the same tenements be in the kings handes or in others by gift or in other maner. Sauing alwayes to our soueraigne Lord the kinge

Eschete

the pere and the wast, and the forfaitures of cattels, which pertayne to him in the cases aboue named. And that writtes of

Pere & wast

Scire facias

Scire facias be grãted in such case against the land tenants without other originall, and without allowing any protection in the said suit. And that of the lands which be in the kings handes, writs be graunted to the sheriffes of the counties where the landes be, to set the out of þ kinges handes without other delay. An. 25. E. 3. c. 2.

Sheriffes

¶ The king straightely defendeth to all maner of people, vpon payne of as much as they may forfeite against him in bodie and goodes, that none from hencefoorth make nor begin agayne those feates and rumours, nor other like. And if any the same do, and that onely proued, it shal be done of him, as of a traytour to þ king and to his said realme. An. 5. R. 2. cap. 6. This riot, rumour and assemblies here spoken of, be intended of insurrections as appeareth by this statute, and by the statute of 5. Richardi 2. capitu. 5. Therefore see these two statutes at large in the great booke of statutes.

Riot

Insurrections

¶ Anno 11. R. 2. cap. 4. it was made treason to sue to breake any thinge in the parliament. But after An. 2. H. 4. cap. 22. it was enacted that none shoulde be greeued for suinge contrary to the act in 11. R. 2. cap. 4.

¶ That no Iustice haue power to giue iudgement in other case of treason or in other maner, then they might before the beginning of this present parliamẽt. Anno 11. R. 2. cap. 4.

¶ An. 21. R. 2. c. 3. 4. & 20. certaine things were made treason, but this parliament was repealed by Anno 1. Henri. 4. cap. 3.

¶ In time to come, no treason shal bee adiudged otherwise then hath beene ordained in the time of his noble graundfather king Edward 3. whome God assoyle. Anno 1. H. 4. cap. 10.

¶ Anno 8. H. 6. cap. 6. burning of houses by them that send bils to appoint money to be laid in a certayne place was made treason. But it is repealed by An. 1. M. 1. session. as appeareth heere following. 20.

¶ An. 20. H. 6. c. 3. it was enacted to endure for vi. yeres, that þ takinge of the persons or goods of certayne persons by Welshmẽ in Walles or in the marches, was treason. And after An. 27. H. 6. cap. 4. that acte was made to endure to the next parliament, and then to expire.

Walles

¶ Forasmuch as by the kinges sufferance, diuers coines of gold and siluer which bee not of the kinges proper coine of England, be currant in paymẽt within this Realme, diuers and many euill disposed persõs perceiuing þ the forging and counterfaiting of such coynes is neither felony nor treason, presume & take vpon them for their singuler auayle and profit, to counterfait and forge such coynes, to the great hurt and prejudice, aswell of the king our soueraigne lorde, as to the hurt of all the kinges subiectes: It is therefore ordained and established by auctority of the said parliament, that þ counterfaiting & forging of euery such coine be adiudged treason, as it is of þ counterfaiting of the proper coine of the king of this realme. An. 4. H. 7. cap. 18.

Forreigne coyne

Counterfait

Counterfayting

¶ Anno 22. H. 8. cap. 9. poysoning was made treason, and that the offendours shoulde be boyled to death, and should not haue their clergy, & that Iustices of peace might enquire thereof, and of counterfaytinge of coyne of outwarde realmes, & make proces by Cap. onely,

Poysoning

Boyled

Iust. of p. Forreigne Coyne

Proces

and

Inſt. of all. and that Juſtices of Aſſiſe might heare and determine the treaſon by poyſoning as the counterfayting of ſuch coyne, and the landes of the offenders by poyſoning to eſcheat to the Lordes. But Anno 1. Edwardi 6. capitulo 12. And Anno primo M. 1. Seſſione, theſe treaſons be repealed.

Eſcheat

Repealed

11 ¶ Anno 26. Henrici 8. cap. 13. It was made treaſon to wiſh, will, or deſire by worde or writing, or by craft imagine, inuent, practiſe or attempt any bodily harme to the king or Queene, or their heires apparaunt, or deprriue them of the dignity, title, or name of their royall eſtates, or to publiſhe by writing or woordes, the king to be heretike, Schiſmatike, tyrant, infidell, or vſurper of the crowne, or deteyne from the kinges fortreſſes, ſhippes, or munition of Warre, that the offenders ſhould not haue ſanctuary. But this act was repealed by 1. Ed. 6. capitulo 12. & by 1. Ma. 1. Seſſione.

Wiſhe

Attempt King Queene Deprriue

Writing Woordes

Ships Munition

Repealed

12 ¶ If any of the kings Subiects, Denizens or other do commit or practiſe out of the limittes of this Realme in any outward parties, any ſuch offences which by this act are made or heretofore haue beene made Treaſon: that then ſuch Treaſons whatſoeuer they be, or whereſoeuer they ſhall happen ſo to be done or committed, ſhalbe inquired, and preſented by the othes of twelue good and lawfull men, vpon good and probable euidence and witneſſe, in ſuch Shyre and County of this Realme, and before ſuch perſons, as it ſhall pleaſe the kings highneſſe to appoynt by Commiſſion vnder his great Seale, in like maner & forme as treaſons cõmitted within this realme haue beene vſed to bee inquired of, and preſented, and that vpon euery indictmẽt and preſentment founden and made of any ſuch Treaſons, and certified into the kings Bench, like proces and other circumſtaunce ſhalbe there had and made agaynſt the offenders, as if the ſame treaſons ſo preſented had beene lawefully found to bee done and committed within the limittes of this Realme.

Subiectes Denizens

Outward parties

Enquire Othes

Commiſſion

Indictment

Proces

And that all proces of outlawry hereafter to be made and had within this Realme, againſt any offenders in Treaſon, being reſiaunt or inhabited out of the limittes of this realme, or in any of ꝑ parties of beyond the Sea at the time of the outlawry pronounced agaynſt them, ſhal be as good & as effectual in the lawe to al intentes and purpoſes, as if ſuch offenders had beene reſident and dwellinge within this Realme at the time of ſuch proceſſe awarded, and outlawry pronounced.

Beyond ſea

Outlawry

And bee it &c. that euery offender and offenders being hereafter lawefully conuict of any maner of high Treaſons by preſentment, confeſſion, verdict or proceſſe of outlawry according to the due courſe and cuſtome of the cõmon lawes of this realme, ſhall looſe and forfeite to the kinges highneſſe his heires and ſucceſſors, all ſuch landes, tenementes, and hereditamentes, which any ſuch offender or offendours ſhall haue of any eſtate of inheritaunce in vſe or poſſeſſion, by any right, title, or meanes within this Realme of Englande, or elſe where within any the Kinges Dominions, at the time of any ſuch Treaſon committed, or any time after. Sauing to euery perſon and perſons their heires and ſucceſſours, other then the offendours in any Treaſons, their heires and ſucceſſours, and ſuch perſon and perſons as claime to any their vſes, all ſuch rightes, titles, intereſtes, poſſeſſions, leaſes, rentes, offices and other profites, which they ſhall haue at the day of committing ſuch treaſons, or at any time afore, in as large and ample maner as if this acte hadde neuer bene had nor made. An. 26. H. 8. cap. 13.

Conuict

Forf.

Landes

Leaſes Rentes Offices

13 ¶ An. 27. H. 8. ca. 2. counterfaitting of the kinges ſigne Manuell, priuie ſignet, or priuie ſeale was made Treaſon. But it is repealed by An. 1. Edwardi 6. cap. 12. & by An. 1. M. 1. Seſſione.

Signe manuell Priuie ſeale Repealed

14 ¶ An. 28. H. 8. cap. 18. marying and contracting with any of the kinges children or kinſwomen was made Treaſon. But it is repealed by Anno 1. E. 6. cap. 12. & by An. 1. M. 1. Seſſione.

Mariage

Repealed

15 ¶ If any perſon or perſons haue done

done or committed, or hereafter shall doe or commit any high treasons, when they were in good, whole & perfect memory, and after their accusation, examination & confession thereof, before any the kings maiesties counsell, shall happen to fall to madnes or lunacy, that yet neuerthelesse if it shall appeare by the testimony of fower of the kinges counsell or mo, that such persons at the time of doing their treason, & at the time of their accusation, examinatiō and confession thereof, were of good, perfect and whole memorie, and then not madde nor lunatike, but sithen that time fallen to madnesse or lunacie, and so certified in the kinges Chauncery by writing, subscribed with the names of fower of the sayde counsell or more: that then in euery such case the kinges maiesties commission of Oyer and Terminer of the Treasons, shall be awarded out of the sayde Chauncery vnder his highnesse great Seale into such Shire and place, and to such persons, as it shall please the kinges most royall maiesty to limite and appoynt, in which commission shall bee specially mencioned and expressed the names of such person or persons, who shal happen to bee accused and examined of treason beefore any the kinges maiesties counsell as is aforesayde, and an expresse mention, that by the testimony of fower of the kings counsell, such person or persons so accused or examined of treason, were of good, perfit and whole memory, at the time of committing their offences, and at the time of their accusation, examination and confession thereof, and that sithence that time they be come madde or lunatike. By vertue of which commission, the commissioners limitted by the same cōmission shall haue power and auctority to enquire of the treasons done by such persons by the inhabitants or freeholders of the Shire where such cōmission shalbe directed to, whersoeuer the said treasōs were done, or cōmitted. And if such person or persōs aforesayde, shall happen to be indicted of high treason, then the saide cōmissioners without the personall apparaunce or arraignemēt of such persō or persons so indicted, shal cause the sherife or his minist-ters, or other hauing auctority to returne proces in such cases, to retourne a panel before them of sufficient & lawefull free holders of ỳ shire where such persōs shalbe indicted for the triall of their treasons contayned in their indictment. And after the retourne of the saide panell and apparaunce of the Jurie, the sayde commissioners in the absence of the sayd person or persons indicted, being madde or lunatike, without any arraignement, answere or ples to ỳ indictment, shal sweare twelue of such of the sayde Jurie as shall bee retourned before them, to trie whether the person or persons indicted bee guilty of the treasons contayned in the endictment, or of any of thē, or not guilty, causing onely the indictment to bee read to the sayde Jury, and after the reading thereof, cause and suffer open euidence to bee giuen to the Jury, as well for the king, as for the party touching the treasons contayned in the indictment, as to their discretions shall seeme conuenient. Whereupon the Jury shalbe bounden to giue their verdict according to their euidence, as if the person indicted had beene present, arraigned, & pleaded to the same. And if it shall happen such person or persons so indicted to be found guilty by the said Jury so charged to try such treasōs, that then ỳ offenders of such treasons, so found guilty shal haue such iudgement & suffer such paines of death, forfaitures of landes, goods, cattels & all other things, as is commonly limitted in cases of high treason, and as if such persons had beene of good & whole memory, & personally present, arraigned, and pleaded to their indictment, and had beene founde guilty there of their madnesse or lunacy, or their absence, non arraignement, or not pleading to the saide indictment, in any wise not letting nor withstanding. Prouided alway and be it &c. ỳ if any of the peeres of this realme shall happen to be accused & examined of high treasō before any the kings councell and do confesse the same, and afterwards fall to madnes or lunacy, as

Whole memory

Madde Testimony

Chauncery

Commission

Fourme

Cōmissioners

Enquire

Indict Party absent

Sherife

Panell Freeholders

Party absent

Euidence

Jury Verdict

Judgement Forf.

Non arraignment

Not pleading

Peeres

Confesse Madde

as is afore sayde: that then such treasons done and committed by any Peere of the Realme, & by him or her confessed vpon examinatiõ thereof before any of ꝑ kings counsell, as is afore sayde, and their cõfessions, if they can write, subscribed with their name, shal bee inquired of by vertue of the kings commission of oyer and terminer to be awarded in maner & forme aboue rehearsed. And if they shal happen to bee indicted of high treason by vertue of such cõmission, yet neuertheless their triall shalbe alwaies had by their peeres before the high steward of Englande, to bee assigned by the kinges highnes. And that the high steward to bee assigned by the kinges Maiesty in euery such case, shal haue the indictment brought to him, and shall cause to be sũmoned to appeare before him the peeres of the Realme, as hath beene accustomed, at a day & place by the sayde high steward to be limitted, at which day and place the sayd high steward after the apparance of the peeres before him, hauing the record of the sayde indictment before him, shall in the absẽce of the person indicted, which shal happen to be made or lunatike, as is afore said, and without his or her arraignement or pleading to the indictment, cause the said indictment to bee read to the peeres, & in their presence cause to be declared by his discretion all maner of euidences & witnesse touching the treasons contayned in the sayde indictment, & afterward charge the sayde peeres vpon their faithes and duties of allegeaunce that they owen the kings maiesty, to try whether the person indicted, be guilty of the treasons contained in the indictments, or any of them, or not guilty. And if they shall finde him or her guilty, that then such iudgement, execution & forfaitures, shalbe had, made or done, as if such person indicted had beene of good memory, and personally present, arraigned and pleaded to the sayd indictment, and had beene found guilty of the treasons therein contayned, the madnesse or lunacy of such persons in such cases as is afore sayde notwithstanding.

Enquire

Triall Peeres high steward.

Summon

Party absent

Euidence

Charge

Iudgement

And be it ꝛc. that if any person or persõnes shal happen to be attainted & conuicted of high treason by auctority of parliament, or by the due course of the cõmon lawes or statutes of this realme, and afterwardes fall to madnesse or lunacy, that yet neuertheless they shall haue and suffer execution, their madnesse or lunacy notwithstanding. And that if any person or persons shall be attainted of high treason by the course of the common lawes or statutes of this Realme, that in euery such case euery such attainder by the common lawe shalbe of as good strength, value, force, and effect, as if it had bene done by auctority of parliament. And that the kings maiestie, his heires and successors, shall haue as much benefite and aduauntage by such attaynder aswell of vses, rights, entries, conditions, as possessiõs, reuersiõs, remainders, & all other things, as if it had bene done and declared by auctority of parliament, & shalbe deemed & adiudged in actuall & reall possessions of the landes, tenements, hereditaments, vses, goods, cattels, & all other thinges of the offenders so attainted, which his highnesse ought lawfully to haue, and which they so being attaynted, ought or mought lawfully loose & forfaite, if the attainder had bene done by auctority of parliamẽt, without any office or inquisitiõ to be found of the same, any law, statute, or vse of the realme, to ꝑ contrary thereof in any wise notwithstanding. Sauing to all & euery person & persons, & bodies politike, and their heires, assignes & successors, & euery of thẽ, other thẽ such person & persons, which hereafter shall be attainted of high treason, & their heires & assignes, & euery of them, and all and euery other person & persons, clayming by them or any of thẽ, or to their vses, or to the vses of any of them, after the said treason committed, all such right, title, vse, possession, entrie, reuersions, remainders, interestes, conditions, fees, offices, rentes, annuties, commons, leases, and all other commodities, profites, and hereditaments, whatsoeuer they or any of thẽ should, might, or ought to haue had, if this act had neuer bene had ne made. An. 33. H. 8. cap. 20.

Attaint

Parliament

Madde

Execution

Attaint

Cõmon law

Statutes

R. aduãtage

Lands

Goods

Without office

Bodies politike

Right

K. marie Mayde

16 ¶ An. 33. H. 8. cap. 21. it is enacted, that if the kinge did mary a woman thinking her to bee then a mayde where she was not, if she did not declare her vnchaſt life to the king before the mariage, it is treaſon. And ẏ if the Queene or the Princes wife doe procure any perſon to haue carnall knowledge with her, or any doe procure any of them to the like: that then the Queene & the princes wife and the other ſo procuring &c. is treaſon, but theſe treaſons be repealed by 1. Edwardi ſexti capitul. 12. & by 1. M. 1. Seſſione as appeareth here following 18. & 20.

Treaſon Queene

Princes wife Carnall knowledge Repealed

17 ¶ An. 35. H. 8. cap. 3. an acte was made concerninge the kinges ſtile of ſupremacy, & certaine pointes concerning the kinges ſtile and his perſon & crowne be made treaſon, but it is repealed by 1. & 2. P. & M. ca. 8. as appeareth Rome 4.

Stile

Repealed

18 ¶ By An. 1. E. 6. ca. 12. all offences made treaſon or petit treaſon by any ſtatute, were from thenceforth repealed, but onely ſuch as were treaſon or petit treaſon by the ſtatute made An. 25. Ed. 3. ſtat. de proditionibus capitul. 2. and ſuch offences as in the ſaid ſtatute of An. 1. E. 6. cap. 12. be expreſſed and declared to be treaſon or petit treaſon, nor that any paines of death, penalty or forfayture be to any offenders for doing any treaſon or petit treaſon, other then ſuch as be in the ſaid ſtat. of 25. E. 3. or by ẏ ſaide ſtat. of 1. Ed. 6. And after in the ſaide ſtat. of An. 1. E. 6. ca. 12. it is enacted as followeth. If any perſon or perſons at any time after ẏ firſt day of March next cõming, by opẽ preaching, expreſſe woords or ſayings do affirme or ſet forth, that the king his heires or ſucceſſors kings of this realme for the time being, is not or ought not to bee ſupreme head in earth of the Church of England & Irelande or any of them immediatly vnder God, or that the Biſhop of Rome, or any other perſon or perſons other then the kinge of Englande for the time being, is or ought to be by the lawes of God, ſupreme head of ẏ ſame churches, or of any of them, or ẏ the king his heires or ſucceſſors, kings of this realme, is not or ought not to be king of Englande, Fraunce & Irelande, or any of thẽ, or after the ſayd firſt day of March, doe compaſſe or imagine by open preaching, expreſſe woords or ſayings, to depoſe or deprive the king, his heires or ſucceſſours, kings of this realme, from his or their royal eſtate or titles, to, or of the realmes aforeſaid, or do openly publiſh or ſay by expreſſe woords or ſayings, that any other perſon or perſons, other then the king, his heires, or ſucceſſors kinges of this realme, of right ought to be kings of ẏ realmes aforeſaid, or any of them, or to haue & enioy ẏ ſame, or any of them: that then euery ſuch offendor being thereof duely conuicted, or attainted by the lawes of this realme, their aydours, comforters, abbettours, procurors, & counſailours for his or their ſuch firſt offence, ſhall looſe and forfaite to the king all his & their goods & cattels, and alſo ſhall haue & ſuffer impriſonment of his & their bodies, at the kings pleaſure.

Preaching Words

Supreame head

Pope

Heires

Stile

Compaſſe

Deprive

Woords

Aydours Procurers

Forf. goods Imprifon

And if any perſon being once conuicted or attainted of any of the ſayde offences, ſhall after his conuiction or attainder eſtſones commit or perpetrate any of the offences before mentioned, other then ſuch as be expreſſed in the ſtatute made in the ſayde xxv. yeere of king Edward the third, and ſhall be thereof duely conuicted or attaynted by the lawes of this Realme: that then euery ſuch offender, their ayders, comforters, abbettours, procurours, and counſaylours for his or their ſeconde offence or offences, ſhall looſe and forfaite to the king the whole iſſues and profites of al his & their lands, tenementes, and other hereditaments, benefices, prebendes, and other ſpirituall promotions, for terme of life of ſuch offender or offenders, & ſhall alſo looſe and forfaite to the king all his or their goods and cattels, and alſo ſuffer during his or their liues, perpetuall impriſonment of his and their bodies.

25. E. 3.

Forf. Landes

Spirituall promotions

Forf. goods Terme of life Imprifon

And if any perſon being two times hereafter conuicted, or attaynted of any of the ſame offences, ſhall after his ſayd conuiction or attaynder eſtſones commit or perpetrate againe any of the ſaid offences, to be therof duely cõuicted or attainted, by ẏ lawes

lawes and ſtatutes of this Realme: that then euery ſuch third offence or offences, ſhalbe deemed and iudged high treaſon, and the offender or offenders, their aydours, comforters, abbettors, procurors, and counſailours, being therein conuicted or attainted, according to the Lawes and Statutes of this Realme, ſhalbe deemed and adiudged high traitors, and ſhall ſuffer paines of death, and looſe and forfait all their goods and cattels, lands and tenements, to the king, as in caſes of high treaſon.

High Treaſon

Traitours Forf.

And be it &c. that if any perſon or perſons at any time after the ſayd firſt day of March next comming, by writing, printing, ouert deede or act, doe affirme or ſet forth that the king of this Realme, for the time being, is not or ought not to be ſupreme head in earth of the Church of England and Ireland, or of any of them immedialy vnder God, or ſhall by writing, printing, ouert deede or act, after the ſayde firſt day of Marche, affirme or ſet forth, that the Biſhop of Rome, or any other perſon or perſons, other then the King of England for the time being, is, or ought to bee by the Lawes of God or otherwiſe, the Supreme head in earth of the ſame Churches, or of any of them, or doe after the ſayde firſt daie of Marche, compaſſe or imagine by writing, printing, ouert deede or act, to depoſe or depriue the King, his Heires or Succeſſors Kings of this Realme, from his or their royall eſtate or titles of the King of England, Fraunce and Ireland, or of any of them, or by any writing, printing, ouert deede or act, doe affirme, that any other perſon or perſons other then the king, his heires and ſucceſſors, is or of right ought to be King of the Realmes of England, Fraunce and Ireland, or to haue and enioy the ſame or any of them: that then euery ſuch offence and offences ſhalbe deemed and adiudged high treaſon, and the offender and offenders, their aiders, comforters, abbettours, procurours and counſailours therin conuicted or attainted, according to the lawes and ſtatutes of this Realme, ſhalbe demed and adiudged high traitours, and ſhall ſuffer paines of death, and looſe and forfait all their goods and cattels, lands and tenements to the king, as in caſes of high treaſon.

Writing Printing Ouert deede

Supreme head

Pope

Compaſſe Depryue

Stile

High Treaſon Abbettors

Traitours Forf.

Prouided alway and be it &c. that this eſtatute or any thing therein contayned, ſhall not in any wiſe extend to repeale, annulle, or make fruſtrate or voide, any act or actes of Parliament, ſtatute or ſtatutes made, concerning the counterfayting or forging of any of ỹ coynes of this realme, or for ỹ coine of any other realme or realmes currant within this realme, or for the clipping, waſhing or fyling any of the ſayd coyne, or for, or concerning the bringing into this realme, of counterfait money or coine, ne to any ſtatute made in the xxvii. yere of the ſaid late king Henry the eight, cõcerning the falſe forging and coũterfaiting of the kings ſigne manuel, ỹ priuy ſignet or priuy ſeale, ne to their coũſailours, procurours, aydours and abbettors, nor to any article or branch, concerning ỹ ſame offences, or any of them contained in ỹ ſame ſtatutes or any of them.

Forging Coyne

Clipping Waſhing Filing Counterfait Money

Signe manuel Priue ſeale

And be it &c. that if any the heires of the king our ſaid ſouereigne Lord that nowe is, or any perſon or perſons to whom the crowne and dignitie of this realme is limitted & appointed by act of parliament, made in the xxxv. yere of the raigne of the ſaid late king Henry ỹ eight, or the heires of any of them, doe at any time hereafter, vſurpe the one of them vpon the other in the Crowne of this Realme, or demaund, challenge, or clayme the ſame otherwiſe, or in any other forme or degree of diſcent or Succeſſion, or in any other courſe, forme, degree or condition, but onely in ſuch maner and forme as is declared by the ſaid eſtatute, or if any of ỹ ſaid heires, or perſons aforeſayd, doe interrupt or let ỹ kings highneſſe that now is, peaceably and quietly to keepe, haue and enioy the ſayd imperiall crowne: that then all and ſinguler the offenders, their aidours, comforters, abbetters, procurers and counſailers therein, ſhalbe deemed and adiudged high traytours, and ſhall ſuffer & incurre the paines of death, loſſe and forfeitures as is aforeſaid in caſes of high treaſon.

Heires

Vſurps

Challenge

Traytors

Treason Misprision

Prouided also and be it &c. that this act of parliament, or any thing therein mencioned, as concerning the repeale of any estatute or estatutes made touching treason, or misprision of treason, shall not in any wise giue any maner of benefite, aduantage or commoditie, to any person or persons, being ỳ last day of October last past arrested or imprisoned for treason, petit treason or misprision of treason, or to any person or persons heretofore being indicted of treason, petit treason, or misprision of treason, or to any other person or persons being likewise conuicted, outlawed, or attainted of treason, petit treason, or misprision of treason, or being fledde beyond the Seas, or into Scotland, before the saide last day of October last past for any treason, petit treason or misprision of treason, but that they and euery of them shall suffer such payne of death, losses, and forfaiture of lands and goods, as in cases of treason, as though this act had neuer bene had or made, any thing in this act to the contrarie in any wise notwithstanding, and that the lawes and Statutes repealed by this act shall stand against them, and euery of them, in full strength, vertue, force and effect concerning al & euery offence by them, or any of them heretofore committed or done.

Conuict Outlawed

Fled

Prouided alway, and be it &c. that no person or persons shal in any wise be empeached, or put to answere for any of the offences abouesaid, concerning treasons, by open preaching or words only, vnlesse the partie offender or offenders be thereof accused within thirtie daies next after the same open preaching, or words so spoken or declared, if the accusers shall fortune to be within this realme, during the space of thirtie daies next after the saide offence committed or done. And if the accusor shal happen to be out of this realme during the said space of thirtie daies, then the partie or parties so offending, shall be accused, as is aforesayd within sixe monethes next after the same preaching, or words spoken or declared, or els the party or parties so offending, their aidors, comforters, abbettors and counsaillors, or any of them, not to be empeached or put to answere for any such offence or offences, and that the same accusation, or accusations so to be had, made and declared, shall be made to one of the kings counsaile, or to one of the kings Justices of assise, or els to one of the kings Justices of peace being of the Quorum, or to two Justices of the peace, within the shire where the same offence or offences shall happen to be done or committed, any thing contayned in this act to the contrary thereof in any wise notwithstanding.

Preaching Words

Accuse 30. daies

6. Monethes

R. counsaile Just. of al.

Just. of p. Quorum

Prouided also and be it &c. that concelement or keeping secret any high treason, shall be from henceforth adiudged, deemed and taken misprision of treason, and the offender therein shall forfait & suffer as in cases of misprision of treason, or heretofore hath bene vsed, any thing aboue mencioned to the contrary notwithstanding.

Concealemnt

Misprision Forf.

Prouided also, and be it &c. that this act or any thing therein contained, shall not extend to charge or make any person or persons to be offender or offenders, in any of the articles abouesaid, for calling, naming, saying, writing, or printing the French king, for the time being, by the name of the king of Fraunce or French king, any thing aboue declared and enacted, to the contrary in any wise notwithstanding. Prouided alwaies and be it &c. that no person or persons after ỳ first day of Februarie next comming, shalbe indited, arraigned, condemned, or conuicted, for any offence of treason, petit treason, misprision of treason, or for any words before specified, to be spoken after the sayd first day of Februarie, for which the same offender, speaker, offenders, or speakers, shal in any wise suffer any paine of death, imprisonment, losse or forfaiture of his goods, cattels, lands, or tenemẽts, vnlesse ỳ same offender, speaker, offeders or speakers be accused by two sufficiẽt & lawful witnesses, or shall willingly without violence confesse the same. An. 1. E. 6. ca. 12.

French K.

Endict

Treason Misprision Words

2. Witnesses

Note that all that is in this last act touching the kings supremacy, or against the Popes authoritie is repealed by 1. & 2. P. & M. ca. 8. as appeareth Rome 5.

Repealed

And

And all that is made treason by this last act, is repealed by 1. M. 1. Sessione as appeareth hereafter.

19 ¶ If any person or persons, after ỳ first day of June next comming by open preachings, expresse words or sayings do expressely, directly and advisedly set forth and affirme, that the king that now is, is an heretike, schismatike, tyrant, infidel, or usurper of the crowne, or that any his heires, or successors, to whom the crowne of this realme is limitted, by authoritie of Parliament, holden in the xxvb. yere of the raigne of the late king Hen. 8. (cap. 1. which is in crowne 5.) being in lawfull possession of the crowne, is an heretike, schismatike, tirant, infidell, or usurper of the crowne: that then euery such offender being thereof duely conuicted, or attainted, by the Lawes of this Realme, their abbettors, procurers and counsellers, and all and euery their aydours and comfortours, knowing the said offences, or any of them to be done, for his or their such first offence, shall loose and forfait to the king all his and their goods and cattels, and also shall haue and suffer imprisonment of his and their bodies at the kings will and pleasure. And if any person, being once conuicted, or attaynted of any ỳ said offences, shall after his said conuiction or attainder, eftsones commit or perpetrate any of the offences before menciones in forme aforesaid committed, and shalbe thereof duely conuicted or attainted by the lawes of this Realme: that then euery such offendour and offendours, their abbettours, procurers, and counsaylours, and al and euery their aydours and comforters, knowing the said offences or any of them to be done, for his or their second offence or offences shall lose & forfait vnto the king the whole issues & profit of all his and their lands, tenements, and other hereditaments, benefices, prebends, and other spirituall promotions, for terme of the life of such offendor or offendors, and shal also lose & forfait vnto ỳ king al his and their goods & cattels, and also suffer during his & their liues perpetuall imprisonment of his & their bodies.

Preaching Words

Abbettors

1. offence Forf. goods Imprison

2. offence

Forf.

Lands

Spirituall promotions Terme of life Forf. Goods

Imprison

Prouided alwaies that such of the said spirituall promotions as shall be charged with cure, be alwaies by the kings maiestie, and his heires & successors sufficiently furnished of a Curate, for the discharge of ỳ same. And if any persons being two times hereafter conuicted or attainted of any of the same offences in forme aforesaid committed, shal after his second conuiction, or attainder eftsones commit or perpetrate againe any of the sayd offences in forme aforesaid, and be thereof duely conuict, or atttainted, by the lawes and statutes of this realme: that thē euery such third offence or offences, shall be deemed and adiudged high treason, and the offender or offenders therein, their abbettors, procurers and counsailours, and all and euery their aydours & comfortours, knowing the sayd offences, or any of them to be done, being thereof conuicted or attainted, according to the Lawes and statutes of this Realme, shall be iudged and deemed high traitours, and shall suffer paynes of death, and lose and forfait all their goods and cattels, Lands, & Tenements, whereof he or they shalbe seised of an estate of inheritaunce, in his or their owne right to the King, as in cases of high treason.

Curats

3. offence

High treason

Traitours

And be it &c. that if any person &c. by writing, printing, painting, karuing or grauing, do directly, expressely, and aduisedly publish, set forth and affirme, that the king that now is, or any his heires or successours limitted as is afore said, is an heretike, schismatike, tyrant, infidell, or usurper of the Crowne: that then euery such offence or offences, shall be deemed and adiudged high Treason &c.

Writing Printing

Publish King

Heretike Usurper

And be it &c. that if any person &c. rebelliously doe retaine, keepe, or withhold from our said soueraigne Lorde, his sayd heires and successours any of his or their castels, fortresses, fortlets or holds within this Realme, or in any other the kings dominions, or marches, or rebelliously keepe, detaine, or withhold from ỳ kings sayd highnesse, his sayd heires or successors, any of his or their ships, ordinances, artillery, or other munitions, or fortifica-

Castels Fortresses

Shippes Munition

tions of warre, and doe not obediently render and giue vp to our sayde Soueraigne Lord, his sayd heires or successors, or to such persons as shall be deputed by them or any of them, such castels, fortresses, fortlets, holds, ships, ordinances, artillery or other munitions, and fortifications of warre, rebelliously kept, and detayned within sixe dayes next after they shalbe commaunded by our sayd Soueraigne Lord, his sayd heires or successors by open Proclamation, vnder the great Seale, the same proclamation to be made in such place and order, so as the partie and parties to be charged by this act, may conueniently haue notice and knowledge thereof: that then euery such person &c. shalbe adiudged Traytours &c.

vi. dayes

Proclamation

Traytours

And ouer that be it &c. That if any of the kings subiects, denizens, or other, do commit or practise, out of the limittes of this Realme, in any outward parties any the offences which by this act are made, or heretofore now standing in force haue bene made treason, that the such treasons, whatsoeuer they be, or wheresoeuer they shal happen to be done or committed, shal be enquired and presented by the othes of twelue good and lawfull men vpon good and probable euidēce and witnesse in such Shire and County of this Realme, and before such persons as it shall please the king, his sayd heires or successors to appoint by commissiō vnder his great seale, in like maner and forme as treasons committed within this Realme haue bene vsed to be enquired of and presented. And that vpon euery indictment and presentment founden and made of any such treasons, and certified into the kings Bench, like processe and other circumstance shall be there made and had against the offenders, as if the same treason so presented, had bene lawfully found to bee done and committed within the limittes of this Realme. And that all processe of outlawry, hereafter to be made and had within this realme, against any offenders in treason being resiant or inhabitant out of the limits of this Realme, or in any the parties beyond the sea, at the time of the outlawry pronounced against them, shalbe as good and effectuall in the lawe, to all intents and purposes, as if any such offenders had bene resident, & dwelling within this Realme, at the time of such proces awarded, and outlawry pronounced.

Subiects Denizens

Outward parties

Enquirie Othes

Euidence

Commission

Indictment

K. bench Proces

Outlarie

Prouided alwaies and be it &c. that if the party so hereafter to be outlawed, shal within one yere next after the sayd outlawry pronounced, or iudgement giuen vpon the sayd outlawry, yeld himselfe vnto the chiefe Iustice of England, for the time being, and offer to trauerse the indictment or appeale, whereupon the sayd outlawry shall be pronounced as is aforesaid: that then he shall be receiued to the said trauerse, and being thereupon found not guiltie by the verdict of twelue men, he shalbe clerely acquited and discharged of the said outlawry, and of all penalties and forfaitures by reason of the same, in as large and ample maner and forme as though no such outlawry had bene made, any thing herein contayned to the contrary in any wise notwithstanding.

Party outlawed

One yere

Yeld

Chief Iustice

Trauers

Trauers

Verdict

Acquit

And be it &c. that euery offender or offendours, being hereafter lawfully conuict, of any maner of high treason, by presentment, confession, verdict, or processe, outlawry, according to the due course and custome of the lawes of this realme, shall loose & forfait to the kings highnesse, his heires & successors aforesaid, al such lāds, tenements and hereditaments, which any such offender or offenders, shal haue of any estate of enheritance, in his owne right, in ble or possession, within this realme of England or els where, within any the kings dominions at the time of any such treasons committed, or at any time after.

Offenders

Forf.

And be it &c. that no person or persons, shall in any wise be empeached, for any of the offences aboue said committed, onely by open preaching, or words, vnlesse the offendour or offendours, be thereof accused within three monethes, next after the same open preaching or words: And that the same accusation or accusations bee had, made and declared to one of the kings counsaile, or to one of the kings Iustices of Assise, or els to one of the kings

Preaching Words

3. monthes

K. Counsaile Iust. of ass.

Iustices

Iust. of p. Quorum

Iustices of the peace being of the Quorum, or to two Iustices of ỳ peace, within the Shire, where the same offence or offences shall happen to be done or committed, any thing contcined in this act to the contrary thereof, in any wise notwithstanding. Prouided also and be it &c. that

Concelement Misprision

cõcelement or keeping secret of any high treason be deemed and taken onely misprision of treason, and the offender therein to forfait and suffer as in case of any misprision of treason as heretofore hath bene vsed, any thing aboue mencioned to the contrary notwithstanding.

Forf.

Prouided alwaies and be it &c. that no person or persons, after the first day of June next comming, shalbe indicted, arraigned, condemned, conuicted, or attainted for any of the treasons or offences aforesayd, or for any other treasons that nowe be, or hereafter shalbe, which shall hereafter be perpetrated, committed or done, vnlesse the same offender or offenders bee thereof accused by two lawfull accusers, which said accusers, at the time of the arraignement of the party accused, if they be then liuing, shalbe brought in person before the party so accused, and auow and maintaine that that they haue to say against the sayd party, to proue him guilty of the treason or offences conteyned in the bill of endictment layd agaynst the party arraigned, vnlesse the said party arraigned, shall willingly without violence confesse the same. Sauing to euery person and persons, their heires and successours, other then thoffenders, and their heires, and such person and persons as claime to any their vses, all such rights, titles, interest, possessions, leases, rents, reuersions, Offices and other profittes which they or any of them shall haue, at the day of committing such treasons, or at any time after, in as large and ample maner as if this act had neuer bene had nor made. Prouided also, and be it &c. that the wife or wiues, whose husband or husbands hereafter shalbe attainted of treasons specified in this act, or of any other treasons whatsoeuer they be, shall in no wise bee receiued, to aske, chalenge, demaund or haue dowry of any the lands, tenements, or hereditamẽts of any the person or persons, to be attainted of treason as is aforesaid, during the said attaindour in his force, any thing before mencioned to the contrary in any wise notwithstanding. Anno 5. E. 6. cap. 11.

2. Accusers

Confesse

Right

Wiues

Dowry

Note that the treasons made by this act, be repealed by 1. M. 1. Session, by generall words as appeareth hereafter 20.

20 ¶ From henceforth none act, deede or offence being by act of Parliament or statute made treason, petit treason, or misprision of treason, by words, writing, ciphering, deedes, or otherwise whatsoeuer, shalbe taken, had, deemed or adiudged to bee high treason, petit treason, or misprision of treason, but only such as be declared, and expressed to bee treason, petit treason, or misprision of treason, in or by the act of parliament or statute made in the xxv. yere of ỳ raigne of the most noble king of famous memory king Edward the third (S. de proui. cap. 2.) touching or concerning treason, or of declaration of treasons, & none other, nor that any paines of death, penalty or forfaiture in any wise, ensue, or be to any offender or offenders for the doing or committing any treason, petit treason, or misprision of treason, other then such as be in the sayd estatute made in the said xxv. yere of the raigne of the sayde king Edwarde the thirde ordayned and prouided, any act or acts of Parliament, statute or statutes, had or made at any time heretofore, or after the sayd xxv. yere of the raigne of the said late king Edward the third, or any other declaration or matter, to the contrary in any wise notwithstanding.

Repeale

25. E. 3.

Prouided alwaies and be it &c. that this act of Parliament, or any thing therein mencioned, shal not in any wise extend to giue any maner of benefite, aduantage, or commoditie to any person or persons being the last day of September last past, arrested or imprisoned for treason, petit treason, or misprision of treason, or to any person or persons heretofore being indicted of treason, petit treason, or misprision of treason, or being outlawed, or attainted

Arrest

Indicted

Outlawed

of treason, petit treason, or misprision of treason, before the last day of September last past, or being commanded to keepe his or their house or houses, or other mens houses, or otherwise excepted out of the Queenes highnesse most gracious pardon giuen the day of her Coronation, but that they and euery of them for any the offences before mencioned, perpetrated, committed, or done by them, or any of them, before the sayd last day of September, shal suffer such paines of death, losses and forfaitures of lands and goods, as in case of treason, as though this act had neuer bene had ne made, any thing in this act to the contrarie in any wise notwithstanding. Anno 1. M. 1. Session.

Cõmon lawes

Bodies politike

Rights

Concealemẽt

Misprision

Counterfait Golde Siluer current

21 ¶ That if any person or persons hereafter falsely forge and counterfait any such kind of coyne of Gold or siluer, as is not the proper coyne of this Realme, and is or shalbe currant within this realme by the consent of the Queene, her heires or successours: Or if any person or persons, at any time hereafter, doe falsely forge or counterfait the Queenes signe manuell, priuie signet, or priuie seale: that then euery such offence shalbe deemed and adiudged high Treason, and the offendours therein, their counsailors, procurers, aydors and abbettors, being conuict, according to the lawes of this realme, of any of the sayd offences, shal be likewise deemed and adiudged traitors against þ Queene, her heires and successors, and the realme, and shall suffer and haue such paines of death, forfaiture of lands, goods and cattels, & also lose the priuiledge of all sanctuary, as in case of high treason it is vsed and ordeined. Anno 1. M. 1. parl. cap. 6.

Signe manuel
Priuie seale
Treason
Abbettours

Traitours

Sanctuary

Trials

Misprision

Counterfait coyne

Vttar

Abbettours

Treason

22 ¶ An. 1. & 2. P. & M. ca. 9. certaine praiers were made treasõ, but þ act is determined by the death of Queene Marie.

Prayers Determined

23 ¶ Anno 1. & 2. P. & M. cap. 9. diuers offences were made treason, which are determined by the death of Queene Mary, but certeine clauses therein serue to continue, as:

And be it further &c. that all tryalles hereafter to be had, awarded or made for any treason, shalbe had and vsed onely according to the due order and course of the common lawes of this realme and not otherwise. Sauing to euery person and persons, bodies politike and corporat, their heires and successours, other then the offenders and their heires, and such person and persons, as claime to any of their vses, all such rights, titles, interests, possession, leases, rents, reuersions, offices, and other profits, which they or any of them shall haue at the day of the committing such treasons, or at any time afore, in as large & ample maner as if this act had neuer bene had or made. Prouided alwaies and be it &c. that concealement or keeping secret of high treason, be deemed and taken onely misprision of treason, and the offenders therein to forfait and suffer as in cases of misprision of treason hath heretofore bene vsed: Any thing aboue mencioned to the contrarie notwithstanding. Prouided neuertheless and be it &c. that in cases of high treason, concerning coyne currant within this Realme, or for counterfaiting the King or Queenes signet, prinie Seale, great Seale, or signe manuell, such maner of triall, and none other be obserued and kept, as heretofore hath bene vsed by the common lawes of this realme. Any law, statute or any other thing or things to the contrary notwithstanding.

Trials

24 ¶ That if any person or persons, after the 1. day of January next cõming, shall bring from the parties beyond the sea into this realme, or into any the dominions of the same, any such false and counterfaite Coyne or Money being currant within this realme as is aforesaid, knowing the same Coyne or money to be false and counterfait, to the intent to vtter or make payment with the same within this Realme, or any the Dominions of the same by marchandizing or otherwise: that all and euery such person or persons so offending, as is aforesayd, their Counsellours, Procurours, Aydours, and Abbettors in that behalfe shalbe deemed and iudged to bee offenders in high treason, and shall suffer after lawfull conuiction or attainder thereof, such paines

of

Forf. of death, losse and forfaiture of lands, goods and cattels, as other offenders shal do in cases of high treason. And be it &c. that al and euery person and persons, that shall at any time after the sayd xx. day of January, be accused or impeached of any the offences contained and prouided for in this estatute, or of any other offence or offences, concerning the impayring, counterfaiting, or forging of any coine currant within this realme, shall and may be Triall Euidence indicted, arraigned, tried, conuicted or attainted, by such like euidence, and in such maner and forme, as hath bene vsed and accustomed within this Realme, at any time before the first yere of the raigne of our late soueraigne lord king Ed. 6. Any statute, custome, law, or vsage to the contrarie thereof in any wise notwithstanding. Anno 1. & 2. P. & M. cap. 11.

25 Be it enacted that if any person or persons, after the first day of May next to come, do maliciously, aduisedly and directly compasse or imagine to depriue the Compasse Deprime the Queene Queenes Maiestie that nowe is, or the heires of her body to be begotten being kings or Queenes of this Realme, from the Stile stile, honor, and kingly name of the Imperial crowne of this realme, or from any other the realmes and dominions vnto our said soueraigne lady appertaining and belonging, or to destroy ỹ Queenes Destrope Maiestie that now is, or any the heires of her body being kings or Queenes of this Leuie war. Realme, or to leuy warre within this Realme, or within any the marches or dominions to the same belonging, against the Queenes Maiestie that nowe is, or any the Heires of her body being kings or Depose Queenes of this Realme, or to depose the Queenes maiestie that now is, or any the Heires of her body beeing Kinges or Queenes of this realme, from the imperiall Crowne of the realmes and dominions afore sayd, and the same compassings, imaginations or any of them, maliciously, aduisedly, and directly shall or doe vtter Preaching Words by open preaching, expresse words or sayings, or if any person or persons after the sayd first day of May next comming, shal maliciously, aduisedly, and directly, say, publish, declare, maintaine, or hold opinion, that ỹ Queenes maiestie that now is, during her life, is not or ought not to be Queene of this realme, or after her death, that the heires of her highnesse body being kings or Queenes of this Realme, of right ought not to be kings or Queenes Queene of England of this realme, or that any other person or persons, other thē the Queenes highnesse that now is, during her life ought to be king or Queene of this realme, or any other the realmes or dominions afore sayd, or after her death, other then the heires of her body being kings or Queenes of this Realme, as long as any of her said heires of her body begotten shall be in life, of right ought to haue and enioy the imperiall Crowne of this Realme, or any the realmes & dominions afore sayd: that then euery such offender, being therof duely conuicted or attainted by the Lawes of Attaint Abbettours this realme, their abbettours, procurers, and Counsailers, and all and euery their comforters, knowing the sayde offences or any of them to be done, and being therof duely conuicted or attainted as is aboue sayd, for his or their such offence, shal forfait and lose to the Queenes high- Forf. nesse her heires and successours, all his and their goods and Cattels, and the whole issues and profittes of his or their lands, tenements, and hereditaments, for terme of the life of euery such offendour or offendours, and also shall haue and suffer during his and their liues perpetuall Imprison imprisonment.

Prouided alwaies and be it further enacted by authoritie afore said, that all and euery ecclesiasticall person being conuicted or attainted in forme afore sayd, for Ecclesiasticall person euery such his offence, shall immediatly and presently vpon such attainder had, be iudged, and remaine in the lawe to all intents depriued from all his benefices and Deprime promotions spirituall or ecclesiasticall, in such maner and forme, that it shalbe lawfull for euery patron, founder, or giuer thereof, to present immediatly after such Patron Founder attaindour had, some one other to the same, as though the sayd offendour or offendours were deceased.

And if any person or persons being hereafter conuicted or attainted of any of the said offenses in forme aforesayd committed, shall after his or their conuiction or attaindour, eftsones commit or perpetrate any of the sayd offences in forme aforesaid, that thē euery such secōd offence or offences shall be deemed and adiudged high treason, and the offendour or offendours therein, their abbettors, procurers, and counsailours, and all and euery their aidors and comforters knowing the sayd offences, or any of them to be done, being thereof conuicted or attainted according to the lawes and statutes of this Realme, shalbe iudged and deemed high traitours, and shall suffer paynes of death, and loose and forfait all their goods, cattels, lands and tenements to the Queenes maiestie, her heires and Successours, as in cases of high Treason, by the Lawes of this Realme at this day of right ought to bee lost and forfaited.

High treason

Traitours

And bee it further enacted by the authoritie aforesayd, that if any person or persons at any time after the said first day of May next to come, by any writing, printing, ouert deede or act, maliciously, aduisedly, and directly do affirme that the Queenes maiestie that now is, ought not to haue and enioy the style, honour and kingly name of this Realme, or that any person or persons, other thē the Queenes Maiestie that nowe is, ought to haue or enioy the stile, honour and kingly name of this realme, or that the Queenes maiestie that now is, during her life, is not, or ought not to be Queene of this Realme, or after her death, that the Heires of her highnesse body being kings or Queenes of this realme, of right ought not to haue and enioy the imperiall Crowne of this Realme, or that any person or persons other then the Queenes maiestie that nowe is, during her life, or after her death other then the heires of her body begotten, being kings or Queenes of this Realme, as long as any of her sayd heires of her body shalbe in lyfe, of right ought to haue and enioye the imperiall Crowne of this Realme: that then euery such offence and offences shall be iudged high Treason, and the offendour and offendors therein, their abbettours, procurers and Counsailours, and all and euery their aydours and comforters, knowing the sayd offences or any of them to be done, being thereof lawfully conuicted or attainted by the Lawes of this realme, shalbe deemed and adiudged high traitours, and shal suffer paines of death, and loose and forfayt all their goods and Cattels, Lands and Tenements to the Queenes maiestie, her heires and successours, as in cases of high treason by the lawes of this realme at this day of right ought to bee lost and forfaite. Sauing to euery person and persons, bodies politike and corporat, their heires and successours (other then the offendors and their heires, and such person and persons, as claime to any of their vses) al such rights, titles, interestes, possessiōs, leases, rents, reuersions, offices, and other profites, which they, or any of them shall haue at the day of the committing such treasons, or at any time afore, in as large and ample maner, as if this act had neuer bene had nor made.

Writing Printing

Stile

Treason Abbettors

Bodyes politike

Rights

Prouided alwaies, and be it declared and enacted by the authoritie aforesayd, that concealement or keeping secret of any high treasons, be deemed and taken only misprision of treason, and the offendours therein to forfait and suffer as in cases of misprision of treason hath heretofore bene vsed, any thing aboue mencioned to the contrarie notwithstanding. Prouided also that if it shall fortune hereafter any of the peeres of this Realme to be indicted of any the offences made treason, or misprision of treason by this act, that then the same peeres or Peere, so being indicted, shall be put to answere to euery such indictment before the high steward of England for the time being, and to haue his and their triall of his and their peeres, and to receiue and haue such like iudgement, vpon the same triall of his or their Peeres, or make open confession of the same offence or offences, as is vsed in other cases of high treason.

Concealement

Misprision

Peeres

High steward

And

And be it further enacted by the authoritie aforesaid, that no person or persons shal in any wise bee impeached for any of the offences abouesaide committed, only by open preaching or woordes, vnlesse the offendour or offendours be thereof indicted within vi. moneths next after ẏ same open preaching or woordes, any thing mentioned in this act to the contrary notwithstanding.

6. moneths

Prouided alwaies, that the counsailours, procurours, comforters, and abbettours mẽcioned in this act, for his or their first offence, shall suffer like punishment, penaltie and forfaiture, as is contained in this act against ẏ principall offendours for their first offence, and none other.

Abbettors

And that the counsailours, procurers, comforters, & abbettours, for his or their second offence, shal sustaine like punishment, penaltie and forfayture, as is contayned in this act against the principall offendour or offendours for their second offence, and none other.

Punishmẽt

Prouided alwayes, and bee it enacted by authoritie aforesaid, that no person or persons shalbe hereafter indicted or arraigned for any offence or offences made treason or misprision of treason by this act, vnlesse the same offence or offences of treason and misprision of treasõ aforesaid, bee proued by the testimonie, deposition and othes of two lawful and sufficient witnesses at the time of his and their indictment, which saide witnesses also at the time of the arraignement of the party so indicted (if they be then liuing) shalbe brought forth in person before the party so arraigned, face to face, and there shal auow and openly declare al they can say against the sayd party so indicted, vnlesse the said party so indicted, shal willingly without violence confesse the same. An. 1. El. ca. 6.

2. witnesses

Confesse

Be it enacted, declared and establyshed, that from and after the first day of May next comming, Clypping, washing, rounding, or filing, for wicked lucre or gaynes sake of any the proper moneis or coines of this realme, or of the dominions thereof, or of the moneis or coines of any other Realme, allowed and suffered to bee currant within this Realme, or the dominions thereof at this present, or that hereafter shalbe the lawfull moneyes or coynes of this Realme, or of the dominions thereof, or of any other realme, and by proclamation allowed & suffered to be currant here, by the Queenes maiesty her heirs or successours, shal be taken, deemed & adiudged by vertue of this act to be treason, and ẏ offendours therein, their counsellers, cõsenters, and ayders, shalbe from and after the same first day of Maie, takẽ, deemed, adiudged as offendours in treason, and being thereof lawfully conuicted or attainted, according to the due order and course of the lawes of this Realme, shall suffer paines of death, and loose and forfeite all his and their goodes and cattels, and shal also loose & forfayt al his & their landes and tenements during his or their natural life or liues onely.

Currant

Clipping
Washing
Rounding
Filing
Money

Treason

And be it enacted by ẏ authority aforesaid, that al and euery person and persons which haue any lawful grant to haue & enioy the forfaitures of lands, tenements, goodes, or cattels of offenders, and men attainted in high treason, within any manor, lordshippe, towne, Parish, hundred, or other precinct within this Realme of England or Wales, shal and may at all tymes hereafter haue like libertie, to take, sease and enioy al such forfaitures of landes, tenements, goods, and cattels as shal come or growe within their liberties by force of the attainder of any person or persons, for and vpon any offence or offences made treason by this act, as they or any of them should, ought or might haue by vertue of any good & lawfull graunt of them or any of them heretofore had or made.

Graunt

Manor
Lordship

Prouided alwayes, and bee it enacted by the authority aforesaid, ẏ this act nor any thing therein contayned, nor any attaindour or attaindours of any person or persones for any offence or offences made treason by this act, shal in any wise extende, or bee iudged, interpreted or expolided to make any corruption of

Corrupt blod

of blood, to any the heire or the heires of any such offendour or offendours, or to make the wife of any such offendour to loose or forfaite her dower, of, or in any landes, tenementes or hereditamentes, or her title, action or interest to the same: any thing in this acte conteined, or any attaindour or attaindours hereafter to bee had, for any offence or offences made treason by this acte, to the contrary notwithstanding.

Dower

And be it further enacted by the authoritie aforesayd, that if any of the lordes of the Parliament, or peere of this realme, for the time being, shall fortune at any time hereafter, to be indicted of any offence made treason by this acte: that then they and euery of them shall haue his or their trial by their peeres, as hath bene vsed heretofore in cases of high treason. An. 5. El. cap. 11.

Peere

Triall

27 ¶ Be it enacted, declared and established, ẏ if any person or persons whatsoeuer, at any time after the last daye of June next comming, during the naturall life of our most gracious soueraigne Ladie Queene Elizabeth, (whome almighty god preserue and blesse with long and prosperous raigne ouer this Realme,) shall within the realme, or without, compasse, imagine, inuent, deuise, or intend the death or destruction, or any bodily harme, tending to death, destruction, maime, or wounding of the royall person of ẏ same our soueraigne Lady Queene Elizabeth: or to deprriue or depose her of or from the stile, honour, or kingly name of the imperiall crowne of this realme, or of any other Realme or dominion to her Maiestie belonging, or to leuy Warre against her Maiestie within this Realme, or without: or to moue or to stirre any forreiners or strangers, or with force to inuade this realme, or ẏ realme of Ireland, or any other her maiesties dominions, being vnder her Maiesties obeysance; and such compassis, imaginations, intentions, deuises or intentions, or any of thē, shal maliciously, aduisedly and expressly vtter, or declare by any printing, writing, ciphering, speach, words or sayings: or if any person or persons whatsoeuer, after the sayd last day of June, shall maliciously, aduisedly & directly, publish, declare, hold opinio, affirme or say by any speach, expresse words or sayinges, that our sayd soueraigne Ladie Queene Elizabeth during her life, is not or ought not to bee Queene of this Realme of England, and also of the realmes of Fraunce, and Ireland, or that any other person or persons ought of right to be king or Queene of ẏ said realme of Englande and Ireland, or of any other her maiesties dominions being vnder her Maiesties obeysance, during her maiesties life: or shal by writing, printing, preaching, speach, expres words or sayings, maliciously, aduisedly, and directly, publish, set forth, and affirme, that the Queene our said soueraigne Ladie Queene Elizabeth is an Heretike, Schismatike, tyrant, infidell, or an vsurper of the crowne of the sayd realmes, or any of them: ẏ then all and euerie such sayd offence or offences, shalbe taken, deemed, and declared by ẏ authoritie of this act and Parliament, to be high Treason: and that as well the principall offendour or offendours therein, as all and euery the abbettours, counsaillours and procurours to the same offence or offences, and all and euerie aydours and comforters of the same offendour or offendours, knowing ẏ same offence or offences to be done and committed in any place within this realme or without, being thereof lawfully and duely indicted, conuicted and attainted, according to the vsuall order and course of ẏ cōmon lawes of this realme, or according to the acte made in the xxxv. yeere of the raigne of the late king of famous memorie king Henrie the eight, father of our saide Soueraygne Ladie, entituled: An acte concerning the triall of treasons committed out of the kinges maiesties dominions, (as the case shal require) shall be deemed, declared, and adiudged traitours to the Queene and the Realme, and shall suffer paynes of death, and also forfeite vnto the Quenes maiestie, her heires and successours, all and singuler landes, tenementes and hereditaments,

Publishe

Words

Heretike Vsurper

Treason

Abbettors

Traitours

Fact

Compasse

Bodily harme

Depose Stile

Leuie warre

Come strāgers

Printing Writing Words

tenements, goods, & cattels, as in cases of high treason by the lawes and statutes of this realme at this day of right ought to be forfayted and lost.

And be it also enacted by the authoritie aforesayd, that al and euery person & persons, of what degree, condition, place, nation, or estate soeuer they be, which shall after the ende of thirty dayes next after the last day of this present session of this Parliament, at any time in the life of our Soueraigne Ladie Queene Elizabeth, in any wise clayme, pretend, vtter, declare, affirme, or publish themselues or any of them, or any other then our sayde soueraigne lady Elizabeth the Queenes Maiestie that now is, to haue ryght or title to haue or enioy the crowne of England, during or in the life of our said Soueraigne Lady: or shall vsurpe the same crowne, or the royal stile, title, or dignity of the crowne or realme of England, during or in the life of our sayde soueraigne Lady: or shall holde and affirme that our sayd Soueraigne Lady hath not right to holde and enioy the saide Crowne and Realme, stile, title, or dignities: or shall not after any demaund on our sayd Soueraigne Ladyes part to be made, effectually acknowledge our sayd soueraigne lady to be in right, true & lawful Queene of this realme: they and euery of them so offending, shalbe vterly disabled during their naturall liues onely to haue or enioy the crowne or Realme of England, or the stile, title, or dignitie thereof at any time in succession, inheritaunce or otherwise, after ẏ decease of our said soueraigne Ladie, as if such person were naturally dead, any law, custome, pretence, or matter whatsoeuer to the contrary notwithstanding.

Publish

Crowne

Vsurpe

Refuse

Disabled

And be it further enacted, that if any person shall during the Queenes maiesties life, in any wise holde, affirme or maintayne any right, title, interest or possibilitie in succession or inheritance in or to the crowne of England, after our saide soueraigne Lady the Queene, to be rightefully in, or lawfully due or belonging vnto any such claimer, pretender, vsurper, vtterer, declarer, affirmer, publisher, or not acknowledger, so that our said soueraigne lady the Queene shall by proclamation to be published through the realme, or else in the more part of those shires of this realme, aswel in the south side as the North side of Trent, & also in the dominion of Wales, in which shires no Warre or rebellion then shalbe, set foorth, notifie, or declare such claiming, pretence, uttering, declaratiõ, affirming, publishing, vsurpation, or not acknowledging: then euery person which after such proclamatiõ, shal during ẏ Queenes Maiesties life, maintaine, holde, or affirme, any right in succession, inheritaunce, or possibilitie in or to the crowne or Realme of England, or the rightes thereof, to be in or to any such claymer, pretender, vtterer, declarer, affirmer, vsurper, publisher, or not acknowledger, shall bee a high traitour, and suffer and forfeite as in cases of high treason is accustomed.

Claime

Proclamation

Wales

Affirme

Traitour

And be it further enacted, that if any person shal in any wise hold and affirme, or maintaine, that the common lawes of this Realme not altered by parliament, ought not to direct the right of the crowne of England: or that our saide soueraigne lady Elizabeth the Queenes maiestie that now is, with and by the authoritie of the parliament of England, is not able to make lawes & statutes of sufficient force and validitie to limit & binde the crowne of this realme, & the discent, limitation, inheritance, and gouerment thereof: or that this present statute, or any part thereof, or any other statute, to be made by ẏ authoritie of the parliament of England with the royall assent of our said soueraigne Lady the Queene, for limitting of the crowne, or any statute for recognising ẏ right of the said Crowne & Realme to be iustly and lawfully in the most royal person of our said soueraigne Lady the Queene, is not, are not, or shall not, or ought not to bee for euer of good and sufficient force and validytie, to bynd, limit, restraine and gouerne al persons, their rights and tytles, that in any wise

Affirme

Common law

Crowne

Statute

wise may or might claime any interest or possibilitie in or to ẏ crowne of England in possession, remainder, inheritance, succession or otherwise howsoeuer, and all other persons whatsoeuer: euery such person so holding, affirming, or maintaining, during the life of the Queenes maiestie, shalbe iudged a high traitour, and suffer and forfait as in cases of high treason is accustomed. And euery person so holding, affirming, or maintaining, after the decease of our sayde Soueraigne Lady shall forfeite all his goods and cattelles.

Traytor

Forf.

And for the auoyding of contentions and seditious spreading abroade of tytles to the succession of the crowne of this Realme, to the disturbing of the common quiet of the Realme: Bee it enacted by the authoritie aforesaid, that whosoeuer shal hereafter during the life of our saide soueraigne Lady, by any booke or worke printed or written, directly, and expressly declare and affirme at any time before the same bee by act of parliament of this realme established and affirmed, that any one particular person whosoeuer it bee, is or ought to be the right heire and successour to the Queenes maiestie ẏ nowe is, (whome God long preserue) except the same be the natural issue of her maiesties bodie, or shal wilfully set by in open place, publish, or spreade any bookes or scrowles to that effect: or shal print, bind, or put to sale, or vtter: or cause to be printed, bound, or put to sale, or vttered, any such booke or writing wittingly: that he or they, their abbettours, & counsellours, and euery of them shal for the first offẽce suffer imprisonment of one whole yeere, and forfeite halfe his goodes, whereof the one moity to the Queenes maiesty, the other moity to him or them that will sue for the same, by bil, action of debe, plaint, information, or otherwise in any of the Queenes maiesties courtes, wherin no essoine or protection shalbe allowed. And if any shal eftsoones offend therein, then they and euery of them, their abbettours and counsellours, shal incurre the paines and forfaitures which in the statutes of

Seditious talke Title

Printing Writing

Heire Successor

Bookes

Sprede Put to sale

First offence Imprison Forf. Moitie

prouision or premunire are appointed and limitted.

Premunire

Prouided alway, that if it shall happen hereafter any peere of this realme to be indicted of any offence made treason by this act, hee shall haue his triall by his peeres, as in other cases of treason is accustomed.

Peere

Triall

Sauing to al and euery person and persons, bodies politike and corporate, their heires and successours, other then the sayd offendours and their heires claiming onely as heire or heires to any such offendour, and such person and persons as claime to any their vses, all such rightes, titles, interestes, possessiõs, leases, rentes, reuersions, offices, and other profites, which they or any of them shall haue at the day of the committing such offence or offences, or at any time before, in as large and ample maner, as if this act had neuer bene had or made.

Bodies politike

Rightes

Prouided also, and be it further enacted by the authoritie aforesaide, that no person or persons shal in any wise bee arraygned for any of the offences mentioned in this act, to be committed or done vpon any the Queenes maiesties realmes or dominions, vnlesse the offendour or offendours bee thereof indicted within vi. moneths next after the same offence committed: any thing mencioned in this act to the contrary notwithstanding. And that no person or persõs, shal in any wise be arraigned for any the offences mentioned in this act, to be committed or done out of any ẏ Queenes maiesties realmes or dominions, vnlesse the offendour or offendours bee thereof indicted within one yeere next after the same offence committed: any thing mentioned in this act to the contrary notwithstanding.

6. moneths

One peere

Prouided also, and be it enacted by the authority aforesaid, that no person or persons shalbe hereafter arraigned for any of the offence or offences mentioned in this act, vnlesse the same offence or offences bee proued by the testimonie, deposition and oth of two lawfull and sufficient witnesses: which sayde witnesses shall at the time of the arraignement of such person

2. Witnesses

ſon ſo offending, be brought forth in perſon before the partie ſo arraigned face to face, and there ſhal auow and openly declare all they can ſay againſt the partie ſo arraigned, vnleſſe the ſaid partie arraigned ſhall willingly without violẽce confeſſe the ſame.

Confeſſe

Prouided alſo and be it enacted by the authority aforeſayd, that the aydours and comforters of ſuch of the offendours aforeſaide, as ſhal maliciouſly, aduiſedlie, and directly publiſh, ſet forth, and affirme that the Queenes highneſſe that now is, is an Heretike, ſchyſmatike, tyrant, infidel, or vſurper of the crowne, as in fourme aforeſaid, ſhall for his ſayd firſt offence of aiding and comforting the ſaid laſt recited offẽdour or offendours, knowing the ſame offence or offences to bee committed, incurre onely the danger and penaltie of premunire, mentioned in the ſtatute of premunire, made in the xvi. yeere of king Richard the ſecond (c. 5. prouiſion 14.) And that ſuch aydours & comforters of the offendour or offendours aforeſaid laſt recited, knowing the ſame offences to be commytted, which after their firſt conuiction and attainder thereof ſhal eftſoones offend, ſhall for his or their ſecond offence be adiudged high traitours, and ſuffer and forfait as in caſes of high treaſon, as is aforeſayd.

Aydours

Publiſhe

Heretike

First offence

Premunire

Second offence Traitours

Prouided alwayes, and be it enacted by the authoritie aforeſayd, that the giuing of charitable almes in money, meate, drinke, apparel, or bedding, for the ſuſtentation of the bodie or health of any perſon or perſons that ſhall commit any of the offences made treaſon or premunire by this act, during the time that the ſame offendour ſhalbe in priſon, ſhal not in any wiſe bee deemed or taken to be any offence: any thing in this act contayned to the contrary thereof notwithſtanding. An. 13. El. cap. 1.

Almes

¶ For the auoyding of ſuch vnlawful practiſes, as haue bene lately moued, in ſeeking to take her Maieſties Caſtels, Towers, Foxtreſſes, ſhippes, &c. and other munition of warre: Be it enacted that if any perſon or perſons whatſoeuer at any time hereafter do within this Realme, or els where vnlawfully, & of his or their owne authoritie compaſſe, imagine, conſpire, practyſe or deuiſe, by any wayes or meanes with force, or by any craft, deuiſe or ſleight, maliciouſly, & rebelliouſly, to take or to detayne, or keepe from our ſaid Soueraigne Lady ỳ Quene, any of her Caſtels, Towers, Foxtreſſes, or holdes, or maliciouſly and rebelliouſly to raſe, burne, or deſtroy any Caſtel, Bulwarke, or Fort, or any part of them, hauing any munition or ordinance of the Queenes maieſties therein, or appointed to bee garded with any ſouldiers for defence thereof within this Realme, or within any of her maieſties dominions or countreys, or the marches of the ſame, and the ſame compaſſes, imaginations, practiſes, conſpiracies, or deuiſes, or any of them, ſhal & do aduiſedly by any expreſſe wordes, ſpeach, act, deede, or writing, expreſſe, utter, or declare, for any the malicyous and rebellious intẽts aforeſaid: that then euerie ſuch perſon & perſons, ſo hereafter offending in any the premiſſes, their aidours, conſellours, cõfortours, conſentours, and abbettours knowing thereof, being thereof lawfully conuicted according to the lawes of this realme, ſhalbe iudged a felon, and felons, and that euery ſuch offence ſhalbe iudged to be felony, & the offendour and offendours therein, their ſaide aydours, comforters, counſellours, and abbettours, being thereof lawfully conuicted, ſhal haue and ſuffer paines of death, as in caſes of felony, without hauing any benefite of Clergie or Sanctuary, and alſo ſhal forfeite and looſe al his goods and cattels, landes and tenements, as in other caſes of felonie hath bene vſed and accuſtomed.

To take or keepe Caſtels Foxtreſſe Burne Bulwarke Towers Holde Deſtroy Fort

Vtter intent

Abbettors

Felony

Death

Clergie Sanctuary Forf. Eſchete

And bee it further enacted by the authoritie aforeſaide, that if any perſon or perſons do at any time hereafter with force, maliciouſly and rebelliouſly detaine, keepe, or withold from the Queenes Maieſtie, any of her Caſtels, Towers, Foxtreſſes, or holds, within this Realme, or any her Maieſties dominions or countries, or Marches of the ſame: or do maliciouſly,

Force withhold Towers Holdes Foxtreſſes

Rebel

litiously, rebelliously, and with force detaine, keepe, or withhold from her Maiestie any of her Shippes, ordinance, Armour, Artillary, or other munitions, or fortificati-

Ordinance Armour Shipps Render

ons of warres, and do not render & giue vp the same to our said Soueraigne Lady, or to such person as her Maiestie shal appoint to receiue the same to her Maiesties vse, within six dayes next after hee or they so offending, shalbe commaunded by

6. dayes

our said soueraigne Lady the Queene by

Proclam.

open proclamatiõs vnder ỳ great Seale of England, to be made in any place or market Towne within ỳ County where any such offence shalbe committed: or shal wilfully, maliciously, and rebelliously,

Burne Destroy shyps Barre hauen

burne or destroy, or cause to be burned or destroyed, any of the Queenes shippes, or maliciously, and rebelliously barre or cause to be barred any hauen within any of ỳ Queenes Maiesties dominions: that then euery such person and persons so offending, their aydours, counsellours, and

Abbettors

abbettoures, being thereof lawfully conuict according to ỳ lawes of this realme, shalbe adiudged traytours, and their offẽces in any the premisses, shal be accepted,

Treason

iudged, and taken for high treason, and ỳ offendours therein, their aydours, counsailours, and abbettours, being thereof lawfully conuict according to the lawes of this Realme, shall haue and suffer such

Fork.

paynes of death, and also shal forfeite and loose, as in cases of high treason is lymitted & accustomed: This act to endure during the Queenes Maiesties life that nowe is. An. 14. El. cap. 1.

Queenes life

29 ¶ Be it enacted &c. ỳ if any person or persons at any time after the ende of this present session of parliament, shal

Conspire Deuise Enlarge

imagine, conspire, deuise, inuent or go about vnlawfully & maliciously to enlarge or set at liberty any person or persons, committed, or to be cõmitted to any prison, gard or custody, by her highnesse especial commandemẽt, for any treason, or suspition of treason concerning the person of our saide Soueraigne Lady the Queene, before any indictment of such person so sought or intended to be set at large, or liberty, as is aforesaide, and the same conspiracies, imaginatiõs, deuises, or inuentions, shall by expresse woordes, Woords

writing or other matter or act, expressly Wryting

or manifestly, set foorth, vtter, or declare that then euery person so offending, shall incurre the penaltie and forfeyture of

Misprision of treason

misprision of treason, and that al and euery offence and offences to be committed and done, as is aforesaide, shalbe deemed and taken for misprision of treason.

And be it further enacted by the authorytie aforesaid, that if any person or persons, at any time after the end of this present session of parliament, shall imagine, conspire, deuise, inuent, or go about vn-

Conspire

lawfully & maliciously to enlarge or set

Enlarge

at liberty any person or persons, being committed to any prison, gard, or custody, after the same person or persons, is, or shalbe attainted or conuicted of any treason, in any wise concerning the royal person of our saide Soueraigne Lady the Queene, and the same conspiracies, imaginations, deuises, or inuentions, shal by

Woords Wryting

expresse woordes, writing, matter, or act, as is aforesaid, set forth, vtter, or declare that then euery such person so offending,

Traitours

shalbe deemed, and adiudged an high traitour, and shal suffer, loose and forfeyte, as in cases of high treason, by the lawes and statutes of this Realme. This act to endure during the Queenes Maiesties life that now is onely. Anno 14. Eliz. ab. capitul. 2.

30 ¶ If any person or persons, of what estate, degree, or condition soeuer he or they be, shal from & after ỳ first day of Aprill next comming, for wicked lucre or gaines sake, by any art, waies or meanes whatsoeuer, impaire, diminish, falsifie,

Diminish money

scale, or lighten the proper moneyes or coignes of this realme, or any ỳ dominiõs thereof, or the moneies or coignes of any other Realmes, allowed and suffered to

Current

bee current at the tyme of the offence cõmitted, within this Realme of England, or any the dominions of the same, by the proclamation of the Queenes Maiestie, her heires or successours, shalbe taken,

Treason

adiudged, and deemed to be treason, and the offendours therin, their counsaylers, consen-

consenters and ayders, shalbe likewise deemed and adiudged as offendours in treason, and being thereof lawfully conuicted or attainted, according to the due order of the lawes of this Realme, shall suffer paynes of death, and loose and forfeite all their goods and cattels to the Queenes Maiestie, her heires and successours, & shal also loose and forfeit to the Queenes Highnesse her heyres and successours al their landes, tenements and hereditaments, during his or their naturall life or liues onely.

Forf.

During life

Prouided alwaies, and be it enacted by the authoritie aforesayed, that this act, nor any thing therein contained, nor any attaindour or attaindours of any person or persons, for any offence or offences made treason by this act, shall in any wise extend or bee iudged, interpreted, or expounded, to make any corruptiõ of blood, to any the heyre or heyres, of any such offendour or offendours, or to make the wife of any such offendour to loose or forfeite her dower of or in any landes, tenements, or hereditaments, or her title, action, or interest to the same: any thing in this act contayned, or any attayndour or attaindours hereafter to be had, for any offence or offences made treason by this act, to the contrary notwithstanding.

Corrupt blood

Dower

And be it further enacted by the authoritie aforesayde, that if any of the Lordes of the Parliamẽt, or peere of this realme, for the tyme being, shall fortune at any time hereafter to be indicted of any offence made treason by this act: that then they and euery of them, shal haue his or their tryal by their Peeres, as hath bene vsed heretofore in cases of high treason. Anno 18. Elizabeth cap. 1.

Lord of parliament Peere

Triall

¶Trespas.

IT is prouided also that Sheriffes shal plead pleas of trespas in their counties, as they haue bene accustomed to be pleaded. And that none from hence forth shal haue writtes of trespas before Justicers, vnlesse he sweare by his faith, that the goods taken away, were worth forty shillings at the least. And if he complaine of beating hee shall sweare by his faith that his playnt is true. Touching woũds and maimes, a man shal haue his writte as before hath bene vsed. And it is agreed, that the defendants in such pleas may make their attournies, where appeale lyeth not, so that if they be attainted, being absent, then the sheriffe shalbe commanded to take them, and shal haue like paine as they should haue had, if they had bene present, at the iudgement giuen. And if the plantiffes, from henceforth in such trespasses cause them selfe to be essoined after the last appearance, day shalbe giuen them vnto the comming of the Justicers in eyre, and the defendants in the meane time shalbe in peace. In such pleas and other, whereas attachmentes and distresses doe lie, if the defendaunt essoine himselfe in the kings seruice, and do not bring his warrant in at the day giuen him by the essoine: It is prouided, that he shal recompẽce the plaintife dammages for the Journey xx. s. or more, after the discretion of the Justices, and neuertheles shalbee greuously amerced vnto the king, Glocester. ca. 8. An. 6. E. 1.

11. s.

Battrie Othe

Mayme

Attourney

Attaint

Shirife

Essoyne

Dammages

¶Triall.

WHere in tymes past many haue ben often times delayed of their action as wel in assises and other pleas of lands, as in contracts, couenãts, and trespasses, by reason that the tenants or defendants haue put in barre a releasé, quiteclaime, or other especiall deede made within a fraunches wtin the bounds of the realme where the kings writ runneth not: It is enacted and established that when any such deedes bee put forth in barre of any action bearing date in a place within such fraunches, although there be witnesses of the same fraunchises, named in the same deedes, if the same deedes be denied, processe shalbe made into the same Cõtrey where the plea shalbe mooued to haue the enquest of the Countrey and the witnesses, and if the witnesses come not at the great

Delayed

Sheriffes Countie

Writtes

Process

Enquest

Witnesses

great diſtreſſe returned, then for the abſence of the witneſſes, the Juſtices ſhall not let to proceede to the taking of ỳ enqueſt, as wel as if ſuch did beare date in the ſame ſhire where the plea was mooued, and that the witneſſes were not of the ſame countie. An. 9. E. 3. cap. 4.

2 ¶ See Baſtardy 2. for the triall of Baſtardy. Anno 27. E. 3. ſtatuto ſtapule. cap. 8.

Priour Ordinary

3 ¶ An. 9. R. 2. ca. 4. it is enacted that an iſſue, whether a Priour be datiue or remoueable, ſhalbe tryed by the ordinary.

Medietatem linguæ

4 ¶ Anno 27. Edwardi tertii, ſtatuto ſtapule. cap. 8. and Anno 28. Edwardi tertii cap. 13. (which two acts be in ſtaple 7. & 21.) it is enacted for triall per medietatem linguæ. And after An. 8. H. 6. capitulo 28. it is enacted as followeth. The king &c. hath declared ỳ the ſaid laſt eſtatute made in the time of his father (S. An. 2. H. 5. ca. 3. which is in Jurours 9.) ſhal not bee preiudicial to the ſaid firſt ordinance (S. An. 25. Ed. 3. ſta. ſtapule cap. 8. & An. 28. E. 3. ca. 13. which be in ſtaple 7. and 21. concerning trial per medietatem linguæ) ſhal not extend but onely to the Inqueſtes to bee taken betweene denizeu, and denizeu, and not to the other enqueſtes and proues aboueſaid. And the ſaid firſt ordinance to bee effectuall and ſtand in his force, and to be put in due execution according to the fourme of the ſame. The ſaide laſt ſtatute (S. Anno 2. Hen. 5. cap. 3.) or that the alyens not hauing landes or tenements, to the value of fourty ſhillings by the peere according to the effect of the ſaid latter ſtatute and ordynance, (S. of Anno 2. H. 5. cap. 3. which is in Jurours 9) notwithſtanding. Anno 8. H. 6. cap. 28. See more of triall per medietatem linguæ Attaint 13. and Egiptians. 1. 2.

Denizen

5 ¶ In which ſtatutes (S. Mag. carta. ca. 30. which is in accuſation 1.) is no mencion made howe women & ladies of great eſtate becauſe of their huſbandes Peeres of the land, maried, or ſole, that is to ſay ducheſſes, coũteſſes, or baroneſſes, ſhalbe put to anſwere, or before what Judges that they ſhalbe iudged vpon indictments of treaſõs or felonies by them committed or done, by cauſe whereof it is an ambiguitie in the law of England, before whom, and by whom ſuch ladyes ſo endicted ſhalbe put to anſwere & be iudged: Our ſaid Soueraigne Lord ỳ King willing to put out ſuch ambiguities and doubtes, hath declared by authoritie afore-ſaid, that ſuch ladies ſo endicted or hereafter to be endicted of any treaſon or felony, by them done or hereafter to be done, whether that they be maried or ſole, that thereof ſhalbe brought in anſwere, & put to anſwere and iudged before ſuch iudges and peeres of the realme, as peeres of the Realme ſhould bee if they were endicted or impeched of ſuch treaſons or felonies done or hereafter to be done, & in like maner and fourme, and in none other wiſe. An. 20. H. 6. cap. 9.

Women

Ladies

Judges

6 ¶ An. 23. H. 6. cap. 12. an act was made to endure to the next Parliament concerning trial of forreine pleas pleaded after iſſue ioyned.

Forreine pleas

7 ¶ If any murderer or felõ vpon his arraynement hereafter, do alleage, that he hath taken any church or churchyard for murder, felony, or other place priuiledged for ỳ ſame in a forreine county, & againſt his wil taken out thereof: that thẽ the kings atturney, or any other perſon that will ſue or alleage for the king, that the ſaid murderer or felon ſo arraigned, was takẽ at large in ỳ ſame ſhire, where he is ſo arraigned, that thẽ the ſame alleageance & iſſue to bee tryed by the enqueſt that ſhould trie the ſaid murder or felony wthin the ſame ſhire, & before ỳ ſame Juſtice, where the ſaid murderer or felon is arraigned, as though ỳ ſaid forreine plea had not ben pleaded by the ſaid felon. And if it be founden by the ſame inqueſt, ỳ the ſaid murderer or felon was taken within ỳ ſame ſhire (as is afore ſaid) ỳ then he to haue none aduantage or benefit of ỳ matter alleaged by him for taking out of the church or churchyard, or other place priuiledged, in any ſuch forreine ſhire, & this act to endure to the next Parliamẽt. An. 4. cap. 2. And after An. 22. H. 8. cap. 2. is reuiued and made perpetuall.

Felon

Sanctuary

Forreine county

K. atturney

Enqueſt

Forreine plea

8 ¶ All

Treasons Felonies Sea

8 ¶ All treasons, felonies, robberies, murders and confederacies hereafter to be cõmitted, in, or vpon the sea, or in any other hauen, riuer, creeke or place where the Admirall or Admiralles haue or pretend to haue power, authoritie or iurisdiction, shalbe enquired, tried, heard, determined and iudged in such shires and places in the Realme, as shalbe limitted by the kings commission or commissions to be directed for the same, in like forme and condition as if any such offence or offences had bene committed or done in or vpon the land, and such commissions shal be had vnder the Kings great Seale directed to the Admirall or admirals, or to his or their Lieutenant, deputy and deputies, and to three or fower such other substantiall persons, as shalbe named or appointed by the Lord Chauncellor of England for the time being, from time to time, and as oft as neede shall require, to heare and determine such offences, after the common course of the lawes of this land, vsed for Treasons, Felonies, robberies, murders, and confederacies of the same, done and committed vpon the Lande within this Realme.

Commission

Admirall

L. Chauncelor

Diuers &c.

Commissioners

And be it &c. that such persons to whom such cõmission or commissions shalbe directed, or fower of them at the least, shall haue full power and authoritie to enquire of such offences, and of euery of them, by the othes of twelue good and lawfull inhabitants in the Shire, limitted in their commission: in such like maner & forme, as if such offences had bene committed vpon the land within the same shire. And that euery indictment found and presented before such cõmissioners, of any treasons, felonies, robberies, murders, manslaughters, or such other offences cõmitted or done, in, or vpon the Seas, or in, or vpon any other hauen, Riuer or Creeke, shalbe good and effectuall in the lawe.

Enquire

Othes

Indictment

And if any person or persons happen to be indicted for any such offence done, or hereafter to be done vpon the Seas, or in any other places aboue limitted, that then such order, proces, iudgement and execution shalbe vsed, had, done and made to, and against euery such person and persons, so being indicted, as against Traitours, felons and murderers, for treason, felony, robbery, murder, or other such offences done vpõ the land, as by the lawes of the Realme is accustomed.

Judgement

And that the triall of such offence or offences, if it be denied by the offendour or offendours, shalbe had by twelue lawfull men, inhabited in the Shire limitted within such commission, which shalbe directed as is aforesaid, and no challenge or challenges to be had for the hundred.

Triall

No challenge

And such as shalbe conuict of any such offence or offences, by verdict, confession, or processe, by authoritie of any such commission, shall haue and suffer such paynes of death, losses of lands, goods and catels, as if they had bene attainted and conuicted of any Treasons, Felonies, Robberies or other the sayd offences done vpon the lands.

Conuict

And be it &c. that for Treasons, robberies, felonies, murders and confederacies done vpon the Sea or Seas, or in any place aboue rehearsed, the offenders shall not be admitted to haue the benefite of his or their Cleargie, but be vterly excluded thereof, and from the same, and also of the priuiledge of any sanctuarie.

Treasons Murders Felonies Seas

Cleargie

Sanctuary

Prouided alway, that this act extend not to be preiudiciall or hurtfull to any person or persons, for taking any vitails, cables, ropes, anckers or sailes, which any such person or persons (compelled by necessitie) taketh of or in any Ship, which may conueniently spare the same, so that the same person or persons pay out of hand for the same vitaile, cables, ropes, ankers or sailes, money or money worth, to the value of the thing so taken, or to deliuer for the same a sufficiẽt bill obligatory to be paied in forme following. That is to say, if the taking of the same things be on this side ỹ straits of Marrocke, then to be paied within foure monethes. And if it be beyond the said straites of Marrocke then to be paied within twelue monethes next ensuing the making of such billes. And that the makers of such billes well and truely pay the same debt at the day to

Vitailes Ropes Cables Ankers Necessitie

Pay

Obligation

Marrocke

4. monethes

12. monethes

be limitted within the said billes.

Commission

Prouided alway, that whensoeuer any such Commission for the punishment of the offences aforesayd, or of any of them, shall be directed or sent to any place within the iurisdiction of the fiue portes: that then euery such Commission shalbe directed vnto the Lord Warden of the said fiue ports for the time being, or to his deputie, and vnto three or fower such other person or persons, as the Lorde Chauncellour for the time being shall name and appoint: Any thing in this present act to the contrary notwithstanding. Anno 28. Hen. 8. capitulo 13.

v. portes

L. warden

L. Chancellor

9 ¶ Note that an. 27. H. 8. cap. 4. is an act made almost word for word like vnto this, made in an. 28. H. 8. capitulo 15. And because this latter act is somewhat large, and encludeth more then that former act, therefore I haue not put here that former act.

10 ¶ For the speedy triall and punishment of such persons as haue committed and done, or hereafter shall commit and perpetrate any maner of treasons, or misprisions of treasons, within the principalitie and dominion of Wales, and marches of the same, or els where within any the kings dominions where his graces originall Writtes in the Chauncerie of England commonly runneth not:

Treasons Misprisions

Wales

Be it &c. that all such treasons and misprisions of treasons as is aforesaid, shalbe presented and tried by the othes of twelue men inhabiting, or which shall inhabite within any such Shires, and before such Commissioners as the Kings Maiestie from time to time in such cases shall assigne and appoint by his Commission or commissions of oyer and determiner, in like maner and forme, as if such treasons or misprisions of treasons had bene done and committed within such ỳ sayd shires, into the which the sayd Commissions of oyer and determiner shalbe directed as is aforesaid. And that all presentments, trials, proceses, iudgements, executions, and forfeitures hereafter made, had or done by vertue of such Commissions, shalbe good and effectuall in the lawe, to all purposes and intents, any graunt, custome or vsage heretofore made or vsed to the contrary notwithstanding.

Present Othes

Commissioners

Prouided alwaies that trials of peeres of the realme concerning treasons, shalbe done & had as heretofore hath bene vsed & accustomed: any thing in this act contayned notwithstanding. An. 32. H. 8. cap. 4.

Peeres

11 ¶ All treasons, misprisions of treasons, murders, manslaughters, bloudsheades, and other malicious strikings by reason whereof bloud is or shalbe shed against the kings peace, which hath bene done since the feast of al Saints last past, or hereafter shall be done within any the pallaces or houses of his highnesse or his heires, or any other house or houses at such time as his maiestie hath bene since the sayd feast of al saints, or hereafter shal happen to be then demurrant or abiding in his royall person: shalbe from henceforth enquired of, tried, heard & determined within any ỳ kings places or houses, or other house or houses where his maiestie or his heires shall hereafter repaire vnto, or be abiding, in maner & forme following: that is to say, before ỳ lord great master, or Lorde Steward for the time being of the kings most honorable household, and of his heires and successors. And in the absence of the sayd Lord great master, or lord steward of ỳ household, before ỳ Treasorer and comptroller for the time being of the kings most honorable household, and of his heires and successors, and steward of the Marshalsey for the time being, or two of them, whereof the steward of the Marshalsey for the time being to be one, by vertue of their offices, without any Commission, or other authoritie or power, other then by authoritie of this present act to be giuen vnto them, or to any of them, which Steward of the marshalsey shall be for euer from time to time assigned and appointed by writing vnder the Seale of the sayd Lord great master, or Lord Steward for the time being. And whether the kings maiestie or his heires hath, or at any time hereafter shall be remoued from the Pallace, house or houses where such offences were or shall be done,

Treasons Misprisions Murders Bloudsheds

Kings house

Enquire Triall

L. great master L. steward

Treasorer Comptroller

Steward of the Marshalsey

Without commission

Seale

done, or not remoued before they be enquired of, tried, heard & determined, yet such offences shal by authority of this act, alwaies frō henceforth be enquired of, tried, heard and determined before the kings maiestie and his heires, officers and ministers of houshold before named, or two of them as is aboue said, by the inquisition and verdict of his highnesse & his heires, houshold seruants in his and their checke rolle, in maner and forme as before and hereafter is expressed in this present act, & at such pallace, house or houses, where his maiestie or his heires shalbe at any time hereafter demurrāt or abiding. And that all such retournes of processe, and all executions and iudgements concerning the premisses, shall be had and done by the officers, before and hereafter expressed, and in maner and forme as before & hereafter in this present act is contained. And that all inquisitions vpon the viewe of persons slaine, or hereafter to bee slaine within any the Kings sayd Pallaces or houses, or other house or houses afore said, shal be by authoritie of this act had and taken hereafter for euer, by the Coroner for the time being of the houshold of our soueraigne Lorde the King, or his heires, without any adioyning or assisting of any other Coroner of any Shire within this realme, by the othe of xii. or moe, of the yomen officers of the kings & his heires most honorable houshold, retourned by the two clarkes comptrollers, the clarke of the checke, and clarks marshals, or one of them for the time being of the saide houshold, to whom the said coroner of the same houshold shall direct his precept, which Coroner of our said Soueraigne Lorde the kings houshold, shall be from time to time named, appointed, and assigned by the said Lord great master, or lord steward for the time being, and that the said coroner of the sayd houshold shall from time to time for euer, without delay certifie vnder his Seale, and the seales of such persons as shall be so swoorne before him, al such inquisitions, indictments and offices vpon the viewe of all dead bodies being slaine at any time sith the feast of al Saints afore said, or which hereafter shal be slaine within any the kings said pallaces or houses, or other house or houses afore said, before the said lord great master or lord steward, and in his absence before the Treasorer, comptroller and steward of the Marshalsey afore said, or before two of them, whereof the said Steward of the marshalsey to be one: and that such inquisitions and offices so certified, shalbe deemed, adiudged and taken for euer, as good and effectuall in the Lawe, to all intents, constructions and purposes, as any inquisition taken vpon the view of the body of any person being dead by any coroner of any countie of this Realme, hath bene or shalbe adiudged or taken.

Houshold seruants Checke rolle

Judgements

Officers

Inquisitiōs Viewe

Coroner of houshold

Othe Yomen Returne Clerkes

Coroner Precept

Certifie

L. great master
L. steward
Steward of Marshalsey

And be it &c. that the said two clerkes comptrollers, clerkes of the checque, and clerkes marshalles, for the time being of the kings saide houshould, and of his heires, or one of them for euer, vpon a precept to them, or to any of them hereafter to be made by the sayd Lord great master or Lord Steward, or in the absence of the said Lord great master, or Lord steward, by the sayd Treasorer and Comptroller of the Kings most honourable houshold, and the sayd Steward of the Marshalsey, or by two of them, whereof the sayd steward of the marshalsey to be one, shall haue full power to summon, warne, and retourne the names of xxiiii. persons being Yoman Officers of the Kings saide houshold, & of his heires in the said checke rolle, to enquire of such treasons, misprisions of treasons, murders, manslaughters, and other malitious striking, by reason whereof bloud is, or shall be shed against the Kings peace, before the saide lord great master, or Lord Steward, and in his absence before the said Treasorer, Comptroller, and Steward of the Marshalsey, or before two of them at the least, whereof the steward to be one. And that it shalbe lawfull to the sayd Lord great master or Lorde steward, and in his absence to the said Treasorer, Comptroller, and the sayd Steward afore sayd, or two of them, whereof the sayd Steward to be one, before whom such retournes shall be

Clerkes

Summon Warne 24. officers

Enquire

made, as afore ſaid, to cauſe ſuch number of the ſayd fower and twentie perſons ſo retourned aboue the number of twelue perſons, as to him or them ſhall ſeeme expedient, to enquire of ſuch treaſons, miſpriſions of treaſons, murders, mãſlaughters, and other malitious ſtrikinges, by reaſon whereof bloud is, or ſhalbe ſhed againſt the kings peace, within the ſayde Kings houſe places or houſes, or other the ſayd houſe or houſes, ſith the ſaid feaſt of al Saints, or at any time hereafter ſhalbe committed or done within the ſayd palace or houſes, or other the ſaide houſe or houſes. And if Indict any perſon or perſons bee indicted by the ſayd Jurie ſo ſworne before them as is afore ſaid, or by inquiſition before the ſayd Coroner of the ſaid houſhold, & certified before the ſaid Lord great maſter, or lord ſteward, or in the abſence of the ſaid Lord great maſter or lord Steward, before the ſaid Treaſorer, comptroller and ſteward, or before two of them, whereof the ſayd ſteward to be one, as is afore ſaid: that thẽ immediatly without delay the ſaid Lorde great maſter or lord Steward, and in his abſence the ſaid Treaſorer, comptroller & ſteward, or two of them, whereof the ſayd Steward to be one, before whom the ſaid Preſentment, Inquiſition or indictmẽt, ſhall ſo bee found or certified by the ſayd Arraine Coroner of the ſame houſhold, ſhall arraigne before them al and euery ſuch perſon and perſons ſo indicted, according to the courſe of the common Lawe of this Realme, and forthwith after iſſue ioyned betweene the king our ſoueraigne Lord, his heires or Succeſſours, and the priſoner ſo arraigned, the ſame day and place, or any other day and place, at the pleaſure of the ſayd Lorde great Maſter or Lorde Steward, and in his abſence at the pleaſure of the ſayd Treaſorer, Comptroller and ſteward of the marſhalſey, or two of them, as is afore ſaid, ſhall make an other Precept precept to the ſaid Clarks, comptrollers, Clerkes clerks of the checke, and clarks marſhals for the time being of the ſaid houſhold, or Summon Jurie 24. perſons to one of them, to ſummon and retourne one other Jury of xxiiii. perſons, to appeare before the ſayd lord great maſter or lord ſteward, and in his abſence before the ſaid Treaſorer, comptroller, and ſteward of the marſhalſie, or before two of them, whereof the ſame Steward to be one, at ſuch day, time and place, and vpon ſuch paine as ſhalbe then limitted and appointed of the ſeruants and gentlemen officers of the kings chamber, his heires and Kings ſeruants ſucceſſors, and of the ſaid houſhold, which now take or hereafter ſhal take wages by the kings checke rolle. And that the ſayd lord great maſter, or lord ſteward (if he be there preſent) or in his abſence the ſayd treaſorer, comptroller and ſteward of the ſaid marſhalſey, or two of them, whereof the ſame ſteward to be one, before whome ſuch Jury ſhalbe ſo returned, ſhall cauſe Sworn twelue xii. of the ſame iury to be ſworne without No challenge any maner of challenge to bee had or allowed for any maner of cauſe, to any of the ſaid iury (malice only excepted) truely Malice to trie betweene our ſaid ſoueraigne lord the king and his heires, and ſuch perſon and perſons as ſhalbe ſo indicted and arraigned, of ſuch treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikinges, by reaſon whereof bloud is or ſhall be ſhed againſt the kings peace, or of any of them.

And if any ſuch perſon or perſons, ſo indicted & arraigned, be found guiltie of any Guiltie treaſon, miſpriſion of treaſon, murders or manſlaughters: that then all and euery ſuch perſon and perſons, ſo found guilty, Judgement ſhal haue iudgemẽt of life and members, and ſuffer ſuch paines of death, and ſhall forfait al their manors, lands, tenements, Forf. goods and cattels, in like maner & forme as if the ſaid perſon and perſons had bene found guilty of any the ſayd offences by the order of the common Lawes of this Realme, without allowing to any ſuch perſon or perſons ſo found guilty of any the ſame offences, ỳ benefit of his or their Clergie Sanctuarie clergie or priuiledge of any ſanctuary.

And if any perſon or perſons ſo arraigned, be found guiltie for malicious ſtriking, by reaſon whereof bloud is, hath Bloudſhed bene, or ſhall be ſhed againſt the Kings peace, within the ſaid place or houſe, or any other houſe, or any other the ſaid houſe or

or houses, that the euery such person and persons shal from henceforth haue iudgement by the sayd Lorde great master or Lord steward (if he be present) and in his absence, by the other before named, before whom such person or persons shalbe so found guiltie, to haue his right hand striken off before the sayd lord great master, or Lorde Steward (if hee bee there present) and in his absence before the sayde Treasorer, Comptroller, and steward of the Marshalsey, or two of them at ẏ least, wherof ẏ said steward to be one, & at such place and time, as he or they before whom such person and persons shalbe so found guilty, shal appoint execution to be done, and the same execution to be done by such persons, as the said Lord great master, or lord steward (if he be there present) and in his absence as the said Treasorer, Comptroller and Steward of the Marshalsey, or two of them, whereof the Steward to be one, shal name or appoint, and also shal haue iudgement to haue perpetual imprisonment during his life, & shal pay fine & ransome at the kings maiesties pleasure, his heires and Successours. And for the further declaration of the solemne and due circumstance of the execution appertaining, and of a long time vsed and accustomed to & for such malicious striking, by reason whereof bloud is, hath bene, or hereafter shalbe shed against the kinges peace: It is therefore &c. that the Sergeant or chiefe surgeon for the time being, or his deputie of the kings houshold, his heires and successors, shalbe ready at the place and time of execution, as shalbe appointed, as is aforesayd, to seare the stũpe, whẽ the hand is so strikẽ off. And ẏ Sergeant of ẏ pantry for the time being of the sayd houshold, or his deputy shalbe also then and there, ready to giue bread to the party that shall haue his hand so strikẽ off. And the Sergeant of the seller for the time being of the same houshold, or his deputie shall also be then and there readie with a pot of red wine, to giue the same partie drinke, after his hand is so striken off, and the stumpe seared. And the Sergeant of the Ewry for the time being of the same houshold, or his deputie, shall also be then and there ready with clothes sufficient for the Surgeon to occupy about the same execution.

Judgement
L. great master
L. steward
Hand cut off
Steward of Marthalsy
Executioner
Imprison
Fine
Circũstance
Chiefe Surgeon
Sergeant of the pantrie
Sergeant of the seller
Red Wine
Sergeant of the Ewry

And the yoman of the Chandry for the time being of the same houshold or his deputie, shal also be then and there, and haue in readinesse seared clothes sufficient for the Surgeon to occupie about the same execution. And the master cooke for the time being of the same houshold, or his deputie, shall also be then and there ready, and bring with him a dressing knife, and shal deliuer the same knife at the place of execution, to the Sergeant of the larder for the time being of the same houshold, or to his deputie, who shalbe also then and there ready, and hold vp right the said dressing knife till execution be done. And the Sergeant of the Poultrie for the time being of the same houshold, or his deputie, shall be also then and there ready with a cocke in his hand ready for the surgeon to wrappe about the same stumpe, when the hand shalbe so striken off. And the Yoman of the Scullary for the time being of the same houshold or his deputy, to be also then and there ready, and prepare and make at the place of execution a fier of Coales, and there to make ready searing yrons, against the sayd Surgeon or his deputie shall occupie the same.

Yoman of the Chandry
Master Cooke
Dressing knife
Sergeant of the larder
Sergeant of the pultry
A cocke
Yoman of the scullary
A fier

And the Sergeant or chiefe ferrour, for the time being of ẏ same houshold, or his deputie, shalbe also then and there ready, and bring with him the searing yrons, and deliuer the same to the same Sergeant or chiefe Surgeon, or to his deputy when they be hot. And the grome of the sallery for the time being of the same houshold or his deputy, shalbe also then and there ready with vineger and cold water, and giue attendance vpon the Surgeon or his deputie, vntill the same execution be done. And the sergeant of the wood yard for the time being, of the same houshold, or his deputie, shal bring to the said place of execution a blocke with a bitell, a staple and cordes to bind the sayed hand vpon the blocke, while execution is in doing.

Sergeant ferrour
Searing irons
Grome of the sallery
Vineger
Sergeant of the woodyard

And be it &c. that if any person or per-

sons so indicted of treason, misprision of treason, murder, manslaughter or other malitious striking, by reason whereof bloud is, hath bene, or shalbe shed against the kings peace, as is aforesayd, and thereof be arraigned, and obstinatly refuse to answere directly to the same offences wherof he or they be so indicted, or if such person or persons so indicted and arraigned stande mute, and will not speake, then such person and persons so refusing to answere, or standing mute, shalbe conuict, iudged, and deemed guilty of the thing whereof he or they is or shalbe so indicted, and arraigned, and shall haue iudgement to haue like paines of death, & other paines, punishments, executions, forfaitures, losses and seisours of lands, Tenements, goods and cattelles for the same, as he or they ought, or should haue had for such like offences, if he or they were or should be found guilty thereof by the verdict of twelue men. And be it &c. that the sayd Clarkes, Comptrollers, clarkes of the checque, and clarkes marshals, or one of them for the time being, shal from time to time name, assigne and appoint a crier to make Proclamations, and to call the iuries, & to do other things as becommeth a crier of a court to doe belonging to the office. Prouided alway, and be it &c. that this act before rehearsed concerning malicious strikings, by reason whereof bloud is, hath bene, or shalbe shed against ꝑ kings peace, ne the paines and forfaitures before rehearsed for the punishment of the same, shall not in any wise extend or be preiudiciall or hurtfull to any noble man, ne to any other person or persons, that shall happen to strike his or their seruants within the sayd palaces or house, or any other house or houses aforesayd, or within the limits of the same, with his or their handes or fists, or with any small staffe or sticke, for any offences committed and done, for correction and punishment to be committed and done to any of the kings officers or seruants that shall strike any person within the same Pallaces or house, or any other house or houses aforesayd, although by reason of the sayd stroke or strokes there happen to be any bloud shed of such person as shalbe so striken, except the person so striken doe dye of the same stroke within one yere next after the same stroke so giuen. Prouided also and bee it &c. That the triall of Peeres of this Realme for committing or doing any offences in this act before mencioned, shalbe as it hath bene vsed in times past, any thing in this acte contained to the contrarie notwithstanding. Prouided also that the libertie and iurisdiction of the Marshalsey Court and circuit of the vierge shall be in all pointes, priuiledges and authorities vsed by the ministers and officers of the same, in as full and as ample maner as it hath bene heretofore lawfully vsed for murthers, felonies, offences and all trespalles, contractes and other suites whatsoeuer they be, any thing in this act to the contrary notwithstanding.

And forasmuch as before this time one Richard Stauerton of Lincolnes Inne gentleman, was commanded and appointed by the kings maiestie to occupie the office of the Coroners of his sayd house, by force wherof he hath continued officer in the same by the space of sixteene yeres or more: Be it &c. that the sayd Richard Stauerton shal haue, occupy & enioy the sayd office of Coroner during his life, together with all such profits and commodities as before this time haue bene due and appertaining in any wise to the same. And after his decease, the sayd coroner alwaies to be made aswell signed, and appointed by the said Lorde great master or lord steward for the time being.

And for that hereafter it might be doubted, howe farre the limittes and boundes of the sayd house or houses should extend to be taken, within which limits or bodis any the sayde offences, which hath bene committed or done sith the said feast of all Saintes, or hereafter shalbe committed or done, for the which all and euery person and persons so offending, should haue and suffer the paynes, penalties, and forfaytures, as is aforesayd: for the playne declaration thereof, and for the auoyding

of

Refuse

Mute

Connict

Indictment

Clarks

Crier

Bloudshed

Noble man

Triall Peeres

Marshalsey Vierge

Coroner

L. steward

Bounds

of all doubts and questions which may hereafter happen to arise of, for or vpon the same: Be it &c. that the limittes and bounds of the said house and houses, within which any the offences aforesaid nowe committed or done sith the said feast of all saints, or hereafter to bee committed or done, shalbe punished as is aforesaid, shall extend and bee taken within these places ensuing, and in none other, that is to say: within any edifices, courts, places, gardens, orchards or houses, within the porters ward of any of the house or houses aboue rehearsed, or within any gardens, priuie walkes, orchards, tiltyards, woodyards, tennis plaies, cockfightes, bowling alleis neere adioyning to any of the houses aboue rehearsed, and being part of the same, or within two hundred foote of the standard of any outward gate or gates of any the houses aboue rehearsed, commonly vsed for passage out or from any the house or houses aboue rehearsed. Prouided alwaies that this act shall not take effect, or be put in execution, till from & after the first day of May next ensuing, except onely for murders and manslaughters, for the which offences of murder and mãslaughter, the same to take effect from the feast of all Saints last past, according to the tenure and effect of the sayd act. Prouided alway and be it &c. that this act before rehearsed concerning malicious strikinges, by reason whereof blood is, hath bene, or shalbe shed against the kings peace, ne the paines and forfaitures before rehearsed for the punishment of the same, shall not in any wise extend or bee preiudiciall or hurtfull to any noble man, ne to any other person or persons, that shall happen to strike his or their seruants within the sayd pallaces or houses, or any other house or houses, place or places aforesaid, or within the limits of the same, with his or their hands or fists, or with any small staffe or sticke for correction and punishment for any offences committed and done, or to be committed and done, ne to any of the kings officer or officers, that in the executing of his or their office shall strike any person or persons with his or their hands or fistes, or with any small staffe or sticke, or with any staffe commonly called a tipstaffe, within the same pallace or house, or any other pallaces or houses, or places aforesaid, ne to any person or persons that in doing seruice at any triumph, or any other time of seruice by the kings commandement, or of any his graces counsell, or other his graces head officers, shall happen for their executing of the said seruice, to strike any person or persons with his or their hands or fists, or with any small staffe or sticke, or with any staffe commonly called a Tipstaffe, within the same Pallace or house, or any other Palaces or houses, or place or places aforesaid, although by reason of the same stroke or strokes there happen to be any bloudshed of such person as shalbe so striken, except the person so striken doe die of the same stroke within one peere next after the stroke so giuen. Anno 33. H. 8. cap. 12.

Places

200. foote

Malicious striking

Noble man

Seruants

Officers

Triumphe

Dye

One yere

12 ¶ If any person or persons, being examined before the kings Counsell or three of them, vpon any maner of treasons, misprisions of treasons, or murders, doe confesse any such offence, or that the sayd counsell or three of them, vpon such examination, shall thinke any person so examined, to be vehemently suspected of any treason, misprisions of treasons or murder: that then in euery such case by the Kings commandement, his maiesties commission of oyer and terminer, vnder his highnesse great seale shall be made by the chauncellor of England, to such persons, and into such Shires or places, as shal be named and appointed by the kings highnesse for the speedie triall, conuiction or deliuerance of such offenders, which commissioners shall haue power and authoritie to enquire, heare and determine all such treasons, misprisions of treasons and murders, within the shires and places limited by their commission, by such good and lawfull persons as shalbe returned before them by the shirife or his minister, or any other hauing power to returne writs and proces for y purpose, in whatsoeuer other Shire or place within the

Confesse

Commission

Chauncellor

Commissioners

kings dominions or without, such offences of treasons, misprisions of treasons, or murders so examined, were done or committed, and that in no such cases no challenge for the shire or hundred shalbe allowed. Prouided that vpon the triall of such treasons, misprisions of treasons and murders, the challenge to any iurour for lacke of freehold of the yerely value of xl.s. shalbe allowed as hath bene accustomed. Prouided also, that if any the peeres of the Realme shall happen to be indicted of any of the offences aforesaid by vertue of any such commission to be granted by authoritie of this act, yet neuertheles they shall haue their triall by Peeres, in like maner and forme as heretofore hath bene vsed, any thing in this act contayned, or any thing to be done by vertue thereof in any wise notwithstanding. An. 33. H. 8. cap. 23.

Challenge

xl.s. Freehold

Peeres

13 ¶ See treason 15. for triall of treason of them ẏ be come mad or in lunacie.

14 ¶ All maner of offences, being already made or declared, or hereafter to be made or declared, by any the Lawes and statutes of this realme, to be treasons, misprisions of treason or concealements of treasons, and done, perpetrated or committed, or hereafter to be done, perpetrated or committed, by any person or persons, out of this realme of England, shal be from henceforth inquired of, heard and determined before the kings iustices of his bench, for pleas to be holden before himselfe, by good and lawfull men of the same shire where the sayd bench shall sit and be kept, or els before such Commissioners, and in such Shire of the Realme, as shalbe assigned by the kings maiesties commission, and by good and lawful men of the same shire, in like maner and forme to al intents and purposes, as if such treasons, misprisions of treasons, or concealement of treasons had bene done, perpetrated and committed within the same shire, where they shalbe so enquired of, heard and determined as is aforesaid. Prouided alwaies that if any the Peeres of this Realme shal happen to be indicted of any such treasons or other offences aforesayd, by authoritie of this act: That then after such indictment, they shal haue their trial by their Peeres in such like maner and forme as hath bene heretofore accustomed. Anno 35. H. 8. ca. 2.

Treason Misprision

K. Iustices

Commissioners

Peeres

Triall

15 ¶ To prouide remedie in the cases hereafter following, wheras before there was no sufficient remedie prouided, because Iurours in one Countie could not take knowledge of things done in an other countie, and for the safegard of mans life, duely to punish offences: Be it ẏt. That where any person or persons hereafter shalbe feloniously striken, or poysoned in one Countie, and die of the same stroke or poysoning in an other Countie, that then an indictment thereof founden by Iurours of the Countie where the death shal happen, whether it shalbe founden before the Cozoner vpon the sight of such dead body, or before the Iustices of peace, or other Iustices or Commissioners, which shall haue authoritie to enquire of such offences, shalbe as good and effectuall in the lawe, as if the stroke or poysoning had bene committed and done in the same Countie, where the party shal die, or where such indictment shall be so founden, any law or vsage to the contrary notwithstanding.

Striken Poysoned

Indictment

Cozoner

Iust. of p.

And that ẏ Iustices of gaole deliuery, & oier & terminer, in ẏ same countie where such indictment at any time hereafter shal be taken: And also the Iustices of the kings bench, after such indictment shalbe remoued before them, shall and may proceede vpon the same, in al points as they should or ought to doe in case such felonious stroke and death thereby ensuing, or poysoning, and death thereof ensuing, had growen all in one same countie. And that such party, to whō appeale of murder shal be giuen by the law, may commence, take & sue appeale of murder in the same cōtie, where the partie so feloniously striken or poysoned, shall dye, alwell against the principal and principals, as against euery accessary to the same offences, in whatsoeuer countie or place the accessarie or accessaries shalbe guilty to ẏ same. And further, the Iustices before whome any such

Iust. of g. Iustices of Oire & ter.

Iust. of k. b.

Appeale

Countie

Dye Principall

Accessary

appeale

Peere & day

appeale shalbe cõmenced, sued and taken within the peere and day after such murder and manslaughter committed and done, shall proceede against all and euery such accessarie and accessaries, in the same countie where such appeale shal be so taken, in like maner and fourme as if the same offence or offences of accessarie or accessaries, had bene committed and done in the same countie where such appeale shalbe so take, as wel concerning the triall, by the iurours of xii. men of such countie where such appeale or appeales shalbe hereafter taken vpon the plea of not guiltie pleaded by such offendour or offendours, as otherwise. And

Murder
Felony
Countie

further bee it ꝛc. that where any murder or felony hereafter shalbe committed and done in one Countie, and an other person or moe, shalbe accessary or accessaryes in any maner of wise to any such murther or felonie in any other countie: that then an indictment founde or taken

Indictment

against such accessarie and accessaries, vpon the circumstance of such matter before the Justices of the peace or other Justices or commissioners, to enquire of

Just. of p.

felonies in the Countie where such offence of accessarie or accessaries in any maner of wise shalbe committed or done, shal be as good and effectual in the lawe, as if the said principall offence had bene committed or done within the same countie where the same indictmẽt against such

Just. of g.
Justice of Diet & ter.

accessarie shalbe found. And that the Justices of gaole deliuery or oyer and terminer, or two of them, of, or in such countie where the offence of any such accessarie shalbe hereafter committed and done vpon suit to them made, shall write to the

Custos rotulorum

Custos rotulorum, or keeper of the Recordes where such principall shall be hereafter attainted, or conuicted, to certifie them whether such principall bee attainted, cõuicted or otherwise discharged of such principall felony, who vpon such writing to them or any of them directed,

Certificat

shal make sufficient certificat in writing vnder their seale or seales to the said Justices, whether such principal be attainted, conuicted or otherwise discharged or not. And after they that so shal haue the custody of such recordes, do certifie that such principal is attainted, conuicted, or otherwise discharged of such offence by ꝑ lawe: That then the Justices of gaole deliuerie, or of oyer & terminer, or other there authorized, shal proceede vpõ euery such accessary in the countie where such accessarie or accessaries became accessary, in such maner and fourme as if both the said principall offence and accessary had bene committed and done in the saide county where the offence of the accessarie was or shalbe committed or done. And that euery such accessary and other offendours aboue expressed, shal answere vpon their arraignements, and receiue such triall, iudgement, order, and execution, and suffer such forfaitures, paines, & penalties, as is vsed in other cases of felony: Any law or custome to the contrary heretofore vsed, in any wise notwithstanding. Anno 2. Edwardi 6. cap. 24.

Just of g.

Judgemẽt
Execution

¶Turney.

AN. 5. H. 8. ca. 1. an act was made concerning the ministration of Justice to the kings subiects of his citie of Turney beyond the sea.

¶Vagabondes, beggers and poore people.

IN Anno 23. Ed. 3. ca. vltimo. An. 34. E. 3. ca. 1. An. 7. R. 2. ca. 5. An. 12. R. 2. ca. 7. and 8. An. 11. H. 7. cap. 2. and An. 19. H. 7. c. 12. be acts made against vagabonds & beggers, but al those be repealed by 1. E. 6. ca. 3.

2 ¶Anno 22. H. 8. ca. 12. An act was made concerning the relieue of aged and impotent persons, and the punishment of vagabondes. But nowe it is repealed by An. 14. Eli. ca. 5. (here 9.)

3 ¶An. 27. H. 8. capitulo 25. an act was made for punishment of vagabonds, and relieue of the poore, and for collectiõs for them, to endure to the last day of the next parliament, and then it expired.

4 ¶Anno 1. Ed. 6. cap. 3. an act was made

made for punishment of vagabondes, and relefe of the poore & impotent persons. And by ꝑ statute al statutes before made for the punishment of vagabondes and sturdie beggers, and all articles comprised in the same were repealed. And after An. 3. E. 6. ca. 16. this act of 1. E. 6. ca. 3. was repealed.

5 ¶An. 3. E. 6. ca. 6. An act was made touching ꝑ punishment of vagabondes & other idle persons: But it is now repealed by An. 14. Eliz. ca. 5. (here. 9.)

6 ¶An. 5. Ed. 6. ca. 2. an act was made to endure to the end of the first session of the next parliament (concerning the collection of Almes for the impotent and needy people) And after An. 7. E. 6. ca. 11. this act was continued to the last day of the next parliament. And after An. 1. M. 1. parliamento capitulo 13. this act was continued to the last day of the next parliament. And after An. 1. M. 2. paliamento ca. 12. this act was continued to the last day of the next parliament, and then it expired. Collection

7 ¶An. 2. & 3. Ph. & M. ca. 5. An act was made for the relefe of the poore, and continued 4. & 5. Ph. & Ma. And also 1. Eli. ca. 19. And so expired.

8 ¶An. 5. Eli. ca. 3. An other act was made for the relefe of the poore. But is now repealed by 14. Eli. ca. 5. here next following 9.

☞ 9 ¶Whereas ꝑ parts of this realme of Englād and Wales be presently with roges, vagabondes, and sturdy beggers, exceedingly pestered, by meanes whereof daily happen murders, thefts, and other great outrages, to the high displeasure of almightie God, and to the great anoy of the common wealth: And for auoyding confusion by reason of numbers of lawes concerning the premises, standing in force together: Bee it enacted that the statute made in the 22. yeere of the reigne of the late king H. 8. intituled: An act, concerning aged, poore, and impotent persons, cōpelled to liue by almes, how they shal be ordered, and how vagabondes, and mightie strong beggers shalbe punished, (before 2.) And an other act entituled, An act touching the punishment of vagabonds & other vile persons, made in the 3. & 4. yeere of the late king E. 6. (before 5.) & an other act made in the first yeere of the reigne of our Soueraigne lady the Queenes Maiestie that now is, entituled, An act for the relefe of the poore (before 8.) And euery branche, article, clause, and sentence in them, and euery of them conteyned, shalbe from & after the feast of Saint Bartholomewe the apostle next comming, vtterly voyd, frustrate, and of none effect. Be it also enacted by the authoritie of this present Parliament, as well for the vtter suppressing of the said outragious enemies to the common weale, as for the charitable relieuing of the aged and impoore poore people, in maner and fourme following. First, that al and euery person and persons whatsoeuer they bee, being aboue the age of fourteene yeeres, being hereafter for ꝑfth by this act of Parliament to be roges, vagabondes, or sturdy beggers, and bee at any time after the feast of S. Bartholomewe the apostle next comming, taken begging, in any part of this Realme, or taken vagarant, wandering and misordering themselues, contrary to the purport of this present act of parliament, in any part of the same, shal vpon their apprehension bee brought before one of the Justices of peace, or Maior, or chiefe officer of Cities, Boroughes and Townes corporate, within the countie, Citie, Borough, or Towne corporate where the apprehension shall happen to bee, and by the said Justice or head officer, to be presently committed to the common gaole of the said Countie, beeing apprehended within the Countie, or els such other place as by the Justices of peace of that countie, or three of them, at any their generall sessions shalbe appointed: and if hee be taken within any Citie, Borough or Towne corporate, then to be committed to the prison of the said Citie, Borough or Towne corporate, there to remaine without baile or mainepise vntil the next sessions of the peace, or generall gaole deliuerie for the said

14. peeres
Roges
Vagarant
1. Iust. of p.
Maior
Imprison
3. Iust. of p.
Sessions
Mainprise

sayd shire, citie, borough, or towne corporate to be holden, which shal first happen, & the Constables, or other officers, for the conueying of such roge or vagabond by commandement of the saide Iustices, to haue such reasonable charges for themselues and the prisoner, from time to time, borne by ỳ parish, or parishes where the saide roge or vagabond shall happen to be taken, as to the discretion of the Iustyces of peace present at the next assise, or at the sessions of the peace then next kept within the lymitte where ỳ prisoner is apprehended, shall seeme conuenient. (But see some alteratiõ of this after 10) At which sessions or gaole deliuerie, if such person or persons be ducly conuict of his or her rogish or vagabounds trade of life, either by enquest of office, or by ỳ testimonie of two honest & credible witnesses vpon their othes: that then immediatly he or shee shalbe adiudged to bee grieuously whipped, and burnt through the gristle of the right eare, with a hot yron of the compasse of an inch about, manifesting his or her rogish kinde of lyfe, and his or her punishment receiued for the same, whereof entrie shalbe made of record by the Clarke of the peace of the same Shire, in the Recordes of the same Sessions, which iudgement shall also presently be executed, except some honest person valued at the last subsidie next before that time, to fiue poundes in goods, or twentie shillings in lands, or els some such honest housholder, as by the Iustices of the peace of the same Countie, or two of them, shalbe allowed, will of his charitie bee contented presently to take such offendour before the same Iustices into his seruice for one whole yeere next following, and to that ende, will presently before the said Iustices enter into band by recognisaunce, to the vse of our soueraigne Lady the Queene, to pay to our sayd Soueraigne Lady, the summe of fiue poundes, if he keepeth not the sayd offendour in his seruice by the space of the said whole yeere, and so lying him or her vnto the Sessions at the yeeres end, or then good proofe of his or her death, during the sayd yeere, the said Clarke of the peace taking for the said recognisãce but xii. pence onely. And if such roge or vagabond so taken into seruice, depart within the said yeere from the saide seruice, against the wil of him that so taketh him or her into seruice: that then such roge or vagabonde shalbe whipped and burnt through the gristle of ỳ right eare with a hot yron, as is aforesayd.

Constable
Charges
Paroch
Iust of p.
Convict
Triall Witnesses
Whipped Eare burnt
Clerk of p.
ii. Iust. of p.
Seruice one yeere
Recog.
Runne away
Whipped
Burnt

Prouided alwayes neuertheless, that if the said person so committed, or to be committed, come before the next sessions of the peace, or the next gaole delyuerie, to be holden for the sayd Countie, or before their committing, and doe finde any such suertie as is next before recited, to be bound in fourme aforesaide for him or her, for one whole yere: then the said person shal not tarry in the gaole til the next sessions, or tyll the next gaole delyuerie.

Suertie

And be it further enacted, that the said person or persons so marked, or adiudged to bee burnt as aforesaide, shall not bee delt with all againe by way of punishmẽt by the space of fourty dayes next after the said punishment executed, or adiudged to be burnt as is aforesaid, if he or shee haue lycence for ỳ said fourty dayes from two Iustices of the peace of ỳ same Shire, testifiyng the punishment receiued, or iudgement giuen. But if after the said punishment executed, or iudgement giuen, the sayd person or persons so marked, or hauing receiued such iudgement, do after threescore daies next after he, she, or they shalbe so marked, eyther in the same county where he or she was so marked, or hauing receiued such iudgement, or els in any other county within the said Realme of England or Wales, beeing of the age of eighteene yeeres or aboue, do eftsoones fall againe to any kinde of rogish or vagabonde trade of life: that then the said roge, vagabonde, or sturdy begger, from thence forth to be taken, adiudged and deemed in all respects as a felon, and shall in all degrees receiue, haue, suffer, and forfeite as a felon, except some honest person valued at the last Subsidy next before the tyme, to tenne

xl. daies
Lycence
ii. Iust. of ỳ.
2. offence
lx. daies
18. yeres
Felony

poundes

poundes in goodes, or fourtie shillings in landes, or els some such honest Housholder, as by the Justices of the peace
11. Iust. of p. of the same Countie, or two of them shalbe allowed, of meere charitie wil be contented before such Justices, as the said vagabond, is or shalbe arraigned of felony, to take him or her into his seruice for
Seruice 11. yeeres two whole yeeres then next following, and then before the same Justices, will
Recog. then presently put in bonde by recognisaunce of tenne poundes, to bee leuied of his landes, tenements, goodes, and cattelles, to the vse of our said Soueraigne Lady, if hee keepeth not the saide offendour in his seruice for two whole yeeres, and bring him or her vnto the Sessions at the said two yeres end, or good proofe of his or her death.

And if such roge or vagabond so taken
Ruine away into seruice, depart within the same two yeres from his or her said seruice, against the wil of him that so tooke him or her into seruice: ỳ then such roge or vagabond, shalbe taken, adiudged, and deemed as a
Felony felon in all respects, & shal in all degrees haue, suffer, and forfeite as a felon, with-
Clergie Sanctuary out allowance or benefite of Cleargy or Sanctuary.

And if such roge or vagabonde after
xl. dayes fourty dayes next after hee or shee shalbe two seuerall times taken into seruice as is aforesayd, do either in the sayd countie, or els where eftesoones the third time
3. offence fall againe to a kinde of rogish or vagabonde trade of life: that then such roge or vagabond, shal bee adiudged and deemed
Felony for a felon, and suffer paines of death, and losse of lands and goods as a felon, with-
Clergie Sanctuary out allowance or benefit of Cleargie or Sanctuary.

And for the ful expressing what person and persons shalbe entended within this
Roges branch to be roges, vagabonds, and sturdie beggers, to haue and receiue the punishment aforesayde, for the sayde lewde maner of life: it is now published, declared and set foorth by the authoritie of this present Parlyament, that all and euery such person and persons, that be or vtter them selues to bee Proctours or Pro-
Proctours curatours, going in or about any Countrey or Countreis within this Realme without sufficient authoritie deriued from, or vnder our soueraigne Lady the Queene: and all other ydle persons go- Idle persons
ing about in any Countrey of the said Realme, vsing subtil, craftie, and vnlawful games or plaies, & some of them fay- Gamesters
ning themselues to haue knowledge in Phisnomie, Palmestrie or other abused Palmesters
sciences, whereby they beare the people in hande they can tell their destenies, deaths, and fortunes, and such other like fantastical imagnations: and al and euery person and persons, being whole and mightie in body, and able to labour, hauing not land or Maister, nor vsing any lawful marchandise, craft, or mysterie, whereby hee or shee might get his or her lyuing, and can giue no reckoning how hee or shee doth lawfully get his or her lyuing: and al fencers, bearewards, com- Fencers Bearewards
mon players in enterludes, and min- Players
strels, not beelonging to any Baron of Minstrels
this Realme, or towards any other honorable personage of greater degree, all iuglers, pedlers, tynkers, and petie Iuglers Pedlers
chapmen: which sayd fencers, bearwards, Tinkers
cõmon players in enterludes, minstrels, iuglers, pedlers, tynkers, and petie chapmen, shal wander abroad and haue not li- Lycence
cence of two Justices of the peace at the 11. Iust. of p.
leaste, whereof one to be of the Quorum, Quorum
where and in what Shire they shal happen to wander: and all common labourers, being persons able in body, vsing Loyterers
loytering and refusing to worke for such reasonable wages as is taxed and commonly giuen in such partes where such persons doe or shal happen to dwell: and
all counterfeytoures of lycenses, pas- Counterfaitours
portes, and all vsers of the same, knowing the same to bee counterfeite, and
all schollers of the Vniuersities of Ox- Scholleres
forde or Cambridge, that goe about beggyng, not beeing authorised vnder the seale of the sayde Vniuersities by ỳ Commissary, Chauncellour, or Vice-chauncellour of the same: and all ship- Shipmen
men, pretending losses by Sea, other then such as shal be hereafter prouided

for

for: and al persõs deliuered out of gaoles
Beggers that begge for their fees, or do trauaile to
their Countries or friends, not hauing
Lycence ii. Iust of p. lycence from two Iustices of the peace
of the same County where hee or sher
was deliuered, shalbe taken, adiudged, & deemed roges, vagabonds, & sturdy beg-
gers, intẽded of by this present act, toge-
ther with all and euery such other person
or persons as shalbe hereafter for alte-
ring and breaking of such good orders,
as in the second part of this present act
shalbe establyshed for the reliefe of the a-
ged and impotent poore people, set forth
and declared to be vagabondes.

And further be it enacted, that if any
person or persons, after the saide feast of
Harborough Saint Bartholomewe giue any harbo-
rough, mony, or lodging, or any other re-
liefe, to any roge, vagabonde, or sturdie
Relief begger, eyther marked as before, or not
marked, not hauing such a lycence as is
before recited, from two Iustices of the
peace then in continuance, & that duely
Iust of p. proued before the Iustices of the peace at
their quarter sessions: shall make such
Fine fine to the Queenes Maiestie, as by the
Discretion discretions of the saide Iustices, or the
more part of them, at their general sessi-
ons shalbe assessed, so as the same exceede
xx.s. not twenty shillings. And also if any per-
Disturbe son or persons do disturbe or let the exe-
cution of this act in any maner of wise,
Rescouse or make rescouse against any Maior,
Sherife, Bailiffe, or other person ẏ shal
endeuour himselfe for or about ẏ due ex-
ecution hereof: shal forfeite and lose fiue
Forf. Impriſon poundes, & ouer ẏ shal haue imprisonmẽt
at the Queenes Maiesties pleasure.

Prouided alwaies, that this act, nor
any thing herein contayned, shall extend
Accessarie to make any person or persons accessary
or accessaryes to the said fellonies made
by this statute, nor that any attainder by
any the felonies aforesaid, shal worke or
Blood be any corruption of blood in the issues
or lyne of the person attainted.

Prouided also, that it shalbe stil lawful
Gouernors Hospitall Harbour to al masters and gouernours of the Hos-
pitales, to lodge, or harbour any impo-
tent or aged person or persons of charitie
or almes, according to their foundatiõ, & Almes
to giue money in almes, in as large ma-
ner as they are bound to doe by their foũ-
dation, to any such aged or impotent per-
son: any thing herein contained to the cõ-
trary in any wise notwithstanding.

Prouided alwaies, that shipmen, and
souldiers hauing licence of the next two Licence
Iustices of the peace to the place where Next ii. Iust. of p.
they first happened to land, or where they
first entred into this realme, shal & may
passe according to the purport of their li-
cence, & entent of this act of Parliamẽt:
any thing herein conteined to the contra-
ry in any wise notwithstanding.

Be it also further prouided, that no li- Lycence
cence recited in this statute, shal giue any
maner libertie, or be of any maner force,
but only in the shire where of the graun-
ter or graunters of such lycence shalbe
Iustice or Iustices of peace. Wherefore
if the said party lycensed will haue any
further passage without ẏ danger of this
lawe then the shire where his first licence
is graunted, it shalbe behouefull for him
to procure, and get in euery other Shire
where he entendeth to passe, one other li-
cense frõ two Iustices of ẏ peace of the
said shire, and so from shire to shire to the
end of his iourney. Bee it also prouided,
that this act, nor any thing therein conte-
ned, doe in any wise extend to any Cock-
ers or haruest folkes, that trauel into a- Haruest
ny countrey of this Realme for haruest folke
worke, eyther corne haruest, or hay har-
uest, if they doe worke and labour accor-
dingly, neither yet to any that happeneth
to be robbed or spoyled by the way, nei-
ther yet to any seruing men that be of ho- Seruing men
nest behauiour, that be turned from their
masters, or whose master or maistresse
shalbe dead, for the space of sixe moneths 6. moneths
next after such turning away, or death of
such master or maistresse, so as euery such
seruing man hath a testimonial from his Testimonial
master or maistres, or from two Iusti- ii. Iust of p.
ces of the peace of the same countie, de-
claring such turning away or such death
of his master or maistresse.

Prouided alwaies, that it shalbe law-
ful to the lord Chauncellour or lord kee- L. chancelor
per

per of the great ſeale of England for the tyme beeing, to make licence vnder the ſaid great ſeale, as heretofore hath bene accuſtomed, and that the ſaid licence & licẽces, ſhal as largely extend as ẏ contẽts of them wil beare: any thing herein to the contrary, in any wiſe notwithſtanding.

Lycence

Prouided alwaies, and be it further enacted by the auctho̱itie afo̱reſaid, that this preſent act, o̱r any thing therein contained, ſhall not extende to make fruſtrate o̱r voyde any ſafe conduict, paſpo̱rt, o̱r lycence, made and graunted, o̱r to be made & graunted by the lo̱rd Deputie of Ireland, o̱r by the lo̱rde Gouernour of the townes and Gariſons of Barwicke, o̱r Carliſle, fo̱r the time beeing, o̱r any other chiefe captain o̱r gouernour of any caſtel o̱r fo̱rtreſſe of the Queenes maieſties, o̱r by any other in his o̱r their abſence, hauing the charge of the ſaide townes and Gariſons, o̱r by any ẏ Guardians of ẏ three marches towards Scotland, o̱r by any Generall, Lieutenant o̱r other chiefe officer appo̱ynted by the Queenes maieſtie to haue the charge o̱r conduction of any armie, Gariſon o̱r power of mẽ leuied, o̱r to be leuied by her highneſſe o̱rder and appointment, and fo̱r the eſpeciall ſeruice and affaires of her Maieſtie, her he̱yres o̱r ſucceſſours, o̱r by any priuate captain vpon ẏ diſperſing of any armie, onely to any ſouldiour o̱r ſouldiers o̱r any other perſon o̱r perſons whatſoeuer within this her realmes of England and Ireland, paſſing by vertue thereof about his o̱r their lawful buſines and affaires: but that hee o̱r they ſhal and may quietly without any let o̱r diſturbance, enio̱y the benefit, effect, and true meaning thereof, in as large and ample maner and fourme, as heretofore it hath ben vſed and accuſtomed: any thing in this preſent act mencioned to the contrarie in any wiſe notwithſtanding.

Safe cõduict
Paſpo̱rt
Ireland
Captaine
Souldiour

Prouided alwayes, that this preſent act, o̱r any thing therein conteyned, ſhall not in any wiſe extend to the puniſhment of any ſuch perſon o̱r perſons, as by this ſtatute are limitted fo̱r roges, vnleſſe the ſame be of the age of fourteene yeeres o̱r aboue, but that they and euery of them vnder that age ſhalbe puniſhed vᵭ whipping o̱r ſtocking, as heretofore hath bene vſed and appointed by the lawes and ſtatutes in that caſe prouided, and nowe repealed: this act o̱r any thing therein contayned to the contrary hereof in any wiſe notwithſtanding.

Not 14. yeers olde
Whypping

And it is further enacted by the auctho̱ritie afo̱reſayd, that if within any towne o̱r Pariſh where any ſuch vagabonde o̱r roge ſhal happẽ to begge, o̱r make his aboad, contrary to the fourme of this ſtatute, the conſtable o̱r tything men be negligent, and doe not his o̱r their beſt endeuour fo̱r the appꝛehenſion of ſuch vagabonde o̱r roge, which there ſhall begge o̱r make aboade, contrary to the fourme in this ſtatute lymitted, o̱r ſhal willingly ſuffer the ſaide vagabonde o̱r roge to eſcape from the puniſhment o̱r o̱rder in this ſtatute preſcribed: that then the ſaid Conſtable o̱r Tythingman in whome ſuch default ſhalbe, ſhal looſe and fo̱rfeite fo̱r euery ſuch vagabonde and vagarant perſon, that ſhalbe ſuffered to begge, o̱r make aboade within his auctho̱ritie, contrary to the fourme of this ſtatute, ſixe ſhillinges eyght pence. And fo̱r almuch as charity would, that poo̱re, aged, and impotent perſons ſhould as neceſſarily be prouided fo̱r, as the ſaide roges, vagabonds, and ſturdie beggers repreſſed, and that the ſayde aged, impotent, and poo̱re people ſhould haue conuenient habitations and abyding places throughout this Realme to ſettle themſelues vpon, to the ende that they, no̱r any of them ſhould hereafter begge, o̱r wander about: It is therefo̱re enacted by the authority of this preſent Parliament, that the Iuſtices of peace of all and ſinguler ẏ ſhires of England and Wales, within the lymittes of their commiſſions, and al other Iuſtices of the peace, Maio̱rs, Sheriffes Bayliffes, and other offycers of all and euery Citie, Bo̱rough, Ryding, and Franchiſes within this Realme, whereof they bee iuſtices of peace, within the lymittes of their auctho̱ritie, ſhall at o̱r be-

Towne
Paroch
Conſtable
Eſcape
Fo̱rf.
vi.s. viii.d.
Iuſt. of p.
Wales
Maio̱rs
Shirifes
Baylifes

fo̱re the ſayde feaſt of Saint Bartholomewe

mewe next comming, deuide thēselues, and so being deuided shal within euery of their seueral dyuisions and auctho̅rities, make dilygent search and inquire of all aged, poore, impotent, and decayed persons, borne within their saide dyuisions and limittes, or which were there dwelling within three yeeres next before this present Parliament, which lyue, or of necessitie be compelled to liue by almes of the charitie of the people that be or shal be abyding within the lymittes of their commissions and auctho̅rities: and shall vpon that search made, make a register booke conteining the names and surnames of all such aged, decayed, and impotent poore people, as bee within their sayde limittes and auctho̅rities, which shall alwaies remayne with the sayde Justices, Maiors, Bayliffes, or other head officers, or any one of them. And when the number of the sayd poore people forced to liue vpon almes, bee by that meanes truely knowen, then the sayde Justices, Mayors, Sheriffes, Bayliffes, and other officers, shal within like conuenient time, deuise and appoint within euery their sayde seuerall diuisions meete and conuenient places by their discretions, to settle the same poore people for their habitations and abydinges, if the Parish within the which they shall bee founde, shall not, or will not prouide for them, and shall also within like conuenient time, number all the sayde poore people within their sayde seucrall lymittes: and thereupon (hauing regarde to the number) set downe what portion the weekely charge towardes the relieue and sustentation of the sayde poore people will amount vnto, within euery their sayde seueral dyuisions and limittes: and that done, they the sayde Justices, Maiors, Sheriffes, Bailiffes, and other officers, within euery their seucrall Commissions, Authorities, Diuisions, and Lymittes, shall by their good discretions taxe, and assesse all and euery the inhabitaunts, dwelling in all and euery Cytie, Borough, Towne, Village, Hamlet, and place knowen within the sayde limittes and diuisions, to such weekely charge, as they and euery of them shall weekely contribute towardes the relieue of the sayde poore people: and the names of all such Inhabitantes taxed, shall also enter into the sayde register booke, together with their taxation: and also shal by their discretion, within euery their saide diuisions and lymittes, appoint or see Collectours for one whole yeere to bee appointed, of the sayde weekely portion, which shall collect and gather the saide portion, and make deliuery of so much thereof, according to the discretion of the sayde Justices, Maiors, Sheriffes, Bayliffes, and other officers, to the sayde poore people, as the sayd Justices, Maiors, Sheriffes, Bayliffes, and other officers, shall appoynt them. And also shall appoint ouerseers of the sayde poore people by their discretions, to contynue also for one whole yeere: and if they doe refuse to bee ouerseers, then euery of them so refusing, to forfeite tenne shillings for euery such default.

And be it further enacted by the authoritie aforesayde, that the Maior of the citie of London, & the Maior, Sheriffes, Bailiffes, and other head officers of euery other Citie, Borough or towne corporat, or his or their sufficient deputie or deputies, within their cities, boroughes, and townes corporate, and the Constables or Tything men of all and euery Hundred, Rape, and Wapentake, within all and euery the sayde Shires in England, and Wales, in all and euery such abiding place and places within their hundreds, limittes, and precincts, as shalbe appointed to settle the poore people in, shal once euery moneth next after the sayde places so appoynted and inhabited with the said poore people, according to the intent of this present act of Parliament, make a view and search of all the aged, impotent, and lame persons within the precinct of their iurisdyctions: and all such person and persons, as they shall finde not being borne within that

Enquire
Poore
3. yeeres
Booke
Justices
Officers
Abiding place
Portion
Taxe
Booke
Collectours
Discretion
Ouerseers
Refuse
Fine
Maior London
Constables
Abiding place
Serche

that diuision, nor within the saide cities, boroughes, or townes corporate, thē shal they presently see the same poore people not there borne, nor dwelling within the saide three yeres (except leprous people and beddered people) to bee conueied on horsebacke, in cart or otherwise, as shall seeme best to their discretions, to the next constable, and so from constable to constable, the directest way till the sayde person and persons be brought to the place where hee or she was borne, or most conuersant by the space of three yeeres next before, and there to be put in the abiding place, or one of the abyding places in that Countrey appointed, or to bee appointed for the habitation of the poore people of that countrey, there to be prouided, kept, & nourished of almes as is aforesaide, vpon paine of twenty.s. euery the said officers that neglecting.

Keepers
Bedred
Constable
Fors.

And be it further enacted by ỳ auctority aforesaied, ỳ if any of the saide poore people, vpon the appointment of the said Justices or other officers refuse to be bestowed in any of the said abyding places before mencyoned, but couet still to hold on their trade of begging, or after they be once bestowed in ỳ said abyding place or places, do depart and begge: then the said person and persons so offending, for the first offence to be accompted a roge or vagabond, and to suffer as a roge, or vagabond, in the first degree of punishment set forth by this act in al pointes: And if he, she, or they do the second time offend, then to be esteemed as a roge or vagabōd, and to suffer as a roge or vagabonde in the last degree of punishment set foorth by this act, in al poyntes.

Poore
Refuse
1. offence
Roge

And it is further enacted by authority of this present Parliament, ỳ if any maner of person or persōs appointed & elected to be Collectours, as is aforesaid, shal refuse the said office, or shal, after he hath agreed to it, neglect the same, he shall forfeite and loose for euery offence to the vse of the poore of the same place, fourty shillings of lawful money of England to be leuied by distresse, or recouered by actiō, bil, plaint, or information in any Court of record, or Lords Court, by ỳ hie Constables or tithing men aforesaid: in which suit, no essoigne, protection, nor wager of lawe shalbe allowed or admitted to the partie defendant. And if the said hie Constables shalbe remisse or negligent to sue, or shal refuse to sue the sayd Collectours and euery of them, within two moneths next after such refusall, or negligence in or by the sayde Collectour: that then the sayd hie Constables or Tithingmen, shal forfeit and loose fiue pounds of lawfull money of England, to the vse of ỳ poore of the same place, to be sued for, by and in the name of two of the next Justices to the sayd place or places, being out of Cities, Boroughes, and townes corporate: if within, then by the Maior, baylifes, or other head officers of the sayde cities, boroughes, or townes corporate, in any court of record, or lordes Court, by action of debt, bill, playnt or information, in which no essoine, protection or wager of lawe shalbe allowed.

Collectours
Refuse
Fors.
Hie Constable
Fors.
ii. Just. of p.

And further bee it enacted, that ỳ said collectours, & euery of them, so to be chosen, as is aforesayd, shall make their iust accompt halfe yeerely of their said collection & gathering to two Justices of the peace, dwelling next the saide abiding place or places, not beeing within any citie, borough or towne corporate: or to the Maior, Sherifes, or other chiefe officers of the said Cities, boroughes, or townes corporate: & when they goe out of their offices, they shal deliuer or cause to be deliuered foorthwith vpon their accompts, all such surplusages of their collection & gathering, as shal then remaine vndistributed, to be ordered by the sayd Justices, Maiors, baylifes, or other head officers, vpon the sayd payne of ten pounds. If any such Collectour shall refuse to make his sayd accompt, or neglect the same by the space of fourteene dayes after request to him therefore made: then the sayde two Justices, or one of them, to commit the sayd collectour to the next gaole for the saide Countie, there to remaine without Bayle or mainepryse till he haue made his sayd accompt, and immediate

Collectors
Accompt
ii. Just. of p.
Maior
Sherifes
Surplusage
Fors.
Refuse
14. dayes
i. Just. of p.
Imprison

mediate payment and deliuery of all such surplusages as he hath receiued.

And be it further enacted, that if any person or persons, being able to further this charitable worke, will obstinately Refuse refuse to giue towardes the helpe and relieue of the sayd poore people, or doe wilfully discourage other from so charitable a deede: the sayd obstinate person or wilful discourager, shal presently be brought ii. Iust. of p. before two Iustices of the peace, whereof one to bee of the Quorum, of the same Countie, to shewe the cause of his obstinate refusall, or wilful discouragement, and to abide such order therein, as the said Iustices shall appoynt: if he refuse so to Imprison do, then to be cõmitted to the next gaiole for the sayd shire, there to remayne vntill he be contented with their sayd order, and do performe the same.

And it is also further enacted, that if any of the sayde aged and impotent persons, not being so diseased, lame, or impotent, but that they may worke in some maner of worke, shalbe by the ouerseers of their sayd abiding place appoynted to Refuse Whipped Stocked worke, if they refuse, then in fourme aforesayd to bee whipped and stocked for their first refusall, and for their seconde Vagabonds refusall to bee punished in case of Vagabounes, in the sayde first degree of punishment.

Prouided alwayes and bee it further enacted by the auctoritie of this present iii. Iust. of p. Parliament, that three Iustices of peace, whereof one to be of the Quorum, of and Surplusage with the surplusages of the sayde collections and forfaitures, (the sayd poore and impotent people satisfied and prouided for) shall by their discretions in such conuenient place and places within their sayd Shires, as they shall thinke meete, Set to worke place and settle to worke, the Roges and Vagabounde that shall bee disposed to worke, borne within their said Counties, or there abyding for the most part within the sayd three yeeres, there to be holden to worke by the ouersight of the sayde ouerseers, to get their liuings, and to lyue and to bee sustayned onely vpon their labour and trauayle.

Be it also further enacted by the auctority of this present Parliament, that if any beggers childe, being aboue the age Childe of fiue yeres, and vnder fourteene yeres, being male or female, shall be liked of by any subiect of this Realme of honest calling, who shall be willing to take the said childe into seruice, the sayd subiect shal at the next generall Sessions to be holden Iust. of p. Sessions for the sayd county, by order of the Iustices there, or the most part of them, haue the sayd childe bounde with him: if it be a Bound man childe, till the age of xxiiii. yeres, if it be a woman childe, till the age of xviii. yeres. If the childe doe after depart or be Run away taken, or be enticed from the sayd maister or maistresse, the maister or maistresse to haue their remedy by order of the statute of labourers, (before in Labourers 38. for all other statutes be repealed.) as for their seruant, either by way of action, or otherwise, as wel against the childe, as against the taker or enticer thereof.

Be it also enacted by auctority of this present parliament, that al the forfaitures Forfeitures appoynted, or to grow by this statute (except the forfaitures of Iustices of peace) shall wholy goe, and be employed to the Vse of the poor vse of the poore aforesayd, & shalbe leuied by distresse, by the discretion of the Iusti- Discretion ii. Iust. of p. ces of the same County, or two of them, or other head officers aforesayd. And that the Iustices of peace in all shires of England, shall in their quarter Sessions next Easter Sessions after Easter, yerely examine the performance, or not performance of this statute, according to the tenour thereof as they are bounde to doe the Statute of labourers, and at their sayd Sessions shall yerely appoynt newe Collectours, and Collectors Ouerseers newe ouerseers for the causes aforesayd, & shall then also agree vpon new viewes and searches of the said impotent people, Searches within euery their limittes for the yeere following, if neede shalbe, and further at their sayd sessions, shal take order by their good discretions, for all and euery thing and things, that may in any wise further the intent of this act.

And be it further enacted by thauctoritie aforesaid, that iii. Iustices of peace, 3. Iust. of p.

Quorum

within al the shires of this realme, wherof one to be of the Quorum, shal haue ful power by auctoritie of this present Parliament, to heare and determine all causes, (except forfaitures of Iustices of peace) that shall come in question by reason of this present act.

Oyer & ter.

Prouided also, that forasmuch as it is thought that the inhabitantes of diuers counties, cities, and townes within this realme, be not able to relieue the poore, lame, and impotent persons with mony, to be collected in maner and forme aforesayde, and that it were ouer great a burthen to the collectors, for to gather meat, drinke, corne, or other things for their reliefe to be employed & bestowed in forme aforesayde: Therefore it is further enacted, that it shall be lawfull to and for the Iustices of the peace in their open Sessions of the peace, or for the most part of them there assembled, within any the counties, cities, or townes of this Realme, where collection of money can not presently be had, as this present act willeth and appointeth, to graunt licence vnder their hands and seales, to such and so many of the sayd poore and impotent, or diseased persons, or to any other person or persons, to be by the sayd Iustices assigned & allowed for the said poore, to aske, gather, and receyue, within such other Towne, parish, or parishes of the sayde Countie, as the said Iustices, or the most part of them, there then in their sayd session assembled shall especially name, appoynt, limitte, and assigne, the charitable deuotion and almes, at the house or houses of the inhabitantes of such towne, parish, or parishes, by the sayd Iustices named, appoynted, limitted, or assigned, so that they doe appoynt the said poore so to be relieued onely within the townes and parishes being within the diuisions of the same Iustices, that so shall giue such licence or licences: & that the inhabitants of euery such parish or parishes, to the which such poore or impotent persons shalbe so appointed, as is aforesaid, shalbe coacted & bound by vertue of this act, vnder such paine, as to the discretiõ of the said Iustices there in their session assembled, or the most part of them, shal seeme conuenient, to relieue the sayde poore and impotent persons, in such sort, as the sayd Iustices there assembled shall appoynt.

Meate

Just. of p. Sessions

Licence

And be it further enacted, that if it shal happen any Citie or towne corporate, to haue in it more impotent & poore folkes, not able to labour, then the said towne or citie is able to relieue, & the sayd citie or towne corporat is a County of it selfe, or sytuate, or standing in one county, & immediately adioyning to another, that in those cities or townes, the Maior or head officers of the sayd Citie or towne, shall make certificat to the Iustices of the cõties adioyning to ỹ said cities or townes, & the same Iustices of the said adioyning cõty or townes, in their general sessions of the peace, shal giue licence, & folow the order aboue remembred, according as other Iustices of the counties in the which any towne or parish surcharged standeth, are before limitted and authorised to do.

Citie Towne

Counties Cities Townes

Maior

Counties

Sessions

Licence

Prouided alwayes, and be it enacted by the auctority aforesaid, that all & euery summe & summes of mony frõ henceforth to bee collected or gathered within the citie of London, & the liberties of the same, by vertue of this act, shall be payed vnto the gouernour of the Hospitall, called the hospital of Thrills Church, within the sayd citie of London, for the time being, and shall be by them from time to time distributed and bestowed for the reliefe of the poore of the same citie, according to their wisedomes and discretions: any thing in this statute contained to the contrary notwithstanding.

Money

London

Hospitall

Prouided also, and be it enacted by the auctoritie aforesayd, that all and euery summe & summes of money from henceforth to be collected or gathered within the citie of Couentry, and the liberties of the same, by vertue of this act, towardes the mayntenaunce and reliefe of the Hospitall of poore people, erected in the same citie, shall bee payed vnto such gouernour and gouernours of the sayd hospitall, as nowe is or hereafter shall be admitted and appoynted by the Maior and

Money

Couentrie

Hospitall

Maior

Aldermen

Aldermen of the sayd citie of Couentry, or the more part of them, for the time being, & such gouernour & gouernours so admitted and appointed, as is aforesayd, shall from time to time distribute and bestowe for the releife of the poore within the said citie, the sayd summe or summes of money, according to their wisdomes & discretions: any thing mentioned in this act to the contrary notwithstanding. Money

Prouided also, and be it enacted by the auctority aforesayde, that all and euery summe & summes of money, from henceforth to be payed, collected, or gathered within the citie of Gloucester, liberties & limittes of the same citie, for, and toward the vse or releife of the poore, and all and euery other releife which shal be due and payable, or is to bee yeelded within the sayd citie, liberties, or limittes, for, and toward the releife of the said poore, shalbe from time to time payed and deliuered, or otherwise shall stand and be at the onely rule, order, and disposition of the presi- Gloucester dent and gouernours of the Hospitall of Saint Bartholomew, of the foundation of our most gracious soueraygne Ladie Queene Elizabeth, within the sayd citie of Gloucester, for the time being, and shal be by them from time to time distributed, and bestowed for the releife of the poore of the sayd Citie, according to their wisedomes and discretions. Hospitall

And bee it further enacted by the auc- thority aforesaid, that the Bishop of euery dioceese, or his Chauncellour for the time being, shall yerely visite all Hospitals in the Dioceese of such Bishoppe, where no visitour by the founder or founders is appointed, if the founder of the sayd Hospitall be then dead, and to see and take order, that the sayd Hospitalles be ordered and vsed according to the statutes and ordinances of the foundation thereof, and if the founder be then liuing, the sayd founder to visite the same during his lyfe, without any the Byshops visitation, and the same visitation to be at the only costs and charges of the visitours, and not of the Hospitall: and that it shall be lawfull to the Byshoppe of the Dioceese for the Bishop Chauncellor Visite Hospitall Founder Costes Bishop time being, where such Hospitall is or shall be, or his Chauncellour, vpon complaint, or other intelligence of iust cause, to take accompt howe the rentes, reuenues, and profits of any such hospital hath bene bestowed & spent, to call before him or them at the sayd Hospitall to accompt, all such person and persons as haue had the collection or receipt of any the sayde rentes, issues, reuenues, or profites. And if any person or persons so called, shall, and do refuse to accompt, or entring into accompt, shall refuse to proceede and finish the same, or vpon the finishing thereof, shall refuse forthwith to employ or answere to the vse of the said Hospital, such summe or summes of money, as vpon the same accompt shall appeare to be due by him: that then euery such person and persons so refusing, shall forfaite and loose such summe and summes of money, as to the sayd Bishoppe or Chauncellour, and to two Justices of the peace next inhabiting to the said Hospitall, shalbe thought meete & conuenient, to which accompts, the sayd Bishop or Chauncellour, shall call the same two Justices of peace. Accompt Refuse Forf. ii. Iust. of p.

Prouided also, and be it further enacted by the auctority aforesayde, that no person or persons, hauing charge of any voyage in passing from the Realme of Ireland, or from the Isle of Man, into this realme of England, do from the last day of June next comming, wittingly, or willingly transport, bring, cary, or conueygh, or suffer to bee transported, brought, caryed, or conueighed in any ship, picard, bessell, boate or boates, from and out of the said realme of Irelād, or from, or out of the sayde Isle of Man, into the realme of England, or Wales, or any part thereof, any vagabond, roge or begger, or any such as shall be forced, or very like to liue by begging within ỳ realmes of Englād or Wales, being borne in the realme of Ireland, or in the sayd Isle of Man, on payne of euery such person or persons, so bringing, transporting, carying, & conueighing, either suffering to be brought, trāsported, caried, & conueighed in maner & forme aforesayd, to forfaite and Transport Ireland Vagabond Isle of Man Forf.

lose for euery such vagabonde, roge, begger, or other person, which shalbe forced, or like to liue by begging within this Realme of England, or Wales, being transported, & set on land in any part of England or of Wales xx. s. of lawfull English money, to the vse of the poore of the same parish in which they were set on land, to be leuied by the Collectors of the same poore for the time being, by seasure & selling of any the goods and cattels of the same person, which shal so bring, trãsport, cary, or conueigh any such roge, vagabond, or begger, or other person which shall be forced, or like to liue by begging within ỳ realme of Englãd, or of Wales, to the value of ỳ same forfaiture, & on the payne of the same vagabonds, roges, and beggers so set on land, to be punished as the other vagabonds & sturdy beggers in this act before mentioned and declared.

vli

Collectors

Seale

Punish

And be it likewise enacted, if any such Manish or Irish roge, vagabõd, or begger, bene alredy, or shal at any time hereafter be set on lande in any part of England or of Wales, ỳ same shalbe cõueyed to ỳ next port in or nere which they were landed, & frõ thence be transported at the common charge of the cõtie where they were set on lande, into those partes from whence they came, or were transported.

Irish roge

Transport

Also be it prouided, that if any maner of person shall hereafter finde him or her selfe grieued with any taxation set vpon them by vertue of this act, it shalbe lawful for thẽ at the next generall sessions of the peace, to be holden within the same shire where their taxation shalbe, to make complaint thereof to ỳ Justices on the bẽch, & to be eased of their excessiue charge by the discretion of the whole bench, or the most of thẽ. And if any default shalbe hereafter found in any Justices of peace, or Quorum, in or about the execution of this act: euery of the said Justices, vpon proofe of their said default, by ii. sufficient witnesses before the Justices of assise at the next general sessions of gaole deliuery for the same county, after ỳ same default, shal forfait & lose v. li. of lawful English money, ỳ one halfe whereof to be to ỳ vse of ỳ said poore people of the same county, & the other halfe to the Queenes maiesty, which said forfaiture shalbe leuied by distres, by ỳ discretion of the said Justices of assises.

Grieued

Sessions

Complaint

Justice of p.

ii. witnesses

Forf.

Moitie

And whereas a great number of poore and diseased people do resort to the City of Bathe in the County of Sommerset, & the towne of Buckstone, in the county of Derby, for some ease & relefe of their diseases at the Bathes there, & by meanes thereof the inhabitantes of the same citie of Bathe, and Towne of Buckstone, are greatly ouercharged with the same poore people to their intollerable charge: Be it enacted by the aucthoritie aforesayd, that no diseased or impotent poore person, lyuing on almes, at any time after the feast of Saint Bartholomew the Apostle next comming, shall resort or repaire from their dwelling places to the sayd Citie of Bathe, and towne of Buckstone, or either of them, to the Bathes there for ease of their griefe, vnlesse such person bee not onely licenced so to doe, by two Justices of the peace of the county where such person doth or shal then dwell and remayne: but also prouided for of the inhabitantes of such hundreds, parishes, or places from whence they shall bee so licenced to trauaple, of such relefe for and towards his maintenance, as shall be necessary for the same person, for the time of such his aboade at the sayd citie of Bathe, & towne of Buckstone, or either of them, and returne home againe as shalbe limitted by the same licence, vpon payne to be reputed, punished, and vsed as vagabondes, by the purueiwe of this estatute: and that the inhabitantes of the same citie and towne, shall not in any wise bee charged by this act, with the finding or relefe of any such poore people.

Bathe

Buckstone

Licence

ii. Just. of p.

Chaplemãs

Punish

And for the better perfourmaunce of this charitable act, it is ordained and established by auctoritie aforesayde, that where as the late king of famous memorie, king Henry the eight, his heires or successors, or any other person or persõs, heretofore by his or their seuerall & lawfull erections, and foundations, hath or haue ordained or appointed any summe or

summes

ſummes of money, rentes, relieſes, or commoditie to the vſe of the poore, or for the repairing or mending of high wayes or bridges, not being taken away otherwiſe by act of Parliament, whether the ſame be in any cathedrall Church, Colledge, or elſe where, that the Biſhoppe of the dioceſſe, or his Chauncellour, within which the ſayde cathedrall Church, Colledge, or place is, and the Juſtices of the peace of the Countie, within the which the ſayd cathedrall Church, Colledge, or place is, or three of them (whereof one to be of the Quorum) ſhall haue auctoritie from time to time to examine howe, and after what maner the ſayde money, rent, relieſe, or commoditie is beſtowed: and to call to accompt the parties which doe deteyne the ſaid money, rentes, or relieſe, and thereupon to take ſuch order for the diſtribution of the ſame, as to their diſcretions ſhal ſeeme moſt fitte, and agreeable to the good intent of the founders, gyuers, or graunters, and thereof to make certificat in the high Court of Chauncery, once in euery yere.

Biſhop
Chauncelor
3. Juſt. of p.
Quorum
Accompt
Certificat Chauncery

Prouided alwayes, that where as by reaſon of this act, the common gaoles of euery Shire within this realme, are like to be greatly peſtered with a more number of priſoners thē heretofore hath bene, for that the ſayde vagabondes and other lewde perſons before recited, ſhall vpon their apprehenſion bee committed to the common gaole of the ſame Shire where they are ſo taken and apprehended, and that in moſt Shires of this Realme the common gaioles are in ſuch Townes, where there be a great number of poore people, more then they are well able to ſuſtayne with their relieſe, and in ſome Shires the aſſiſes are kept farre diſtaunt from the place where the commō gaioles are, by reaſon whereof, the ſayde priſoners are like to famiſh for want of ſuſtenance, if they be not therefore prouided: For remedy whereof, be it therfore enacted by the auctoritie aforeſayde, that it ſhall & may be lawfull for the Juſtices of peace, of euery ſhire within this realme, at their generall quarter Seſſions of the peace to be holdē within the ſame ſhires, or the moſt part of the ſaid Juſtices being then preſent, to rate and taxe euery pariſh within the ſaid ſhires, at ſuch reaſonable ſummes of money, for & towards the relieſe of the ſayde priſoners, as they ſhall thinke conuenient by their diſcretions: ſo that the ſayde taxation and rate doeth not exceede aboue vi.d. or viii.d. by the weeke, out of euery pariſh: and that the Churchwardens of euery Pariſhe within this realme for the time being, ſhal euery ſunday leuy the ſame, and once euery quarter in the yere pay to the high Conſtables or head officers of euery towne, pariſh, hundred, ryding, or wapentake within this Realme, all ſuch ſummes of money, as their pariſh ſhalbe rated and taxed, for and towardes the relieſe of the ſayd priſoners within their ſayd ſeuerall pariſhes: And that the ſaid high conſtables and head officers, and euery of them, ſhal pay all ſuch ſummes of money ſo to them payd by the ſayd Churchwardens, at euery generall quarter Seſſions to be holden within the ſayd ſeuerall ſhires, to ſuch ſufficient perſons dwelling nigh the ſayde gaoles, as ſhall be appoynted by the ſaid Juſtices in their ſaid open quarter ſeſſions, to be there ready to receiue the ſaid money ſo collected, as is aforeſayd, and that the Collectours for the ſayd priſoners, ſhall weekely diſtribute and pay all ſuch ſummes of money, as they and euery of them ſhall receyue for the relieſe of the ſayde priſoners, as aforeſaid, vpon payne as wel the ſayde Churchwardens of euery pariſh, Conſtables and head officers of euery hundred, or wapentake, as alſo the ſayde Collectours appointed for the collection and contribution of the ſayd priſoners ſo making default, as aforeſayd, to forfaite fiue pounds, the one moity thereof ſhalbe to the vſe of the Queenes Maieſtie, her heires and ſucceſſors, and the other moity to the relieſe of the priſoners: any ſtatute, lawe, cuſtome, vſe, or other thing to the contrary, in any wiſe notwithſtanding.

Gaioles
Juſtices of p.
Seſſions
Parocke Churchwardens
Conſtables
Seſſions
Collectors
Fort.
Moitie

Prouided alwayes, that the Juſtices of peace within any coūty of this realme, or Wales, ſhal not intromit or enter into

Iust. of p.

any citie, boꝛough, place, oꝛ towne coꝛpoꝛate, where be any Iustice oꝛ Iustices of peace, foꝛ any such citie, boꝛough, place oꝛ towne coꝛpoꝛate, foꝛ the execution of any bꝛaunche, article, oꝛ sentence of this act, foꝛ, oꝛ concerning any offence, matter, oꝛ cause growing oꝛ arising within the pꝛecinctes, liberties, oꝛ iuꝛisdictions of such Citie, boꝛough, place, oꝛ towne coꝛpoꝛate, but that it may and shalbe lawful to the Iustice and Iustices of peace, Maioꝛ, Bailifes, and other head officers of those cities, boꝛoughes, places, and townes coꝛpoꝛat; where there be Iustice oꝛ Iustices, to pꝛoceede to the execution of this act, within the pꝛecinct and compasse of their liberties, in such maneꝛ and fourme as the Iustices of peace in any Countie, may oꝛ ought to doe within the same County by vertue of this act: any matter oꝛ thing in this act expꝛessed, to the contrary thereof notwithstanding.

Iust. of p. Citie

And that euery Iustice & Iustices of the peace, within euery such citie, boꝛough, place, and towne coꝛpoꝛate, foꝛ euery offence by them, oꝛ any of them to be committed, contrary to the entent and meaning of this statute, shalbe punishable, and chargeable as other Iustices of peace at large in the counties, are by this act aboue appoynted to be.

Citie Towne

Pꝛouided alwayes, and bee it further enacted by the auctholity afoꝛesaid, that if it shall chaunce any citie oꝛ towne coꝛpoꝛat, to haue in it moꝛe pooꝛe folkes thē the inhabitantes thereof shalbe able to relieue, that in such case vpon certificate theꝛeof made, and of the number & names of the persons, with which they be so surcharged, vnto the Iustices of the peace, of ꝑ county in which such city oꝛ towne coꝛpoꝛat shall lye & be situate, at their quaꝛteꝛ Sessions of the peace, by two Iustices of peace of the sayd County, and the Maioꝛ oꝛ other head officer of the sayde citie oꝛ towne coꝛpoꝛat: the Iustices may by their discretions in the same sessions, take oꝛdeꝛ, appoynt, and cause the same pooꝛe folke so certified, to bee pꝛouided foꝛ, and relieued, by giuing of licence to begge, oꝛ otheꝛwise, in some other place oꝛ places of the sayd County, out of such Citie oꝛ towne coꝛpoꝛate so surcharged.

ii. Iust. of p. Maioꝛ Licence

Pꝛouided alway, that this act, oꝛ any thing theꝛein contained, shall not extende to the pooꝛe people, foꝛ the time being in the hoꝛspital, called S. Thomas hoꝛspital, otheꝛwise called the kings hoꝛspital in the boꝛough of South warke, neeꝛe adioyning to the citie of London, but that the Maioꝛ, cōminalty, & citizens of the sayd citie of London foꝛ the time being, shall & may only haue the rule, oꝛdeꝛ, & gouꝛnmēt of ꝑ said hoꝛspitall, & of the pooꝛe people theꝛein foꝛ ꝑ time being: any thing in this act to the contrary notwithstanding.

Hoꝛspital South warke

Pꝛouided alwayes that this act, oꝛ any thing theꝛein contained, oꝛ any auctholitie theꝛeby giuen, shal not in any wise extend to disinheꝛite, pꝛeiudice, oꝛ hinder John Dutton of Dutton, in the coūty of Chester Esquire, his heiꝛes, oꝛ assignes, foꝛ, touching, oꝛ concerning any libeꝛtie, pꝛiuiledge, pꝛeeminence, auctholitie, iuꝛisdiction, oꝛ inheꝛitance, which the sayd John Dutton nowe lawfully vseth oꝛ hath, oꝛ lawfully may oꝛ ought to vse within the County palantine of Chester, and the County of the citie of Chester, oꝛ eyther of them, by reason of any auncient charters of any kinges of this lande, oꝛ by reason of any pꝛescription, oꝛ other lawfull vsage, oꝛ title whatsoeuer.

John Dutton County Palantine

This act to endure foꝛ vii. yeres, & from thence to thend of the next parliamēt then next folowing. An. 14. E. ca. 5. This act is explained, augmēted, & further cōtinued by 18. El. ca. 3. as followeth here 10.

10 ¶ Foꝛ some better explanation, & foꝛ some needefull addition to the statute concerning the punishmēt of vagabonds & relefe of the pooꝛe, made in the session of parliament, holden the xiiii. yeꝛe of the Queenes Maiesties raigne, (before 91) Be it oꝛdeined, declared, & enacted by auctholity of this pꝛesent parliament, in maneꝛ and foꝛme following, that is to say.

Bastards

First, concerning bastaꝛdes, begotten & boꝛne out of lawfull matrimony (an offence against Gods law and mans lawe) the sayde bastaꝛdes being nowe left to be kept at the charges of the parish where they

they be borne, to the great burden of the same parish, and in defrauding of the relieue of the impotent & aged true poore of the parish, and to the euill example & encouragement of lewde life: It is ordained and enacted by the auctoritie aforesayd, that ii. Justices of the peace, where of one to be of the Quorum, in or next vnto the limits where the parish church is, within which parish such bastarde shall be borne, (vpon examination of the cause and circumstance) shal & may by their discretion take order, aswell for the punishment of the mother and reputed father of such bastard childe, as also for the better relieue of euery such parish in part or in all, and shall and may likewise by like discretion, take order for the keeping of euery such bastard childe, by charging such mother or reputed father with the paymēt of money weekely, or other sustētation for ỹ relieue of such child, in such wise as they shal thinke meete & conuenient. And if after the same order by them subscribed vnder their handes, any the said persons, vz. mother or reputed father, vpō notice thereof, shal not for their part obserue & performe the said order: that then euery such party so making default, in not performing of the sayd order, to be committed to warde to the common gayle, there to remayne without baile or mainprise, except he, she, or they shall put in sufficient suertie to performe the said order, or els personally to appeare at the next generall Sessions of the peace, to be holden in that coūtie, where such order shalbe taken, and also to abide such order as the said Justices of the peace, or the more part of them thē and there shall take in that behalfe (if they then & there shal take any) & that if at the said Sessions the said Justices shall take no other order, then to abide & performe the order before made, as is aboue sayd.

ii. Just. of p. Quorum

Discretion

Punish

Order

Mainprise

Sessions

Also concerning Roges, in as much as by the former act, they are to be conueyed to the Gaiole or prison by the Constable, or other officer, at the charges of the parish where such Roge is apprehended, for auoyding of great trauayle & charges rising thereby, many are suffered to passe & winked at: Be it ordained and enacted by the auctority of this present parliament, that from henceforth euery such roge apprehēded, shalbe cōueyed by the constable or other officers of the parish where such apprehension shalbe, but to the constable, Tithingman, or other officer of the next township or parish in the next hundred, & so frō one hundred to another, by the constables, tithingmen, or officers of euery such townshippe or parish, which shalbe next in euery such hūdred, the direct way, vntill they shall come to the gaiole or prison appoynted for such Roges and vagabounds, and that euery such Constable, Tithingman, and officer, shal accordingly conuey such Roge and Vagabonde, vnder the paynes & penalties by the sayd former estatute limitted, to the constable, Tithingman, or other officer, in whose parish such Roge or vagabond shalbe first apprehended. And as cōcerning persons inquirable of, as of a Roge in the seconde degree, if any such person shall after his first conuiction, eyther by curing or alteration of the marke of any such person, or by alteration of name, or denying to bee the same person, or by any other wayes or meanes go about to auoyde the hauing of his or their further punishment, that the same or any such other allegation, shalbe considered of, & tryed by the Jury, vpon the arraignement, as parcell of their euidence: and as they shall in their consciences finde the proofes, circumstances, and euidences, so to giue their verdict, which shalbe a sufficient triall in lawe, without any further certificate or tryall of the former record or conuiction, from any other Countie or place, or by any other meane. And moreouer, that if the roge in the second degree indicted, & by confession or verdict afterwardes conuicted, shal afterward, a third, or fourth, or other time after, be indicted & conuicted of rogish life: that then such person the thirde, or more oftētimes indicted & conuicted as a roge, shal suffer to all respects as a felon, without allowance of the benefite of cleargie.

Roges

Constable

Next towne

Roge

Triall

Verdict

Second degree

Felon

Clergie

Also to the intent youth may be accustomed & brought vp in labour & worke,

Youth

and thē not like to growe to be idle roges, & to the intent also that such as bee alreadye growen vp in idlenesse, & so Roges at this present, may not haue any iust excuse, in saying that they cānot get any seruice or worke, & then without any fauoure or tolleration worthy to be executed, & that other poore & needy persons, being willing to worke, may be set on worke: Be it ordained & enacted by ẏ auctority afore-
Citie Towne Stocke sayd, that in euery city & towne corporat within this realme, a competēt store and stocke of wooll, hēpe, flaxe, yron, or other stuffe, by thappointment and order of the
Maior Bailife Justices Maior, Bailifes, Justices, or other head officers, hauing rule in the sayd cities or townes corporate, (of themselues, and all other inhabitāts within their seuerall auc-
Care thorities, to be taxed, leuied, & gathered) shalbe prouided. And that likewise in euery other market Towne, or other place, within euery County of this Realme,
Justice of p. (where to ẏ Justices of peace, or greater
Sessions part of thē, in their generall sessions yerely next after Easter, within euery limit shalbe thought meete & conuenient) a like cōpetent store & stocke of wooll, hempe, flaxe, yron, or other stuffe, as the countrey is most meete for, by appointmēt & order of the said Justices of peace, or ẏ greater part of them in their generall sessions (of all the inhabitantes within their seuerall auctorities, to be taxed, leuied, & gathered) shalbe prouided. The sayd stores and stockes in such cities & townes corporate,
Custody Maior Bailife to be committed to the handes & custody of such persons, as shall by the Maior, Bailifes, Justices, or other head officers, hauing auctoritie in euery such Citie or towne corporate, be appoynted, and in other townes and places, to such persons,
Iust. of p. as to the sayd Justices of the peace, or the greater part of them, in their sayde generall sessions of the peace in their seuerall counties shalbe by thē appointed. Which said persons so appoynted as aforesayde, shall haue power & auctority (by the aduice of them who do appoint them) to dispose, order, & giue rules, for the diuision & maner of working of the said stockes & stores, who shal from henceforth be called the collectors & gouernours of the poore, Collectors Gouernors to the intent euery such poore and needy person, old or yong, able to do any worke standing in necessitie of relefe, shall not for want of worke go abroade either begging, or committing pilfrings, or other misdemeanour, liuing in idlenesse: which collectors & gouernours of the poore, frō time to time (as cause requireth) shal and may of the same stocke and store deliuer to such poore and needy person, a competent portion to be wrought into parne, or Parne other matter, within such time, & in such sort, as in their discretions shall be from Discretion time to time limitted and prefixed, and the same afterwardes being wrought, to bee from time to time deliuered to the sayde collectors and gouernours of the poore, for which they shall make payment to thē which worke the same, according to the desert of the worke, and of newe deliuer more to be wrought: and so from time to time to deliuer stuffe vnwrought, and receiue the same againe wrought, as oft as cause shall require, which hempe, wooll, Hempe Woell flaxe, or other stuffe wrought, from time Flaxe to time shalbe solde by the sayd collectors & gouernoures of ẏ poore, either at some market, or other place, & at such time as they shal thinke meete, & with the money comming of the sale, to buy more stuffe, in such wise as the stocks or store shal not be decayed in value. And if hereafter any such person able to doe any such worke, shal refuse to worke, or shall goe abroade Refuse begging, or liue idely, or taking such Begge worke, shal spoyle or imbesel the same, in such wise that after monition giuen, the Minister and churchwardens of the pa- Minister Churchwardens rish, & collectors and gouernours of the Collectors poore, or the more part of thē, shall thinke the same person not meete to haue any more worke deliuered out of ẏ same store & stocke: that then vpon certificate Certificat thereof made vnder their handes, and brought by one of the sayd collectours and gouernours of the poore, to the handes of such person or persons, as shall in that county haue the ouersight & gouermēt of one of the houses of correction, hereafter mētioned in this act, in cōueniēt apparel meete Apparell for

for such a body to weare, he, she, or they, from such towne, place or parish shall be receiued into such house of correction, there to be straighely kept as well in diet as in worke, & also punished from time to time as to the sayde persons, hauing the ouersight and gouernement of the sayde house of correction, shall be appointed, as hereafter in this acte is declared. All which stockes and stores, shalbe prouided & deliuered to the handes of the said Collectours & gouernours of the poore, before the first day of November next comming, & at al times hereafter as occasion shall serue: And that euery person refusing to pay, or not paying such summe of money towards the said stockes & stores, as vpon them or any of thē shall be by order aforesaid tared, & at such time as by the same order shalbe appointed, shall for euery default, forfait double so much as he or they shalbe so tared vnto. And moreouer be it ordeyned & enacted by ẏ authority aforesaid, ẏ within euery county of this realme, i. ii. or more abiding houses, or places conuenient in some market towne or corporat towne or other place or places, by purchase, lease, building, or otherwise by the appointment & order of the Iustices of peace, or ẏ more part of them in their said generall Sessions (of the inhabitants wthin their seuerall authorities, to be tared, leuied, and gathered) shalbe prouided, & called the house or houses of correction, & also stocke & store, & implements to be in like sort also prouided, for setting on worke & punishing, not onely of those which by the Collectours and gouernours of the poore, for causes aforesayde to the sayde houses of correction, shall bee brought, but also of such as bee, or shall bee inhabiting in no Parish, or bee, or shall bee taken as Roges, or once punished as Roges, and by reason of the vncertaynty of their byrth, or of their dwelling by ẏ space of thee yeres, or for any other cause ought to bee abyding & kept wthin the same county: which said house or houses of correction, with stockes, stores, & implementes appointed for such houses of correction, shalbe prouided in euery County, within one yeere next after this present session of parliamēt (if the same conueniently may be) & if in the said time the same cā not conueniētly be, then within such time as to ẏ Iustices of peace, or the more part of thē, in their said generall sessions of the peace in euery county, within their seueral iurisdictions, shalbe thought meete & conuenēt, so as it exceede not ii. yeres after taxation in such county for that purpose made, or els the mony leuied to be repayed. And that euery person refusing to pay, or not paying such summe of money, towards the making, obtayning, & furnishing of the sayd houses of correction, & buying of stocks, & stores, & for the releefe & sustentation of such persons as shalbe appointed to ẏ said houses of correction, vpon them or any of thē shalbe by order aforesaid tared, and at such time, as by the same order shalbe appointed) shal for euery default forfait double so much as he or they shalbe so tared vnto. And be it also further enacted by the authority aforesayd, that ẏ said Iustices of peace, or the more part of them, in their said generall sessions, in euery county, shall and may appoynt from time to time, persons which shalbe ouerseers of euery such house of correction, which sayde persons shalbe called the Censors & Wardens of the houses of correction, & shall haue the rule, gouernment, & order of such houses of correction, according to such orders as by the sayd Iustices of peace, or the more part of thē in their generall sessions in euery county, shalbe prescribed. And shall also by like authority appoint others for the gathering of such money, as shall be tared vpon any person or persons within their seuerall iurisdictions, towardes the maintenāce of ẏ said houses of correctiō, which shalbe called the collectors for the houses of correction, and if any person or persons refuse to be collector & gouernor of the poore, or Censor & Wardē, or collector of or for any ẏ houses of correctiō: that euery person so refusing, shal forfait & loose the summe of v.li. And be it further enacted by the authority aforesaid, ẏ al & singuler perso & persons, appointed by

Correct

Gouerners

Refuse

Forf. Double

Counties Houses

Market Towne

Iust. of p.

Tare

Houses of Correction Stocke

Roges

Iust. of p.

2. yeres

Refuse

Forf.

Iust. of p.

Ouerseers

Wardens

Collectors

Refuse

Forf.

by the auctho̅ity of this act to be any collector & gouerner of the poore, or Censor & Warden, or collector for any ꝑ houses of correction, in any county, city, towne corporat, or other place in this Realme, shall as often as they, or any of them shal be called thereto by ꝑ persons hauing the appointment of th̄, make a iust accompt of all such sume or sumes of money or other thinges, as they or any of them haue gathered, had, or raised in cōmodity within their seuerall collections or charge, & if any such collectour & gouernour of the poore, Collector, Censor, or Warden, of or for the houses of correction, refuse to make such accompt, or neglect the same by the space of xiiii. dayes next after request therefore to him made, or shall not within one weeke after such accōpt rendred, pcell and pay the whole arrerages, which he or they vpon such accompt shall be found in, to such person or persons, as they shalbe appointed vnto by th̄, before whom their said accompt shal be taken: ꝑ then ꝑ said collector, gouerner, censor, or warden, to be cōmitted to any vsual gaile within ꝑ said county, there to remaine wout baile or maineprise, till he haue made his accompt & payment of such arrerages as he hath receiued: Upon ꝑ making of which accompt, it shall & may be lawfull to such pers̄s as haue ꝑ appointment of ꝑ said collectors & gouerners of ꝑ poore, censors, wardens & collectors of the houses of correction, euery of them in their auctho̅ity, to allowe aswell such reasonable allowance to euery the said collectors & gouerners of the poore, Censors, wardens, & Collectors of the houses of correction, for such money as they or any of them haue imploied or disbursed in the execution of ꝑ said seuerall offices, as also such reasonable fees and wages for their paynes taken in that behalfe, as to them shalbe thought conuenient & reasonable.

Accompt

Refuse Neglect

Imprison

Mainprise

Fees Wages

And bee it further enacted by the auctho̅ity aforesayde, that all ꝑ forfaytures by force of this acte being forfayted by any person or persons, charged with any payment towarde the stocks and stores appointed for ꝑ releife of the poore, shalbe imployed in the prouision of the stockes and stores appoynted by this act, in such place where the mony by ꝑ non payment whereof the forfaitures did growe, was payable, and the forfaitures likewise of al persons being, or being chosen to be collectours and gouernours of the poore, to bee imployed in the prouision of the stocks and stores, whereof they were chosen to be collectors and gouernours: and all forfaitures by force of this act beyng forfaited by any person or persons, charged towards the sustentation of any house of correction, & the forfaitures of all persons being, or being chosen to be Censors and Wardens, and Collectours of or for any house of correction, shalbe imployed in the maintenance and furtherance of the sayd houses of correction. All which sayd forfaitures, shalbe leuied by distresse and sale of ꝑ goods of the offendor, as nere as they can, to the value forfaited, by warrāt from such persons, as haue by reason of their seuerall iurisdictions the nominatiō of the said collectors, gouernors, censors, and Wardens, & the taxation of the sayd persons, which shall cōmit the said forfaitures, to any person or persons by th̄ appointed, to be directed vpō certificat thereof made, and the party called thereunto.

Forfaitures

Distresse

And because it is to be hoped, that many well disposed persons, vnderstanding the good successe which will grow by setting people on worke & auoyding of idlenesse, will from time to time giue to the sustentation and maintenance of the same good purpose and intent. And for their better encouragement to the same, bee it ordeyned and enacted by the auctho̅ity of this present Parliament, that it shall be lawfull for euery such person as shall be seised of any manours, lands, tenements, or other hereditamēts whatsoeuer, in fee simple, in possession, reuersion, or remainder, holden in free soccage of ꝑ Queenes Maiestie, her heires or successours, or of any other person or persons, or body politique, in his or their owne right, and to his or their owne vse, for and during the space of twenty yeeres next ensuing, to make feoffements, graunts, or any other assurances

Giue

11. yeres Feoffements Graunts

assurances or conueiances, or by last will in writing, to giue and bequeathe in fee simple all, or any part of the said landes, tenementes, and hereditamentes to any body politique or corporat, and their successors in this Realme, and the dominions of the same now erected, or hereafter to bee erected or founded, or to any other persons, and their heires, to and for the prouision, sustentation, or maynteinaunce of any of the sayde houses of correction, or abyding houses, or of any of the sayde stockes and stores, to the vses aforesaid, and none other, without any licence of mortmaine therein to bee obtayned, or any writ of ad quod dampnum to bee sued out for the same, the actes de terra ad manum morte non ponend. or any other act or statute, lawe, custome or vsage, heretofore had or made to the contrary, in any wise notwithstanding. Sauing to our sayd Soueraigne Lady, her heires and successors, and to the Lords of the fee, all their rentes & seruices going out of the said lands, tenements & hereditaments, so to be amortised as aforesaid.

Mortmaine

And bee it further enacted by the authority aforesaid, that whereas by the said former recited estatute, no payne is limited for any impotent person, which hauing a competent allowance prouided for him and her within his parish, shall notwithstanding without licence wander abroade loytering and begging: Bee it likewise enacted by the authority aforesaid, ẏ euery such person, shall for his or her such first offence be whipped, & so returned home agayne vnto his, her, or their parish. And if such person shal then eftsones offende, being prouided for as aforesayde, then to suffer as a Roge in the first degree ought to doe by the sayde former estatute. And if the said persons shall then eftsones offend, then to suffer such paynes and forfaytures as a Roge in the seconde degree ought to doe by the same former estatute, & so such further paynes and penalties, as by the said former estatute to roges and vagabounde is limited, which said offences shalbe tried, enquired of, heard, & determined, as the like offences of other Roges and vagabonds, by the sayde former estatute are appoynted to be tryed, inquired of, heard and determined.

Impotent person

Whipped

Paynes

Prouided alwayes that this acte, nor any thing herein contayned, shall extend to make any person or persons accessarie or accessaries to any felony made by this estatute, nor that any attainder by any the sayde felonies, shall worke or be any corruptiō of bloud in the issues or line of the persons attaynted.

Accessaries

Corrupt bloud

Prouided alwayes, and bee it enacted by the authority aforesayde, that it shall and may be laweful to the lord Steward of the houshold of her maiesty, her heires and successors, or to the Commissioners within the Vierge, to haue, exercise and vse all such authority within the sayde Vierge, in execution as well of this acte, as of the sayde former recited act, as any Justice of peace hath, or may haue, vse, or exercise elsewhere within their seuerall Shyres, according to the limitation of the sayde estatutes: The sayd statutes or any thing therein contayned to the contrary notwithstanding.

L. Steward

Commissioners

And whereas the sayde former acte is made to endure but for seuen yeres from the making of the said act, & from thence vntill the end of the next Parliamēt then next following, it is now enacted by the authority aforesaid, that as well the said former act as this act, shall haue continuance from the end of this present session of parliament, vntill the end of vii. yeres then next ensuing, & from thence vntil ẏ end of ẏ next parliamēt then following.

Prouided alwayes, and bee it enacted by the authority aforesayde, that if any Justice of the peace assembled at any of the sayde sessions next after Easter, shall from thence depart (before conference had, touching the execution of this estatute) hee shall for euery such offence forfayt fiue pound, to be recouered and leuied as a fine vpon endictment and conuiction of trespasse, and to be imployed to the vse of the prouision and furniture of the house or houses of correction in such County.

Just. of p.

Forf.

Prouided

Prouided alſo, and for the furtherance of the good intention of this preſent acte (in ſome helpe toward ẏ charges of prouiſion and furniſhing of the premiſſes) & to the entent one kinde of malefactours in the cõmon wealth may bee reformed at ſome charges of other offendours: Be it further enacted by the auctority afore-ſayde, that all and ſinguler penalties and forfaitures, in any wiſe limitted to grow or come to her Maieſty, for any offence hereafter to be committed agaynſt any of thoſe penall ſtatutes, which her maieſty by her proclamation from time to time for that purpoſe ſhal limitte and appoint, ſhalbe recouered and leuied as afore-ſayd, and imploied, the one moitie to the vſe of ſuch perſon or perſons as ſhall proſecute the ſame, by action, ſuit or information, or by giuing of euidence vpon endictement and trauerſe of indictment: and the other moytie to and for the prouiſion and furniſhing of the ſtockes of money or other ſtuffe for the poore, & of the houſe or houſes of correction, in ſuch maner & forme as by the Juſtices at the ſayde Seſſions after Eaſter next enſuing, after ſuch recouery, ſhalbe limitted, any former penall ſtatute, prouiſion, ordinaunce, or other thing to the contrary hereof, in any wiſe notwithſtanding. An. 18. El. cap. 3.

Forfeitures

Moitie

Inſt. of p.

*

¶ Vacations of Biſhoprickes and Religious houſes.

Patrons

ALL patrons of abbeis which haue the kinges charters of Englande of aduowſon, or haue olde tenure, or poſſeſſion in the ſame, ſhall haue the cuſtody of them when they fall voide, as it hath bene accuſtomed, and as it is afore declared, Magna Charta cap. 33.

2 ¶ We will and graunt for vs and for our heirs that at all times from henceforth, when ſuch voidances ſhall happen, that our eſchetours, and the eſchetours of our heires which for the time ſhalbe, ſhall enter and do to be well kept the ſaid voydaunces, without doing waſt or deſtruction in the manours, parkes, pondes, or woods. And that they ſell no vnderwood, nor hunt in the parkes or warrens, nor fiſh in ponds, nor free fiſhinges, nor ſhall take no fine of the tenants free nor bond: but ſhall keepe and ſaue as much as pertayneth to the ſayde voidaunces without doing harme or any maner of oppreſſion. An. 14. E. 3. cap. 4. pro clero.

Eſchetors

Hunt Fiſhe

Oppreſſion

3 ¶ If the Deane and Chapter of Churches cathedral, priours, and ſuppriſes, prioreſſes, and our ſuppriores-ſes, and couentes of prelates, abbeies, or priories, whoſe voydaunce pertayneth to vs and our heires, will render to vs and our heire the valure of the ſayde voidaunces, as other will reaſonably yeelde: then the Chauncellour and the treaſorer ſhall haue power to let the ſaide deane and chapter, priour or ſuppriour, prioreſſe or ſuppriore-ſſe and couent, the ſayde voidaunces by good and ſufficient ſuertie, ſo that they ſhall haue the ſame before all other, yeelding to vs the valure, according as ſhall be found by remembraunces of the eſchequer, or by enqueſt to bee taken vpon the ſame, if neede bee, without making fine. And in caſe they will not accord to yeeld the valure, nor find ſuch ſuertie: then the chauncellor and treaſorer ſhall doe to bee ordayned the good keeping of ſuch voydaunces by eſchetours or other ſufficient keepers, to aunſwere the king of that to him pertayneth reaſonably without doing waſt or deſtruction, or other thing, which may turne in diſheriſon of ẏ churches, where of ſuch voydaunces ſhall happen. An. 14. E. 3. pro clero. cap. 4.

Deane

Suertie

Valure

Chauncellor Treaſorer

4 ¶ We will, and by theſe preſent letters do graunt full power to our ſayd Chauncellour and Treaſourer, which taking to them out of our counſaile ſuch as to them ſhall ſeeme beſt to be taken, by good information of remembraunces of the eſchequer and other informations as to them beſt ſhall ſeeme, ſhal let the vacations of archbiſhoprickes, biſhoprickes, abbies, prories, and other houſes, whoſe voydances pertaineth to vs, to ẏ deane & chapter, priour or ſuppriour, prioreſſe or ſuppriorelle and couent, to yeelde a certaine of euery voydance by ẏ yere, quarter, or moneth, during the vacations, according

Chauncellor Treaſorer

Vacations

accoyding as to them best shal seme, without making any fine. And that no eschetour nor other minister in the time of vacations, shall haue cause nor matter to enter, or thereof to meddle, to doe any thing, which shall bee in preiudice of the churches where of such voydaunces shall happen. Sauing to vs & to our heires ỳ knightes fees, aduowsons of Churches, Eschetes, wardes, mariages, reliefes and seruices of the sayde fees. Anno 14. E. 3. cap. 5. pro clero.

Eschetour

Knightes fees Aduowsons

¶ Viandes

AN. 37. Ed. 3. capitulo octauo. An acte was made concerning dyet for Seruants, but it was repealed by 38. Ed. 3. cap. 2.

¶ Viewe.

FOr viewe of land, it is ordained & prouided that from henceforth viewe shal not bee graunted, but in case where the viewe is necessary, as if one loose lande by default and hee that looseth, moueth a writ to demaund the same land. And in case where one by an exception delatory abateth a writ after the viewe, as by non tenure, or misnaming of the Towne, or such like, if he purchase an other writ in this case and in the case before mentioned, from henceforth the viewe shall not be graunted, if he had viewe in the first writtes. In a writte of dower, where the demaunde is of Land that the husband alienes to the tenaunt or his auncestours, where the tenaunt ought not to be ignorant, what land ỳ husbād did alien to him or his auncestour, though ỳ husband dyed not seised, yet from henceforth viewe shal not bee graunted. In a writte of entrie also, that is abated because the demaundaunt misnamed the entrie, if hee purchase an other writte of entrie, if the tenaunt had viewe in the first writte, he shal not haue it in the second. In all writtes also where landes bee demaunded by reason of a lease made by the demaundaunt or his auncestour, vnto the tenaunt and not to his auncestour, as that which he leased to him, being within age, not whole of minde, being in prison, and such like, viewe shal not be granted hereafter: but if the demise were made to his auncestour, the viewe shall lye as it hath done before. W. 2. cap. 48.

Non tenure Misnamer

Dower

Writs

Viewe

2 ¶ Viewe shall not be graunted in a writte of ward, in a writte of customes, and seruices, in a writte of Aduowson of a church: But in case when there be more Churches then one in a towne, and all of one Saint, In a writte of dowrie to bee assigned. And in a writte of Nuper obiit Statute de visu terræ, & essoine de seruicio Domini Regis.

Ward Custome Auowson

Dower Nuper obiit

¶ Villenage.

THat notwithstanding adiournement made in Eyre by writte of Libertate probāda purchased in fauour of villaines to delay the lorde of their actions of such villaines, the same lordes shalbe receiued to alledge the executiō of village against their villains in all writtes, whether that the sayde writtes of Libertate probanda were purchased by deceite or in other maner. And that the lordes may seise the bodies of their villaines, as well as they might before that the writs of Libertate probanda were ordeyned or purchased. An. 25. E. 3. cap. 18. stat.

Execution

Libertate probanda

2 ¶ No writte be abated by exception of knowledge of villenage, if the demandant or plantife will auerre that he that alleadged the exception was free the day of the writ purchased. An. 37. E. 3. ca. 17.

Abate

3 ¶ At the grieuous complaint of the lords and commons of this realme aswel men of holy church as other, made in the parliament of that, ỳ in many segnories, & parts of the realme of Englād, the villaines & land tenants in villenage, which owe seruices & customes to their lordes, haue now late withdrawen, and doe dayly withdrawe their seruices & customes due to their said lords, by comfort & procurement of other their counsellors, maintenors, abbettors in the cōtry, which hath taken hire & profit of the said villaynes & land tenauntes, and by colour of certaine exemplifications made out of the booke

of

of domesday of the manours and townes where they haue beene dwelling, and by vertue of the same exemplifications and their euil interpretations of ỳ same, they affirme them to bee quite and vtterly discharged of all maner seruage, doe as wel of their body as of their said tenures, and will not suffer any distresse or other Justice to bee made vpon them, but doe manace the ministers of their Lordes of life and of member, and (which more is) gathered them selfe together in great routes, & agree by such confederacy, ỳ euery one shal ayde other to resist their lordes w̄ strong hand, & much other harme they do in sundry maner, to ỳ great damage of their sayde Lordes, and euill example to other to beginne such ryots, so that if due remedy bee not the rather prouided vpon the same rebels, great mischiefe (which God prohibit) may thereof spring through the Realme: It is ordayned and stablished, that the Lords which feelen them selues greeued, shall haue especial cōmissions vnder the great Seale to the Justices of peace or to other sufficient persōs, to enquire of al such rebelles & of their offences & their counsaylours, procurors, maintainors & abettors, & to imprison all those that thereof shall be endicted before them, as well for the time past, as for the time to come, without deliuering them out of prisō by mainprise, bayle, or otherwise, wbout assent of their Lordes, till they thereof bee attainted or acquitted. And that ỳ same Justices haue power to heare & determine as well at ỳ kings suit as at the suit of the party.

Lordes

Commissions Just. of p. Rebels

Imprison

Mainepryse

Prouided alwaies, that if the said villaynes or lande tenants, rebels, be thereof attainted at the suit of the sayd Lordes, they shall in no wise be deliuered till they haue made a fine to the king, & also they to haue the assent of their lords aforesaid. And as to the saide counsaylours, procurours, maintainors and abbettours, such processe and in like maner, shall be made of thē, which thereof shalbe attaynted, so ỳ they be in no wise deliuered frō prison, till they haue made fine to the king, and gree to ỳ Lords so greeued, according as their estate and the quantitie of their offence doeth require, if the same lords wil sue against them by writte or by bill. Sauing alwaies, as to the said fines, the frā- chises and liberties of lordes, which haue fines and amerciaments of their tenants. And as the sayd exemplifications made & purchased as afore is sayde, which were caused to come in the parliament, & to be declared in the saide parliament, that the same may not nor ought to auaile or hold place to the said villaines or land tenāts, as to the fraunchise of their bodies, nor to change the condition of their tenure, and customes of old time due, nor to do preiudice to the said lordes to haue their seruices & customes as they were wont of old time. And it is ordayned that vpon this declaration, the sayd lordes shal haue letters patents vnder the great seale, as many and such as they shal neede, if they the same require. An. 1. R. 2. cap. 6.

Fine

Fraunches

Tenure

Letters p.

4 ¶ Where as diuers villaynes and neyfes, as wel of great lordes as of other people, as well spirituall as temporall, do flye within cities, townes, and places enfranchised, as the city of London & other like, and faine diuers suites against their Lords, to the intent to make them free by the answere of lordes: It is accorded and assented, that the lords nor other shall not be forbarred of their villeines, because of their answere in law. An. 9. R. 2. cap. 2.

Neyfes

Cities

London

Suites

¶ Vitaile and Vitailers.

FOr the cōmon profite of the people, it is agreed, that no minister in city nor borough, that by reasō of his office ought to keepe assises of wines and vitailes as long as he shalbe attendāt vpō his office, shall not buy nor sell wines nor vitailes neither in grosse, nor by retaile. And if any do, & be therof cōuict, ỳ marchādising wherof he is cōuict, shalbe forfaite to the king, & the iii. part thereof shalbe deliuered to ỳ party that sued the offender as ỳ kings gift, & in such case he ỳ will sue for a thing so forfaited shall be receiued. And the Chauncellor, Treasourer, Barons of the Eschequer, Justices of either Bench, and Justices assigned to take assises, shall admit

Officer

Buye

Forf. 3. parts

Chauncellor Treasorer Justices

admit such plaintes by writtes, and with out writtes, and shall determine them, & shall perfourme all thinges contayned in these articles, in fourme abouesayde, and neuertheless the king may assigne his iustices to execute this thing in Cities and Boroughes, when and where it pleaseth him. An. 12. E. 2. cap. 6.

☞ 2 ¶ Bee it enacted that Butchers, fishmongers, hostelers, bruers, bakers, pouliters, and al other sellers of al maner vitayle, shall bee bounde to sell the same vitayle for a reasonable price, hauing respect to the price that such victuales bee sold at, in the places adioyning. So that the same sellers haue a moderat gaynes, and not excessiue, reasonably to be required according to the distance of the place from whence the sayd vitayles be caried. And if any sell such vitayles in any other maner, and thereof be conuict in the maner and fourme afore sayd, (which See in Laborers 1.) hee shall pay the double of the same that he so receiued, to the party dampnified, or in default of him, to any other that will pursue in this behalfe: And the Maiors and Baylifes of Cities, Boroughes, marchaunt townes, and of the portes of the sea & other places, shall haue power to enquire of all and singuler which shall in any thing offend the same: And to leuye the sayd payne to the vse of them, at whose suit such offenders shalbe conuict.

And in case that the same Maiors and baylifes be negligent in doing execution of the premisses, and thereof bee conuict before our Justices, by vs to be assigned: then ỳ same maiors & bailifs shalbe compelled by the same Justices to pay the treble of the thing so solde, to the party dampnified, or to any other in default of him, that will pursue. And neuertheless towardes vs they shall be greeuously punished. Anno 23. E. 3. cap. 6.

3 ¶ For the great and outragious dearth of vitayles, which hostelers, herbergers, and other regratours of vitailes make through the Realme, to the great dammage of the people passing through the realme: It is accorded and stablished, that ỳ Justices learned in ỳ lawe, which be good and conuenient, shall be newelye chosen to enquire of the deedes and outrages of such hostelers, regratours, labourers, and all other comprised in the statute an other time thereof made, and them to punish, and moreouer to do right to the king & his people, sauing alwaies to euery Lorde & other, their fraunchises in all pointes. An. 27. E. 3. cap. 3. *

4 ¶ Euery man, ỳ bringeth vitailes, whatsoeuer they be, to the City, (See of London) by land or by water, may freely sell the same to whom shall please him, without being interrupted or impeached by fisher, butcher, pouliter, or any other.

And that the Maior and Aldermen of the Citie, may rule and redresse the defaultes of fishers, butchers, & pulters, as they do of those ỳ sell bread, ale, or wine, notwithstanding charters of franchises, & statutes, customes or other priuiledges made or vsed to the contrary. And that the sayde Maior and Aldermen doe and put the same in execution, vpon the paine late ordayned touching the City of London, so that punishment of such bee not made because of any singuler profit. An. 31. E. 3. cap. 10.

5 ¶ All maner forreines and aliens, being of the amity of the king and of his realme, and coming within the said citie of London, & other cities, boroughes, & townes within the saide Realme, as well within liberties as without, with fish and al maner of other vitailes, there tarying, & going againe to their owne countries, shal from henceforth be vnder ỳ safegard and the especiall protection of the king.

And there it shall be lawefull to them and euery of them, and by the strength of these presentes, they may from henceforth cutte their fishes and vitayles afore sayde, without impeachement and denying of any man, or in pieces, and in part, in all, at retayle, or in grosse, as to them best shall seeme, to sell and make their profit, any charters, statutes, ordinances, priuiledges, or customes, made or hadde to the contrary notwithstanding. Anno 6. R. 2. cap. 10.

Vitailers

Price

Fork.

Maiors Bailifes

Enquire

Negligent

Punish

Dearth

Justices

Regrators

Punish

Fraunchise

City

Sell

Maior

London

Forreins Aliens

London

K. protection

Retayle

Note

Note by An.7.R.2. cap.11. this last acte was repealed. But it was after reuiued as hereafter appeareth 9.& 11.

Vinteners Vitaplers London

6 ¶ All the vinteners and vitaplers as well fishers as other, comming with their vitailes to the Citie of Londō, shal be from henceforth vnder the gouernāce & rule of the Maior and Aldermen of the said Citie for the time being, as in times past it hath beene vsed. An.7.R.2.cap.11.

Maior

Vitailers

7 ¶ All the statutes of victailers made as well in the time of our Soueraigne Lord the king that now is, as in the time of his noble graundfather not repealed, shall be firmely holden, kept & duely executed. And that the said victailers be duely iustified by ỳ Iustices of peace, aswell at the suite of the king, as of the party, according as the sayde statutes do require. Anno 12.R.2.cap.3.

Iust. of p.

Vitailers

8 ¶ As touching victualers it is accorded, that they shall haue reasonable gaynes after the discretion and limptation of the said Iustices (vidz. the Iustices of peace) and no more, vpon payne to ber greeuously punished after the discretion of the sayde Iustices where no payne is limitted in certayne before this time vpon the sayde vitailers. And that Sherifes, stewardes of Lords, of fraunchises, Maiors and Baylifes, and all other that haue auctholity to keepe the assise of bread and ale, and the correction of the same, shall take no amerciament nor fine for no default touching the assise, for the which a man or a woman by the lawe ought to haue bodyly penaunce, according as it is heretofore ordayned by statute, but they shall iudge them to the same bodily penaunce as the default requireth, and shall do due execution thereof. And that Maiors, Bailifes and stewardes of fraunchise, and all other that haue the order and surueying of vitailes in Cities, Boroughes, market townes and else where, where vitaples bee solde in the Realme, shall put the statute, made the Twenty thee yeere of the raigne of Kinge Edwarde, graundfather to our Soueraigne Lord the king that now is, which beginneth, Because a great part of the people, touching the estate of vitailers and hostelers, and other sellers of vitaples (before 2.) in due execution.

Sherifes Stewards Maiors Baylifes

Hosteler Horsebread

And that no hosteler make horsebread in his hostry nor without, but Bakers shall make it, and the assise thereof shall ber kept, and that the weight ber reasonable after the price of the Coyne in the market, and that the same Hostelers, shall sell Hey and Otes after a reasonable price, so that they take not but one halfepeny ouer the common price in the market, and that they take nothing for lyter. Anno 13.R.2.cap.8. This article concerning horsebread is somewhat altered, as appeareth horsbread. 1. And See there 10. more.

Hey Otes

9 ¶ The said statutes (See An.6.R.2.c. 10. before 9.) ber firmely holden, kept & duely executed after the forme and effect thereof, notwithstanding the letters patents late granted to the contrary to persons of London, by the sayde late Kinge Richard vpon his last passage towarde Ireland. Anno 1.H.4.cap.17.

*

Hosteler

10 ¶ The statute of vitaplers and hostelers & other sellers of vitailes, made the xiii. yere of the sayde king Richard, (before 8.) ber holden and kept and put in due execution, and if any hostler do the contrary, & that duely prooued, the same hosteler shall from time to time incurre the paine of the treble valure of the bread made by him in his house, or else where, contrary to the sayd statute, and also the same hosteler shall incurre the quatreble valure of that, that he hath taken ouer an halfepeny of euery bushell of otes aboue the common price in the market, and that as well at the suit of the king as of the party. Anno 4. Henrici quarti capitulo 25. But See some alteration concerning horse bread. Horsbread. 1.

Forf.

*

11 ¶ The saide statutes (S. Anno 6. R. 2. capitulo 10. and Anno 1. H. 4. capitulo 17. before 5.& 9.) shall be firmely holden and kept, any other statutes or ordinaunces made to the contrary notwithstanding. Ioined to the same, that if any man disturbe any forreine or alyen to sell their fish in grosse, or at retaile in part or

Disturbe Alien Retayle

or in whole, contrary to the said ordinances, and of that be duely attainted at the suite of the king, or of the partie, that then
Forf. he shall forfait ten pound. And he that wil sue for our Soueraigne Lord the king or
Moyetie for him selfe, shall haue the one halfe, and the king the other halfe. And such suit shalbe taken for any offence done in the Citie of London against the saide ordinance, for him which wil sue for our Soueraigne Lord the king, or for him selfe, in what Countie that pleaseth him of the Counties of Middlesex, Hertford, Essex,
London Kent, Surrey, or in the Citie of London. Anno 14. H. 6. cap. 6.

Iust. of p. 12 ¶ The Iustices of Peace through the realme, shal two times euery yere doe openly to be proclaimed in their sessions,
Sessions Proclaime al the statutes of Hostellers and vitailers before this time made, and not reuoked. Anno 23. H. 6. cap. 13.

13 ¶ Whereas Maiors & other gouernours of Cities and townes of substance, haue in their Leetes there holden, the surueying of victuals and correction of the same, and now of late, diuers for their singuler gaine to oppresse vitaylers, and to infringe the foresaid liberties, haue obteined the kings Letters Patents to be surueiours and correctours of such matters, and therby commit great extortions: For
Letters p. remedy thereof, be it &c. That all the letters patents graunted by him to any per-
Searcher Wine son or persons of any office of searching or surueying of Wine, Ale, Beere, or any other vitaple, shalbe vtterly voyd and of none effect. And that no person, other the such gouernours before rehearsed, or other entitled by point of charter, from the feast of Easter next comming, by colour of such letters patents so obtained, or afterward to be obtained, as before is said, shall vse or exercise any such office, vpon paine of forfaiture for euery default xl. li.
Moyetie The one halfe thereof to our soueraigne Lord the king, to be employed only to the vse of his house, the other half to him that in this behalfe will sue for the same by action of debt, wherein like processe, rule & demeanour shalbe had, as is commonly vsed in other actions of debt at the common law: And that the defendant in any such actiõ shall not be receiued nor admitted to his lawe: Nor that any protection or essoyne of the kings seruice be to him in any wise allowed. An. 12. E. 4. cap. 8.

Vitayler Officer 14 ¶ Whensoeuer and as often as any vitailer is chosen to beare any office within any Citie, borough or towne corporate, which for the time that her shall stand and be in such office, should haue the assising and correction for selling of vitails, that then two discreete and honest persons of the same Citie, Borough or towne corporate not being vitailers, ne any of them being a vitayler, shalbe chosen by the comminalty of the same Citie, Borough or Towne corporate, in like forme as the saide officer shalbe chosen, which two persons with the sayd officer
Oth. shalbe sworne truely to cesse and sette the prices and assises of vitaple there for the time that any such vitayler shall abyde in the said office. And that then it shalbe lawfull to all and euery of the sayd officers, after the same vitayles be sette and cessed by the same officer and the sayd two persons, or one of the same two persons, the other being absent, to merchaunt and sell wines, and all other vitaple in grosse, and at retayle, during the time that he shalbe in any such office, without any thing therefore to forfait. The sayd statute, act or ordinance, or statute to the contrary made in any wise notwithstanding. Prouided alwaie, that this act or any thing therin contayned, extend not to discharge any Minister of the Cities of London,
London Yorke Couentrie Retayle Yorke and Couentrie nor none of them, for any wine or vitaile to be sold by any retayle, within any of the sayd Cities of London, Yorke and Couentrie. Anno 3. H. 8. cap. 8.

Prices 15 ¶ Upon euery complaint made of any enhancing of prices of such vitayles, without ground or cause reasonable in any part of this Realme, or in any other
L. Chancellor the kings dominions, the Lorde Chauncellour of England, the Lorde Treasou-
Treasorer rer, the Lord President of the kings most
K. Counsell honourable Counsaile, the Lorde priue Seale, the Lorde Steward, the Lorde

Chamberlaine, and all other lords of the Kings Counsaile, the Treasourer and Comptroller of the kings most honorable house, the Chauncellour of the Duchy of Lancaster, the kings Justices of either Bench, the Chauncellour, Chamberlaines, vnder Treasorer and the Barrons of the kings Eschequer, or seuen of them at the least, whereof the Lord Chancellour, the Lord Treasourer, the Lorde President of the kings Counsell, or the Lord priuie Seale to be one, shall haue power and authoritie, from time to time, as the case shall require, to set & taxe reasonable prices of all such kinds of victuals aboue specified, how they shalbe solde in grosse or by retayle for relefe of the kings subiects: And that after such prices set and taxed, in forme aforesaid, proclamation shall be made in the Kings name vnder the great seale of the sayd prices in such parties of this realme, as shalbe conuenient for the same. And be it &c. that all fermours, owners, hoggers, and al other vitailers whatsoeuer, hauing or keeping any of the kinds of victuals afore rehearsed, to the intent to sell, shall sell the same to such the kings subiects, as will buy them, at such prices as shalbe set and taxed by the said Proclamation, vpon the paynes to bee expressed and limited in the sayd Proclamation, to be lost, forfayted and leuied to the Kings vse, in such wise, as by the same Proclamation shalbe declared.

Justices

Taxe

Proclamation

Vitaylers

Prouided alway that this act nor any thing therein contained, shall not be hurtfull to Maiors, shiriffes, bayliffes, or other officers of Cities, boroughes, or townes corporate, nor to any person or persons, or bodies politike, hauing authoritie to set prices of such victuals, or of any of them, but that they and euery of them may set prices thereof, as if this act had neuer bene had nor made. And bee it &c. that no person nor persons, vnlesse it bee by licence vnder the kings great Seale, from henceforth shall carrie or conuey, or cause to be caried or conueied, any corne, biefes, muttons, veales, porkes, or any of the aboue said victuals to any the parties beyond the sea, except onely for the victualling of the towne of Calleis, Guisnes, Hammes, and the marches of the same. And except for ỳ victualling of masters, mariners, and the marchãts of Shippes, passing the seas, and also except barrelled butter and meale to bee caried to the parties of Ireland, as hath bene accustomed, vpon paine of forfaiting of the value of the thing conueyed and carried into the parties of beyond the sea, contrary to this act, the one halfe thereof to the vse of our said soueraigne lord, and the other halfe to the party that will sue for the same by byll, plaint, writte or information in any of the kings Courtes. In which suites the defendant shall not wage his Lawe, nor any Protection or Essoyne for him shall be allowed. Anno 25. Henrici octaui capitulo secundo.

Maiors Shiriffes Bailifes

Licence

Conuey

Vitaile

Calays

Shippes

Ireland Forf.

Poyntz

15 Whereas sundry good statutes & haue bene heretofore made against transporting & conueying out of this Realme beyond the Seas any maner of victuall, vpon great forfeitures, and neuertheless sundry couetous persons seeking their owne gaine, do still transport innumerable quantities both of corne and other victuall, as of wood, wherby they be growen to excessiue prices and wonderful dearth: For remedie thereof, bee it &c. That no maner of person or persõs after the xx. day of January next comming, shall cary and transport out of this Realme, by any Shippe, Crayer, or other vessell whatsoeuer, into any place in the parties beyond the Seas, or into the Realme of Scotland, any Wheate, Rye, Barley, or other Corne or graine growing within this Realme, or any Malt made within the same, or any Beere, Butter, Cheese, Herring or Wood (except onely to and for the victualling and furniture of the Towne of Caleys, Hammes, and Guysnes, and the towne of Barwicke, and the marches of the same) without sufficient and lawfull authoritie so to doe, vpon the paynes and penalties hereafter ensuing, that is to say, the owner and owners of the sayd shippes and other vessels, to forfait the said shippes, craiers and other vessels,

Corne

Vitayll

Barwicke

Forfeiture

Owner of the shippe

vessels, with all their apparayles to them and euery of them belonging, wherin the said corne, butter, cheese, herring, victuall or wood shalbe so transported and caried, and the owners and owner of the saide corne, butter, Cheese, herring, and wood, to forfait the double value of the same, so caried and conueyed, and the master and mariners of euery of the sayd Shippes, craiers and vessels, for euery such offence to forfait all their goods, and to be imprisoned, by the space of one whole yere without bayle or mainprise.

Owner of the corne
Forf.
Master and mariners
Forf. Imprison
Mainprise

And be it &c. that if any person or persons, after the sayd xx. day of Januarie, doe cary and conuey away by boat, craier or other vessell, or otherwise, any wheate, rie, barley, malt, or other corne or graine, or any Beere, butter, cheese, herring or wood, to any ship or vessell being on the Seas, or in any hauen, creeke, or other place of the border of this Realme to be transported, caried and conueied into any place, in the parties beyond the Seas, or into the Realme of Scotland, without sufficient authority so to do: that then euery owner of the sayd victuals, corne and other things aboue said so transported or caried, and the owner and owners of euery such Boate or Vessell, and the boatemen and mariners of the same shall loose, forfait and suffer all such forfaitures, paynes and penalties as is aboue rehearsed, the one moitie of all and euery which forfaiture or forfaitures to be to the king and Queenes highnesse, their heires and successours, and the other moitie to him or them that will sue for the same, by bill, information or action of debt, or otherwise, in any of the king and Queenes highnesse Courts of record, in which action, bill, or suit the defendant shall not wage his lawe, nor haue any essoine or protection to him allowed.

Conuey
Owner of the vitailes
Owner of the vessell Mariners Forf.
Moytie

And be it &c. that if any person or persons shall obtaine of the king & Queenes Maiesties, their heires or successours, or of any of them, any licence to cary and transport any Corne, victuall, or wood into any parties beyond the Seas, that if he or they to whom any such licence shall be graunted, or any other to whom such person or persons hauing such licence, shall giue, graunt or sell his or their sayd licence vnto, shall carie and conuey, or cause to be caried and conueied any more Corne, victuall, or wood, then shalbe contained in his or their said licence, shall forfait the treble value of the sayd corne, victuall or wood so caried and transported, without sufficient authoritie, and shall suffer imprisonment for one whole yere in the common Gaole, where he shall be apprehended, there to remaine without baile or mainprise.

Licence
Forf.
Imprison
Mainprise

And be it &c. that no maner of person or persons, after the saide twentie day of Januarie, that shall obtaine, or haue any such licence for trāsporting and carying, any corne, victuall, or wood into any parties beyond the Seas, shall shippe, lade and fraught the same, or any part thereof, at sundry places within this Realme, but at one place certaine, vpon paine of forfaiture of the said corne, victuall & wood, and all his goods and cattelles, the one moitie thereof to the king and Queenes maiesties, their heires and successors, and the other moytie to him or them that will sue for the same by action of debt, bill, plaint, information, or otherwise, wherein noe waget of Lawe, essoine, or protection, shalbe to him allowed.

Fraught
Place Forf.
Moytie

And for the better execution of this act, be it &c. that all and singuler Justices of peace, aswel within the liberties as without, within their seuerall authorities and cōmissions at any time within three yeres next after such offences committed, shall haue full power and authoritie to enquire aswell by the othes of twelue lawfull men, as also to heare and examine the master, masters, and mariners of the saide Shippes, Craiers and other vessels, and all and euery other person and persons of all and singuler the offenders against this present act, and to heare and determine the same offences, as they may and ought to heare and determine any other trespasses and offences.

Iust. of p.
Three yeres
Enquire
Examine Mariners
Oier & ter.

Prouided alwaies, and be it &c. that at all time and times hereafter, when the

Price

commõ price of corne within this realme is, that wheate shall not exceede the price of vi.s.viii.d. the quarter, and Rie iiii.s. the quarter, and Barley iii.s. the quarter, it shalbe lawfull to euery person and persons to cary and transport ouer the sea to any place beyond ẏ seas, at their pleasure, any of the saide kindes of corne, so that it be not the Kings and Queenes enemies.

Transport

Prouided alwaies and be it &c. that this act or any thing therein contained, shall not extend to any person or persons for the necessarie vitailling of any ship, ships, or other vessels, but that they, and euery of them may vitaile the said ships and vessels as they might haue done before the making of this present act. This act or any thing therein contained to the contrary notwithstanding.

Vitaile

Prouided alwaies and be it &c. that this act or any thing therein contained, shall not be preiudiciall or hurtfull to the Lord great Admirall of England, for the time being, or to the king and Queenes maiesties iurisdiction of the Admiralty, but that the said Lord Admirall, or his deputy or deputies may and shal exercise, vse and execute al kind of iurisdiction belonging to the sea, according to his or their Commissions, as they might lawfully haue done heretofore. This act or any thing therein contained to the contrary notwithstanding. An. 1. & 2. P. & M. cap. 5. See Shippes 13. some owners of Ships excused from the penaltie of this statute. And also a large libertie giuen to the Queenes subiects concerning transporting of graine. And See Corne. 8. their libertie further also inlarged in a speciall maner to be vsed.

Admiral

* ¶ Vnion & seuering of Churches.

A Union or consolidation of two churches in one, or of a Church and chappell in one, that one of them not being aboue the perely value of fiue pounds, as it is rated and valued at to the kings highnesse, in his Court of the first fruites and tenths, & not distant from the other aboue one mile in any place or places within this Realme of England, may be from henceforth had or made by the assent of the ordinary or ordinaries of the Dioceese, where such Churches and chappels standen, and by the assents of the incumbents of them, and of all such as haue iust right, title and interest to the patronages of the same Churches and Chappels being then of full age. And that all such vnions and consolidations had or made of two churches in one, or of a church and chappell in one as is aforesayd, shalbe good, sufficient, lawfull, firme, stable, and auailable in the lawe, to remaine, endure and continue for euer vnited and knit in one, in such maner and forme as by writing or writings vnder the seale of such ordinaries, incumbents and patrons it shall be declared and set forth.

Church

bill.

One mile

Ordinarie

Incumbent

Patrons

And be it &c. that all vnions and consolidations of all churches and chappels which haue heretofore bene vnited or knit together in one, by the assent of the ordinaries, incumbents, and true and lawfull patrons in fee simple of them as is aforesaid, shall also remaine, & be from henceforth adiudged and deemed in the lawe to endure and continue for euer vnited and knit in one, without any dissolution, vndoing, vnknitting, or repeale of them, or of any of them by any maner of meane or way, sauing to the Kings Maiestie, his heires and successours, all the tenths and first fruites of al such churches and chappels, as be heretofore vnited or consolidated in one, or that hereafter shalbe vnited and consolidated in one, according to the same, or such like rates and valuations as the same churches and chappels, or any of them nowe are rated or valued at, to the kings said Maiestie, in his said highnesse court of the first fruites and tenthes.

Tenthes

First fruites

Prouided alway that all vnions and consolidations, & euery of them hereafter to be had or made of any church or Chappell within any Citie or Towne corporat, within this realme of England, without the assent of the Maior, Shirifes and comminaltie of the citie, where such Churches, Church or chappell be or shalbe: Or without the assent of such bodyes

Citie

Maior Shirifes

assent

Corporat

Corporat of other Townes Corporat, where such Churches, Church or Chappell be, or shalbe, by the names of their corporations in writting vnder their common Seale, shalbe clearely voyd and of no force ne effect, any thing before expressed, or any ordinance, law, custome or statute to the contrary thereof in any wise notwithstanding. Common Seals

Prouided also that where the inhabitants of any such poore parish, or the more part of them, within one yere next after the vnion or consolidation of the same parish, by their writing sufficient in the Lawe, shall assure the incumbent of the sayd parish for the yerely payment of so much money, as with the summe that the sayd parish is rated and valued at in the kings highnesse sayde Court of the first fruytes & tenthes, shal amount to the full summe of eight pound sterling, to be leuied and paied yerely by the sayd inhabitants to the said incumbent and his Successours: that then all such vnions or consolidations hereafter to be had or made of any such poore parish as is aforesaid, shalbe voyd and of none effect, any thing, statute or ordinance, to the contrary hereof in any wise notwithstanding. Incumbent

Prouided alwayes, that this said prouiso shall not extend to any vnion or consolidation of any Church or chappell had or made before the making of this estatute, any thing in the said prouiso mencioned to the contrary thereof notwithstanding. Anno 37. H. 8. cap. 19.

2 ¶ In An. 1. Ed. 6. was an act made (not printed) for vniting the parish Churches of Ouger and Grensted in Esser. But by Anno 1. M. 2. Parliamento capitulo 10. that Statute was repealed. And by this Statute of Anno 1. M. these two Churches were seuered as they were before. And diuers things at large be in this Statute of Anno 1. M. concerning these matters.

3 ¶ In An. 1 E. 6. cap. 9. was an act made for vniting of certaine parish churches in Yorke, with diuers articles concerning that matter. Yorke

And after Anno 1. M. 1. parl. cap. 15. an act was made for the reedifying of the parish Church of Saint Elins in Stangate in Yorke, which was put downe by the former statute.

¶ Vniuersities.

FRom henceforth no maner of purueiour, taker, badger, loder, or other minister, may or shall take or bargaine for any kindes of victuall or graine, in any of the said markets or towne of Cambridge and the Citie of Oxford, nor shall take or bargaine for any victual within the compasse of fiue mile thereto adioining without the consent, agreement or good will of the owner or owners, neither shall attempt to cary, take away, or bargaine for any maner of graine or other victuall, bought or prouided within the saide space of fiue miles by any common minister of any Colledge, Hostell or hall, to be spent within any of the saide Colledges, Hostels or Halles, vpon paine of the forfaiture of the quadruple value of any such maner graines or victual so taken or bargained for, in any of the saide marches, or within the said space of fiue miles against the will of the owners, as is aboue said, or attempted to be taken, caried away or bargained for, being prouided as is aboue said, for to be spent in any the Colledges, Hostels or Halles. And further shall suffer imprisonment for the space of three monethes without baile or mainepryse, and that the Chauncellor or Vicechauncellour, or his Commissarie for the time being, in either of the saide Vniuersities, with two Justices of peace of the Countie, wherein the said Vniuersities be set, shall haue full power by authoritie of this act, to enquire by the othes of xii. men, of and vpon the defaultes and offences committed, contrary to the tenour thereof, and to see due punishment and reformation thereof in forme aforesaide, from time to time. The one halfe of which forsaid forfaitures to be to the common treasure of either the sayd Vniuersities respectiuely to the fault committed against this their priuiledge, the other halfe to the Pruneiour Badger Victaple Cambridge Oxford Temples Corne Fort. Imprison Mainprise Chauncellor Vicechauncellor Just. of P. Punish. Partie

partie that will sue for the same by action of debt, bill, plaint, or otherwise in any Court of record, or before the foresayde Chauncellour, his Vicechauncellour, or commissarie for the time being, and two Justices of peace, as is before expressed.

Prouided that this act shall not be put in execution at any time or times whensoeuer your maiestie, or the heires and successours of your Maiestie our soueraigne Lady shal please to come to any of both the said vniuersities, or within seuen miles of either of them, but shalbe in suspence during that time only & not lõger. Queene

Prouided alwaies and be it &c. that this act or any thing therein contayned, shall not in any wise bee preiudiciall or hurtfull to the Maiors, Bayliffes, and comminalty of the Citie of Oxford, nor to the Maior & comminaltie of the towne of Cambridge, or to their successours, for and concerning any of their Liberties or Priuiledges, but that they and euery of them, and their successours respectiuely may haue, and vse the same in such maner & forme as they or any of them might or ought to haue done before the making of this act, any thing in this act contained to the contrary notwithstanding. Anno 2. & 3. P. & M. cap. 15. Maior Bayliffe

2 Be it enacted and ordeined by the authoritie of this present parliament, that from henceforth no maner of purueiour, Taker, Badger, Loader, Poulter, or other minister for the Queenes Maiestie, her heires or successours, nor any other common Poulter, shall, or may take, or bargain for any kind of victual or graine in any of the said markets or townes of Cambridge and the Citie of Oxford, or either of them, nor shall take or bargaine for any victual or graine within ỹ cõpasse of the aforesayd fiue miles thereunto adioyning, without the consent, agreement, good will and licence of either of the said Chauncellours, Vicechauncellours for the time being, in writing had and obteyned, vnder the Seale or seales of the office of the said Chauncellour or Vicechauncellour of either of the said vniuersities, and in no other forme then in the said licence in writing shalbe conteined and expressed, so as the same giue not to any of the foresayd Purueiours, Takers, Badgers, Loaders, Poulters, or others, any further authoritie and power, then they haue, or may lawfully vse, in other parts of the same countrie, being without the said limittes of fiue miles, neither shall attempt to cary, take awap, or bargaine for any maner of graine, and other victuall bought and prouided within the said space of fiue miles by any common minister of any Colledge, Hostel or Haule, to be spent within any of the said Colledges, Hostelles or Haules, without like licence and assent, and in no other forme then is next aforesayd mencioned, vpon like paines, forfaitures and impriſonments, and to like vses as are limitted and ordayned by the said former statute (vz. 2. & 3. P. & M. before 1.) And that the said Chauncellours or Vicechauncellours for the time being of either of the said Vniuersities, with two Justices of peace of the said Vniuersities, Citie, Towne or Countie, wherein the said Vniuersities be set, shall haue like power & authoritie by this act, to enquire vpon the defaults and offences contrary to the tenour hereof, and to see due punishment and reformation thereof in forme aforesaid, as was to them limitted and appointed by the said former act. Purueiour Badger Victaile Licence Chauncellor Corne Paynes Vicechauncellour Inst. of p. Enquire

And be it further by the authoritie aforesaid enacted and ordayned, that if any person or persons within the said precinct of fiue miles, shall refuse reasonably to serue the necessarie prouision of the said Vniuersities, according to the true meaning of this present act: that then it shalbe lawful to any of the Queenes maiesties takers or purueyours, to prouide any corne or victual of any such person or persons, within any part of the precinct aforesayde, for the vse of the Queenes maiestie, as shalbe declared and notified to the said Purueiours or takers, to be persons not worthy of the said priuiledge, for not reasonable seruing the necessities of the said vniuersities, by the Chauncellour or Vicechauncellour for the time being, v. Miles Refuse Purueiours

ing, of either of the sayd Vniuersities, Iust. of p. with the assent & consent of two Iustices of peace resiant within either of the sayd vniuersities, citie, towne or county, vnder the hands & seales of the sayde Chauncellor or Vicechauncellor, and the said two Iustices of peace, as ỹ said purueiours or takers lawfully may in any other place, without ỹ said precinct of fiue miles, and not otherwise: The sayd former act, or any thing there in contained, or any other clause, article, sentence or matter whatsoeuer to the contrary notwithstanding.

Prouided that this act shall not be put in execution at any time or times whensoeuer the Queenes Maiestie, her heires or successors, shall come to any of both the said vniuersities, or within seuen miles of either of them, but shalbe in suspence during that time only and no longer. Mutene Suspence

Prouided alwaies, and be it enacted by the authoritie aforesaid, that this act or any thing therein contained, shall not in any wise be preiudiciall or hurtfull to the Maior, Bailiffes and Comminalty of the citie of Oxford, nor to the Maior or comminaltie of the Towne of Cambridge, or to their successors, for & concerning any of their liberties or priuiledges: but that they and euery of them, & their successors, respectiuely may haue & vse the same, in such maner & forme as they or any of thē might or ought to haue done before ỹ making of this act, any thing in this act contained to the contrary notwithstanding. Maior Bailiffe.

Prouided alwaies that this act shall continue vntill the last day of the next parliament. Anno 13. El. cap. 21.

For the better maintenance of learning, and the better relefe of Schollers in the Vniuersities of Cambridge and Oxford, and the Colledges of Winchester, and Eaton: Be it enacted &c. that no Master, Prouost, President, Warden, Deane, Gouernour, Rector, or chiefe ruler of any Colledge, Cathedrall Church, Hall, or house of learning, in any of the Vniuersities aforesaid, nor no Prouost, Warden, or other head officer of the said colledges of Winchester or Eaton, nor the corporation of any of the same, by what title, stile, or name so euer they now be, shall, or may be called, after the ende of this present Session of Parliament, shall make any lease for life, liues, or yeres, of any their lands, tenements, or other hereditaments, to the which any tithes, errable land, meadowe, or pasture doth or shal appertaine, except that the one third part at the least of the olde rent bee reserued and paid in corne, for the sayd Colledges, Cathedrall Church, Halles, and houses, that is to say, in good wheate, after vi.s. viii.d. the quarter or vnder, & good malt after v.s. the quarter or vnder, to be deliuered yerely vpon daies prefixed at ỹ said Colledges, Cathedral church, Halles, or houses, and for default thereof, to pay to the said Colledges, Cathedrall Church, Halles or houses, in ready money, at the electiō of the said lessees, their executors, administrators and assignes after the rate, as the best wheat and malt in the market of Cambridge, for the rents that are to be paied to the vse of ỹ house or houses there, and in the market of Oxford, for ỹ rents that are to be paied to the vse of the house or houses there, and in the market of Winchester, for the rents that are to bee paied to the vse of the house or houses there, and in the market of Windsor, for the rents that are to be paied to the vse of the house or houses at Eaton, is or shalbe sould the next market day before the sayd rent shalbe due without fraude or deceipt: and that al leases otherwise hereafter to be made, and all collaterall bonds or assurance to the contrarie by any of the sayd corporations, shalbe voyde in Lawe to all intents and purposes. The same wheate, malt, or the money comming of the same, to be expended to the vse of the relefe of the commons and dyet of the said Colledges, Cathedral Church, Halles, & houses only, and by no fraude nor colour, let nor sold away from the profit of the said Colledges, cathedral church, halles & houses, & the fellowes & schollers in the same, & the vse aforesaid, vpon paine of depriuatiō to the gouernor & chiefe rulers of the said colledges, cathedrall Church, halles, and houses, and all other thereto consenting. Rent Corne Leases Leases Bonds Voyde Depryue Master Head officer

Prouided alwaies that this act, or any thing therein contained, ſhall not extend or be in any wiſe preiudiciall to any leaſe to be made of a Barne called Houncken Barne, with a certaine portion of tithes, riſing, growing, and being in the parith of Southweeke in the Countie of Suſſex, being parcell of the poſſeſſions of Mawdelein colledge in Oxford, ſo that the terme demiſed in and by the ſaid leaſe exceede not the number of ten yeres, from and after the feaſt of Saint Michaell the Archangell next comming, any thing therein ſpecified to the contrary notwithſtanding. Prouided alſo, that this act ſhall not extend to any leaſe to be made by the preſident and ſcholliers of the colledge of S. Iohn Baptiſt in Oxford, to any heire male of ſir Thomas White, late knight and Alderman of London, founder of the ſayd Colledge, which Leaſe ſhalbe made according to the meaning of the foundation and Statutes of the ſayd Colledge of the manour of Fifelde, and no other hereditamentes. Anno 18. El. cap. 6.

Sir Thomas White

¶ Voucher.

IT is prouided, that none, being vouched to warrantie before our Iuſticers, in plea of lande or tenement, ſhalbe amerced from henceforth, becauſe he was not preſent whē he was vouched to warrātie, except the firſt day of the comming of the Iuſticers. But if the partie vouched be within the ſhire, then the Shiriffe ſhalbe commaunded to cauſe him to come within the third or fowerth daye, according to the diſtance of the place, as it was wont to be done in the circuite of the Iuſticers. And if he dwell without the ſhire, then he ſhal haue reaſonable ſummōs of xv. daies at the leaſt, after the diſcretion of the Iuſticers, and the common Lawe. Marlebridg. cap. 26. Anno 52. H. 3.

Warrantie
Amerced
Shirife
Summons

2 ¶ For as much as many people are delaied of their right by falſe vouching to warrante: It is prouided, that in writtes of poſſeſſion, firſt of all in a writ of Mordauncеſtour, of coſinage, of aiell, Nuper obiit, of intruſion, and other like writtes, whereby lands or tenements are demaunded which ought to diſcend, reuert, remaine or eſchete by the death of any auncеſtour, or otherwiſe, if the tenaunt vouch to warrantie, and the demaundant counterpleadeth him, and wil auerre by aſſiſe, and by the countrey, or otherwiſe, as the Court will award, that the tenant or his auncеſtour (whoſe heire he is) was the firſt that entred after the death of him of whoſe ſeaſon he demaundeth: The auerment of the demaundant ſhall be receyued, if the tenaunt will abide thereupon, and if not, he ſhalbe further compelled to another anſwere, if he haue not his warrantour preſent, that will warrant him freely, and incontinēt entrie into the warrantie. Sauing vnto the demaundant his exceptions againſt him, if he will vouch further, as he had before againſt the firſt tenant. From henceforth in all maner of writtes of entrie, which make mention of degrees, none ſhall vouch out of the lyne, or in other writs of entrie, where no mention is made of degrees, which writs ſhall not be maintained but in caſes where the other writtes of degrees cannot lye nor hold place. And in a writte of right, it is prouided, that if the tenant vouch to warrantie, and the demandant will counterpleade him, and be ready to auerre by the countrey, that he that is vouched, nor his auncеſtours, had neuer ſeyſon of the land or tenement demaunded, fee or ſeruice by the hands of the tenant of his auncеſtors, ſince the time of him, on whoſe ſeiſon the demandant declareth, vntill the time that the writ was purchaſed, and the plea moued, whereby he might haue infeoffed the tenant or his auncеſtours: Then let the auerment of the demandant be receiued, if the tenant will abide thereupon, and if not, the tenant ſhalbe further compelled vnto an other anſwere, if he be not preſent that will warrant him freely, and incontinent enterie in anſwere. Sauing vnto the demaundant his exceptions againſt him, as he had afore againſt the firſt tenant. And the ſaid exception ſhall haue place in a Writte of Mordauncеſtour, and in the other writtes before named, as well

Auerment
Lyne
Right
Exception

Mordauncеſtour
Coſinage
Aiele
Nuper obiit
Intruſion

well as in writtes that concerne right.

And if percase the tenant haue a deede that compriseth warrantie of an other man, which is bound in any of these cases before mentioned to the warrantie of his elder degree, his recouery by a writ of warrantie of charters out of the kings Chauncery shalbe saued to him, at what time soeuer hee wil purchase it, how be it the plea shall not bee delayed therefore. West.1.ca.39.An.3.Ed.1.

Citie Forreine Chauncery Summon

3 ¶ If a man be impleaded for lād in the same Citie, and doth vouch a forreine to warrantie, he shall come into ỳ Chaūcerie, and haue a writte to summon his warrantour at a certaine day before the Iustices of the benche, and an other writ to the Maior and Bailiffes, that they shal surcease in the matter that is before them by writ, vntil the cause of the warranty bee determined before the Iustices of the benche, then shall hee that is vouched bee commanded to goe into London, to answere vnto ỳ chiefe plea. And a writ shalbe awarded for the demaundant by the Iusticers vnto the Maior and bayliffes, that they shall proceede in the plea. And if the demaundant recouer against the tenaunt, the tenaunt shall come before the Iusticers of the bench, which shall direct a writ to the Maior and Bayliffes, that if the tenaunt haue lost his land, they shall cause the land to be extended, and valued, and shall returne the extent at a certaine day into the bench, & after it shalbe commanded to the Shirife of ỳ shire (where the warrantee was summoned) that hee shall cause the party that doth vouch, to haue as much of the land of the warrantour in value as hee lost. Gloceſter.cap. 12.An.6.E.1.

Maior Baylifes

London

Shirife

Warrantie

4 ¶ When any demaundeth land against an other, and the party that is impleaded, voucheth to warrantie, and the warrantour denieth his warranty, and the plea hangeth long betweene the tenaunt and the warrantour: And at length when it is tryed, that the vouchee is bound to warrantie by the lawe and custome of the realme hitherto vsed, there was none other punishment assigned for ỳ vouchee, that denied his warrantie, but onely that he should warrantise, & should be amerced, because he did not warraunt before, which was preiudicial vnto the demaundaunt, because hee suffered often times great delayes by collusion betweene the tenaunt and the warrantour: Wherefore our soueraigne lord the king hath ordeined, that like as the tenaunt should loose the land being in demaund, in case where he vouched, and the vouchee could discharge himselfe of the warrantie, in the same wise shall the warrantour loose, in case where he denieth his warrantie, and it bee found and tried against him that he is bounden to warrantise. And if an inquest be depending betweene the tenaunt and the warrantour, and the demaundant will require a writ for to cause the iurie to come, it shalbe graunted him. W.2.ca. 6. Anno 13. Edwardi primi.

Denye

Enquest

5 ¶ Where as the tenaunt in a plea of lande heretofore had vouched one to warrantie, & therupon the demaundant would auer, that he, nor none of his auncestours (since the time that the auncestoure of the demaundaunt was seysed) was in possession of the said landes, neyther in demaine nor in seruice, if the partie vouched were present; and woulde warrantise the lande freely vnto the tenaunt, such auerrement of the demaundaunt hath not bene vsed to be admitted, except the partie vouched had ben absent, and that by reason of a certaine statute of the kings lately made amongst other statutes of Westminster.1.ca xxxix.

Wherefore our soueraigne Lord the king considering the fraud, deceipt, & malice, and also his owne dammage and disheryson of his crowne, that in the said case hath many times happened in his court, and dayly doth, where as some holding of the king in chiefe by an whole baronie, in a plea hanging before ỳ Iusticers of the bench vpon their demaunde to vouch particularly knaues vnknowen and straungers (which they will bring foorth) of whome neyther they nor their auncestours had neuer any thing in the lands, that they warranted, nor in any other

Chiefe

Knaues

Straungers

other landes or tenements within this Realme, neither in demeane nor in seruice, as hath bene testified by diuers of the kings faithfull subiects, so that by such cautel, fraud & malice, the same tenaunts holding by an entire barony, do defraud the king of ẏ amerciament ẏ they should incurre if ẏ demaũdaũt should recouer against them, & likewise when such pers̃os haue warranted, ẏ is to wit, euery one for his portion that he ought to warrant, hee may defend himselfe by ẏ body of his seruant, procured & hired by them ẏ hold baronies, & so vpõ one writ & one demaũd, there were ii. or iii. wages of battailes, ẏ which was a right hard & perillous example for poore men, in time comming that shalbe demaundants against great & rich men, which wil defẽd them selues by the malice aforesaid: And ẏ demaundaunt can not haue his auerment against such warrantours, when they bee vouched in fourme aforesaid, because they be present and will warrantise freely, by his common counsaile hath ordained, and from henceforth, that is to say from the feast of S. Hillary, the xx. yeere of his raigne, he hath straightly commanded, that whatsoeuer tenaunt doe vouch, and the demandant will auerre in fourme before rehersed, his auerment shalbe admitted whether the partie vouched be absent or present, without any respect had thereunto. An. 20. E. 1. statute of vouchers.

Auerre

Deedes

6 ¶ In deedes also where is contained Dedi & concessi tale tenementum without homage, or without a clause that conteyneth warrantie, and to be holden of the giuers and their heires by a certaine seruice: It is agreed, that the giuers and their heires shalbe bounden to warrantie. And where is contained Dedi & concessi &c. to bee holden of the chiefe lords of the fee, or of other, & not of the feoffours or of their heires reseruing no seruice without homage, or vbout ẏ foresaid clause, their heires shall not be bounden to warrantie, notwithstanding the feoffour during his owne life by force of his own gift shalbe bounden to warrant. statute bigami, An. 4. E. 1. ca. 6.

Warrantie

Feoffour

7 ¶ If one being impleded in the city of London, do vouch a forreine to warrantie, the Maior & the Bailiffes shal adiourne the parties before the Iusticers of the bench at a certaine day, and shal send their record thether. And ẏ Iusticers shal cause the warrantour to bee summoned before them, and shal trie the warrantie. And the Maior and the Bailiffes in the meane time shall surceasse in the matter that dependeth afore them by writ, vntill such time as the warrantie bee determined, before the Iusticers of ẏ bench. And when the matter shalbe determined, commaundement shalbe giuen to the vouchee to depart into the citie, and to answere vnto the first plea. And the demaundant at his suit shal haue a writ from the Iusticers of the bench vnto the Maior and Bayliffes, that they shall proceede in the plea. And if the demaundant recouer, the tenaunt shall come to the Iusticers of the bench, & haue a writ to the maior and bayliffes that in case the tenaunt haue lost his land, they shal cause it to be extended, and returne the same extent vnto the bench at a certaine day, & after it shalbe commaunded to the sherife of the shire where ẏ warrantie was summoned, that hee shall cause the tenaunt to haue of the lands of the warrantour to lyke value. And if it fortune that the tenaunt make default at the day that is alligned him in the benche, then shal there go forth a writ from the Iusticers of the benche to the maior & bailiffes, to seise the land demanded, into the kings hands by a pety cape, and to summon the tenaunt that he be at the hoistings at a certaine day, whereat ẏ Iustices shalbe aduised to giue iudgement vpon the same default, if hee cannot saue it: and in case he can saue it, then the Iusticers shalbe certified thereof by their record, and by the same record they shall plead the warrantie. An. 9. E. 1.

London
Forreyne
Maior
Bayliffes
Adiourne
Writ
Shirife
Value
Seyse
Petie caye
Hoistings

8 ¶ From henceforth if the tenaunt vouch to warrantie a dead man, and the demaundants wil auerre that ẏ vouchee is dead, or that there is none such, their auerment shalbe receiued without more delay. An. 14. E. 3. ca. 18.

Dead man
Auerre

¶ Vpholsters.

¶Vpholsters.

Faires Markets

NO person ne persons shall make, or-daine, vtter, ne put to sale in faires nor in markets win this his said realme, any featherbeds, bolsters, or pillowes, except they be stuffed wt one maner stuffe, þ is to say, with dry pulled fethers, or els wt cleane downe alone, & with no scalded feathers nor fedowne, nor none other vnlawful & corrupt stuffe as is afore rehearsed (S. horse herenites heare, beare heare & goates heare, which is wrought in lime fattes, but vtterly to be dãpned for euer, except if any person or persons for their owne proper vse in their houses, make or doe to be made, any of the foresaid corrupt and vnlawfull stuffe and wares, so they be not offred to be solde in faires & markets vpon payne of forfaiture. And also in likewise, quilts, mattresses, and cushions be stuffed with one maner of stuffe, that is to say, with cleane woolle, or with cleane flockes alone, and with none such vnlawfull stuffe afore rehearsed, vpon payne of losse & forfeiture of all such vnlawful wares, and marchandises. An. 11. H. 7. ca. 9.

Fetherbeds

Forf.

Quiltes Mattresses Cushions

Forf.

2 ¶No person or persons whatsoeuer, shal make to the intent to sell, or offer to be solde, any fetherbed, bolster, or pillowe, except the same bee stuffed with vnie pulled fethers or cleane downe only, without mingling of scalded fethers, fen-downe, thistle downe, sande, lime, grauel, vnlawful or corrupt stuffe, heare or any other, vpon paine of forfaiture of al such fetherbeddes, bolsters, & pillowes, and euery of them so offered to be sold, or the value thereof.

Fetherbed

Forf.

And be it &c. that from and after the said day no person or persons shall make to the intent to sell, or offer, or put to sale any quilt, mattresse, or Cushions, which shal be stuffed with any other stuffe, then fethers, woolle, or flockes alone, vpon paine of forfeiture of all and euery such quilts, mattresses or cushions, so sold or stuffed to bee solde, or the value thereof. The moity &c. to the king &c. the other moity &c. to such &c. as will sue &c. wherin &c. An. 5. E. 6. ca. 23.

Quilt Mattresse Cushions

Forf.

Moytie

¶Vses.

AN. 4. H. 4. ca. 7. it was enacted for disseisies to haue their actions vpon disseisin against the parnour of the profits during their liues. And other actions of pleas of land to bee brought against the pernour of the profites within the yeere after the actiõ accrued. See of this matter feoffements 1.

Pernor of profites

2 ¶An. 11. H. 6. cap. 4. that all actions grounded vpon nouel disseisin should bee maintainable against the pernour of the profits.

Nouel diss.

3 ¶An. 1. R. 2. cap. 5. it is enacted, that where he was seysed ioinely with other to the vse of any person, that his interest should vest in his other cofeffees, And where he was sole seised to the vse of any, that his interest should vest in him that had the vse.

4 ¶Euery estate, fessement, gift, release, graunt, leases and confirmations of landes, tenements, rents, seruices, or other hereditaments, made or had, or hereafter to be made or had by any person or persons being of full age, of whole memory, at large and not in duresse to any person or persons, and all recoueries and executions had or made, shalbe good and effectual to him to whom it is made, had, or giuen, & to al other to his vse, against the seller, feoffer, doner, or graunter of the same, and against the sellers, feoffers, donors, or grauntors and his and their heirs claiming the same, onely as heire or heires to the same sellers, feoffers, donors or grauntors & euery of them: and against all other hauing or claiming any title or interest in the same, onely to the vse of the same seller, feoffer, doner, or graunter, or sellers, feoffers, donors, or grauntors, or his or their said heires at þ time of the bargaine, sale, couenant, gift or graunt made, sauing to euery person and persons such right, title, action or interest by reason of any gift in tayle therof made as they ought to haue if this act had not bene made. Anno 1. R. 3. cap. 1.

Feoffement Release Graunt Lease

Right Tayle.

5 ¶An. 1. H. 7. ca. 1. Formedone was giuen against the pernour of the profits, and her & his heire to haue voucher, aior, pyer,

Formedone

pyer, age & auantage, as tenaunt in possession. And recouries against ỳ pernour of the profites to bee as good as though he were tenaunt in possession.

Gifts

6 ¶ All deedes of gift of goodes and catteles made or to bee made of trust to the vse of the person or persons that made the same deede of gift, be voyde & of none effect. An. 3. H. 7. ca. 4.

Voyde

Execution

7 ¶ An. 19. H. 7. cap. 15. an act was made that execution for debts and recognisances and statutes should bee sued of lands in vse. And that the lords of whom the lands were holden in socage, should after the death of him that had the vse, haue reliefe and heriot & other seruices. And the lord of the villein that purchased landes in vse, might enter into the lande.

Lordes

Reliefe
Herriot
Villeins

Empson
Dudley

8 ¶ An. 1. H. 8. ca. 15. it is enacted that those to whose vse Empson or Dudley were seysed of lands &c. might enter and make estates thereof to other to their vses, notwithstanding the attainders of Empson & Dudley. And that their confessees to other vses, to bee seysed of to the former vses of the whole notwithstanding the said attaindors, with one exception to the Lord Fitzwater &c.

Testament

9 ¶ Where by the common lawes of this realme, landes, tenements and hereditaments, be not deuisable by testament nor ought to bee transferred from one to another, but by solempne liuery and seyson, matter of Record, writing sufficient made bona fide, without couin or fraud: Yet neuertheleſſe diuers and sundry imaginations, subtile inuentions, and practises haue bene vsed, whereby the hereditaments of this Realme, haue bene conueied from one to another by fraudulent feoffements, fines, recoueries, and other assurãces craftely made to secret vses, intents, and trustes, & also by willes & testaments sometime made by mere parolx & wordes sometime by signes and tokens, & sometime by writing, and for the most part made by such persons as be visited with sickenesse in their extreame agonies and paines, or at such time as they haue had scantly any good memory or remembraunce, at which time they being prouoked by greedy & couetous persons, lying in awaite about thẽ, do many times dispose indiscreetely & vnaduisedly their landes and inheritaunces: By reason whereof, & by occasion of which fraudulent feoffements, fines, recoueries, and other like assurances to vses, confidences and trustes, diuers and many heires haue bene inustly at sundry times disherited, the Lordes haue lost their wardes mariages, reliefes, heriots, eschets, aides, pur faire fits Chiualer, and pur file marier, & scantly any person can be certainly assured of any Landes by them purchased, nor knowen surely against whom they shall vse their actions or executions for their rightes, titles, & dueties. Also men married haue lost their tenures by the curteſie, Women their dowers, manifest periury by triall of such secret willes and vses haue bene committed. The kinges highnesse hath lost the profites and auantages of the landes of persons attainted, and of the landes craftely put in feoffement to the vses of aliens borne, and also the profittes of waſt for a yeere and a day of landes of felones attaynted, and the Lordes their eschetes thereof, and many other inconueniences haue happened and dayly do increase among the kinges subiectes, to their great trouble and vnquietnes, and to the vtter subuersion of the auncient common lawes of this Realme: For the extirping, and extinguishment of all such subtill practised feoffements, fines, recoueries, abuses, and errors heretofore vsed and accustomed in this Realme, to the subuersion of the good and auncient lawes of the same, and to the intent that the kings highnesse, or any other his subiects of this Realme, shall not in any wise hereafter by any meanes or inuention, bee decepued, dammaged, or hurted by reason of such trustes, vses, or confidences: It may pleaſe the Kinges most royal Maieſtie, that it may bee enacted &c. in maner and fourme following, that is to say, that where any person or persons stand or be seised, or at any time

Trust

time hereafter ſhall happen to bee ſeyſed of and in many honoures, caſtels, manoꝛs, landes, tenements, rents, ſeruices, reuerſions, remainders, oꝛ other hereditaments to the vſe, confidence oꝛ truſt of any other perſon oꝛ perſons, oꝛ of any body politike, by reaſon of any bargaine, ſale, feoffements, fine, recouery, couenaunt, contract, agreement, wil, oꝛ otherwiſe, by any maner meanes whatſoeuer it bee, that in euery ſuch caſe, all and euery ſuch perſon and perſons, and bodies politike, that haue oꝛ hereafter ſhall haue any ſuch vſe, confidence oꝛ truſt, in fee ſimple, fee tayle foꝛ terme of life, oꝛ of yeeres, oꝛ otherwiſe, oꝛ any vſe, confidence, oꝛ truſt, in remainder, oꝛ reuerter, ſhall from henceforth ſtand and bee ſeiſed, deemed and adiudged in lawful ſeaſon, eſtate and poſſeſſion of & in the ſame honoꝛs, caſtels, manoꝛs, landꝭ, tenemẽts, rents, ſeruices, reuerſions, remainders, and hereditaments wᵗ their appurtenaunces, to al intents, conſtructions and purpoſes in the law, of & in ſuch like eſtates as they had oꝛ ſhall haue in vſe, truſt oꝛ confidence, of, oꝛ in the ſame. And that the eſtate, title, right, and poſſeſſion, that was in ſuch perſon oꝛ perſons, that were and hereafter ſhal bee ſeaſed of any landes, tenements, oꝛ hereditaments, to the vſe, cõfidence oꝛ truſt of any ſuch perſon oꝛ perſons, oꝛ of any body politike, bee from henceforth cleerely deemed & adiudged to be in him oꝛ thẽ ẏ haue oꝛ hereafter ſhal haue ſuch vſe, confidence, oꝛ truſt, after ſuch qualitie, maner, fourme, and conditions, as they had before in oꝛ to the vſe, confidence oꝛ truſt that was in them.

And be it &c. that where diuers & many perſons be oꝛ hereafter ſhal happen to be toyntly ſeiſed, of & in any lands, tenements, rents, reuerſions, remainders, oꝛ other hereditaments to the vſe, cõfidence oꝛ truſt of any of them, that bee ſo toyntly ſeyſed: that in euery ſuch caſe, ẏ thoſe perſon oꝛ perſons, which haue oꝛ hereafter ſhall haue any ſuch vſe, confidence oꝛ truſt in any ſuch lands, tenements, rents, reuerſiõs, remaynders, oꝛ hereditamẽts, ſhal from henceforth haue & be deemed & adiudged to haue only to him oꝛ thẽ that haue oꝛ hereafter ſhall haue ſuch vſe, confidence, oꝛ truſt, ſuch eſtate, poſſeſſion and ſeaſon, of & in the ſame lands, tenements, rents, reuerſions, remainders, oꝛ other hereditaments, in like nature, maner and fourme, conditions and courſe, as bee oꝛ they had before in the vſe, confidence oꝛ truſt of the ſame lands, tenements, oꝛ hereditaments, ſauing and reſeruing to all and ſinguler perſons & bodyes politike, their heires and ſucceſſours, other then thoſe perſon oꝛ perſons, which be ſeyſed, oꝛ hereafter ſhall be ſeyſed of any lands, tenementes, oꝛ hereditamentes, to any vſe, confidence oꝛ truſt, all ſuch right, title, entrie, intereſt, poſſeſſiõ, rentes and action, as they oꝛ any of them haue had before the making of this act.

And alſo ſauing to al & ſinguler thoſe perſons, and to their heires, which bee oꝛ hereafter ſhalbe ſeyſed to any vſe, all ſuch foꝛmer rights, title, intereſt, poſſeſſion, rents, cuſtomes, ſeruices, and actions, as they oꝛ any of them might haue had to his oꝛ their owne ꝓper vſe, in oꝛ to any manoꝛs, lands, tenements, rents, oꝛ hereditaments, whereof they bee, oꝛ hereafter ſhalbe ſeyſed to any other vſe, as if this ꝓſent act had neuer bene had ne made, any thing contained in this act to the contrary notwᵗſtanding. And where alſo diuers perſons ſtand & be ſeiſed of & in any lands, tenements, oꝛ hereditamẽts, in fee ſimple oꝛ otherwiſe, to the vſe oꝛ intent ẏ ſome other perſon oꝛ perſons ſhal haue & perceiue yeerely to them & to his oꝛ their heires, one annual rent of x.li. oꝛ moꝛe, oꝛ leſſe, out of ẏ ſame lands & tenementes, & ſome other perſon, one other annual rent to him & his aſſignes foꝛ terme of life oꝛ yeeres, oꝛ foꝛ ſome other ſpecial time, according to ſuch intent & vſe as hath bene heretofoꝛe declared, limitted and made thereof: Be it &c. ẏ in euery ſuch caſe the ſame perſons, their heires & aſſignes, that haue ſuch vſe and intereſt to haue and perceiue any ſuch annual rents, out of any lands, tenements oꝛ hereditaments, ẏ they and euery of them, their heires and aſſignes, bee adiudged and deemed to bee

Right
Entrie
Vſe
Right
Rent

Poſſeſſion bee in poſſeſſion and ſeaſon of the ſame rent, of and in ſuch like eſtate as they had in the title, intereſt or vſe of the ſaid rent or profit, and as if a ſufficient graunt or other lawful conueyance had bene made and executed to them by ſuch as were or ſhalbe ſeyſed to the vſe or intent of any ſuch rent to be had, made or payed, according to the very truſt and intent thereof. And that al and euery ſuch perſon & perſons, as haue, or hereafter ſhall haue any title, vſe, and intereſt, in or to any ſuch rent or profit, ſhal lawfully diſtraine for non paiment of the ſayde rent, and in their owne names make auowries, or by their Baylifes or ſeruants make coniſaunces & iuſtificatiõs, & haue al other ſuites, entries and remedies for ſuch rentes, as if the ſame rents had ben actually and really graunted to them with ſufficient clauſes of diſtreſſe, reentree or otherwiſe, according to ſuch conditions, paines or other thing limitted and appoynted vpon the truſt and intent for paiment or ſuertie of ſuch rent.

Truſt

Diſtreine

Auowrie

And be it &c. that whereas diuers perſons haue purchaſed or haue eſtate made and conueyed of and in dyuers landes, tenements & hereditaments vnto them and to their wiues, and the heires of the huſband, or to the huſbãd and to the wife, and to the heires of their two bodies begotten, or to the heires of one of their bodies begotten, or to the huſband and to the wife for terme of their liues, or for terme of life of the ſayd wife: Or where any ſuch eſtate or purchaſe of any lands, tenementes or hereditamentes hath bene or hereafter ſhalbe made to any huſband and to his wife, in manner and fourme aboue expreſſed, or to any other perſon or perſons, and to their heires and aſſignes, to the vſe and behoofe of the ſayde huſband and wife, or to the vſe of the wife, as is before reherſed, for the ioynter of the wife: that then in euery ſuch caſe, euery woman maried, hauing ſuch ioynter made or hereafter to be made, ſhall not clayme nor haue title to haue any dower of the reſidue of the landes, tenements or hereditamentes that at any time were her ſayd huſbandes, by whome ſhee hath any ſuch ioynter, nor ſhall demaund nor clayme her dower of and againſt them that haue the landes and inheritances of her ſayde huſbande. But if ſhee haue no ſuch ioynter, then ſhee ſhalbe admitted and inhabled to purſue, haue, and demaund her dower by writ of dower, after the due courſe and order of the common lawes of this Realme, this act or any law or prouiſion made to the contrary thereof not withſtanding.

Caple

Ioynter

Woman

Dower

Prouided alwaies that if any ſuch woman be lawfully expulſed or euicted frõ her ſaid ioynter, or from any part thereof, without any fraud or couine by lawfull entrie, action, or by diſcontinuance of her huſband: then euery ſuch woman ſhalbe endowed of aſmuch of the reſidue of her huſbandes tenements or hereditaments whereof ſhee was before dowable, as the ſame Landes and Tenements ſo euicted and expulſed ſhall amount or extend vnto.

Euicted Ioynter

Dower

Prouided alſo, that this act nor any thing therein cõtained or expreſſed, exted or be in any wiſe hurtful or preiudicial to any woman or women heretofore being maried, of, for or cõcerning ſuch right, title, vſe, intereſt or poſſeſſion, as they or any of them haue claime, or pretend to haue, for her or their ioynter or dower, of, in or to any manours, landes, tenements or other hereditaments of any of their late huſbandes beeing now dead or deceaſed, any thing contayned in this act to the contrary notwithſtanding.

Woman

Ioynter Dower

Prouided alſo that if any wife haue or hereafter ſhal haue any mannours, lands, tenements, or hereditaments vnto her giuen or aſſured after mariage for terme of her life, or otherwiſe in ioynter, except the ſame aſſurance bee to her made by act of Parliament, and the ſaid wife after that fortune to ouer liue the ſame her huſband, in whoſe time the ſaid ioynter was made or aſſured vnto her: that then the ſame wife ſo ouerliuing, ſhall and may at her libertie after the death of her ſayde huſband, refuſe to haue and take the lãds and tenementes ſo to her giuen, appoyn-

Wife Landes

Act of parliament

Refuſe

ted

Joynter

ted or assured, during the couerture for terme of her life, or otherwise in ioynter, except the same assurance be to her made by act of parliament as is aforesayde, and thereupon to haue, aske, demaund and take her dower by writte of dower, or otherwise, according to the common law, of and in all such landes, tenements, and hereditaments as her husband was and stoode seysed of any state of inheritance, at any time during the couerture, any thing conteined in this act to the contrary in any wise notwithstanding.

Dower

Prouided also that this present act, nor any thing therein contained extend nor be in any time hereafter interpreted, expounded or taken to extinct, release, discharge or suspend any statute, recognisaunce or other bond by the execution of any estatute of, or in any landes, tenements, or hereditaments, by the auctoritie of this act to any person or persons or bodies politike, any thing conteined in this act to the contrary thereof notwithstanding.

Statute Recog.

And for as much as great ambiguities and doubtes may arise of the validitie and inualiditie of willes heretofore made of any landes, tenements, hereditaments, to the great trouble of the kings subiects, the kings most Royall maiestie minding the tranquillitie and rest of his louing subiects, of his most excellent and accustomed goodnesse is pleased and contented that it be &c. that all maner true and iust willes and testaments heretofore made by any person or persons deceased, or that shall decease before the first day of May, that shalbe in the yeere of our Lorde God M. D. xxxvi. of any landes, tenementes, or other hereditamentes, shalbe taken and accepted good and effectuall in the law after such fashion, maner and fourme as they were commonly taken and vsed at any time within fourty yeeres next afore the making of this act, any thinge contained in this act, or in the preamble thereof, or any opinion of the common lawe to the contrary thereof notwithstanding.

Willes

Testaments

40. Yeeres

Prouided alwaies that the kings highnesse shall not haue demaund or take any aduantage or profit for or by occasion of the executing of any estate onely by auctoritie of this act, to any person or persons, or bodies politike which now haue, or on this side the sayd first day of May which shalbe in the yeere of our Lorde God a thousand fiue hundred thirtie and sixe, shall haue any vse or vses, trustes or confidences in any manours, lands, tenements or hereditaments holden of the kings highnesse by reason of primer seyson, liuerie, ouster le maine, fine for alienation, relese or heriot, but that fines or alienations, reliefes and heriotes shalbe paied to the kings highnesse. And also liueries and ouster le maynes shal be sued for vses, trust and confidences to be made and executed in possession by auctoritie of this act, after and from the sayde first day of May, of landes and tenementes and other hereditamentes holden of the kyng in such like maner and fourme to all intentes, constructions, and purposes, as hath heretofore bene vsed or accustomed by the order of the lawes of this Realme.

Vse Trust

Primer seisin Liuerie Ouster le mayne Relefe Heriot

Prouided also that noe other person or persons or bodies politike, of whome any landes, tenements or hereditaments bee or hereafter shalbe holden, mediate or immediate, shal in any wise demaund or take any fine, relefe, or heriot for or by occasion of the executing of any estate by the auctority of this act, to any person or persons, or bodies politike before the saide first day of May which shall bee in the yeere of our Lord God a thousande fiue hundred thirtie and sixe. And bee it &c. that al and singuler person and persons, and bodyes polytike which in any time on this side the sayde first day of May, which shalbe in the yeere of our Lorde God a thousand fiue hundred thirtie and sixe, shall haue any estate vnto them executed of and in any landes, tenements or hereditaments by the auctority of this act, shall and may haue and take the same or like aduantage, benefite, voucher, aide, pryer,

Fine

Aduantage

pyer, remedie, commoditie and profit by action, entrie, condition, or otherwise to al intents, conſtructiõs and purpoſes, as the perſon or perſons ſeyſed to their vſe, of, or in any ſuch landes, tenementes or hereditaments, ſo executed, had, ſhould, might or ought to haue had at ẏ time of the execution of the eſtate thereof by the auctho̅itie of this act, againſt any other perſon or perſons of or for any waſt, diſſeyſon, treſpas, condition broken, or any other offence, cauſe or thing concerning or touching the ſaid lands or tenements, ſo executed by the authoritie of this act.

Actions

Prouided alſo and be it &c. that actions now depending gainſt any perſon or perſons ſeyſed of or in any landes, tenements, or hereditaments, to any vſe, truſt or confidence, ſhall not abate ne bee diſcharged for or by reaſon of executing of any eſtate thereof by authoritie of this act, before ẏ ſaid firſt day of May, which ſhalbe in the yeere of our lorde god M. D. xxxvi. any thing contained in this act to the contrary notwithſtanding.

Wardſhip

Prouided alſo that this act nor any thing therin cõteined, ſhal not be preiudicial to the kinges highneſſe for wardeſhippes of heires, now being within age,

Liuerie Ouſter le mayne

nor for liueries, or for ouſter le maines to be ſued by any perſon or perſõs now being within age, or ful age, of any landes, or tenementes vnto the ſame heire or heires now already diſſeiſed, any thing in this act contayned to the contrary notwithſtanding.

Recog.

Prouided alſo and be it &c. that all and ſinguler recogniſances heretofore knowledged, taken or made to the kinges vſe, for, or concerning any recoueries of any landes, tenements or hereditaments, heretofore vſed or had, by writ or writs of entrie vpon diſſeiſon in le poſt, ſhall

Voyde

from henceforth bee vtterly voyde and of none effect to all intents, conſtructiõs and purpoſes.

Prouided alſo that this act nor any thing therein conteyned, bee in any wiſe preiudicial or hurtfull to any perſon or

Wales

perſons borne in Wales or the marches of the ſame, which ſhal haue any eſtate to them executed by authoritie of this act, in any landes, tenements or other hereditaments within this Realme, whereof any other perſon or perſons nowe ſtand or bee ſeyſed to the vſe of any ſuch perſon or perſons borne in Wales or the marches of the ſame, but that the ſame perſon or perſons borne in Wales or the marches of the ſame, ſhal or may lawfully haue, retaine, and keepe the ſame landes, tenements or other hereditamkts whereof eſtate ſhall be ſo vnto them executed by the auctho̅itie of this act, accoꝛding to the tenour of the ſame: any thing in this act contayned, or in any other act or prouiſion heretofore had or made to the contrary notwithſtanding. Anno 27. H. 8. ca. 10.

¶Vſurie.

Vnder age

FRom henceforth the vſury ſhall not runne againſt any within age, from the tyme of the death of his auncеſtour (whoſe heire he is) vnto his lawful age. So neuertheleſſe that the payment of the principal debt with the vſury that was before the death of his auncеſtoure (whoſe heire hee is) ſhall not remaine vnpayde by reaſon of this. Merton ca. 5. An. 20. H. 3.

2 ¶None from henceforth ſhal lend any thing to vſury vpon landes, rents, or other thing. And that no vſury continue from Saint Edwards tide laſt paſt forward, but the couenants afore made ſhall ſtand, but the vſurie ſhal ceaſe. And that al thoſe which owe debt to Jewes vpon gages moueable, redeeme them betweene this ✠ Eaſter at the farthеſt, or els ẏ they be forfeited. And if any Jewe lẽd for vſury againſt this eſtabliſhment, the king by himſelfe, nor by none of his ſhall meddle to help him to his debt, but will puniſh him at his pleaſure for the treſpas. And to the Chriſtian wil doe right to recouer him his gage. Statut. de Iudaiſmo.

3 ¶An. 3. H. 7. ca. 5. was an act made againſt vſury. But it was after repealed An. 11. H. 7. cap. 8. here 5.

Chemiſaunces

4 ¶That al vnlawfull cheuiſaunces and

and vsury be dampned, and none to be vsed vpon payne of forfaiture of the value of the money or goods so cheuised or lent, the sayd forfaiture to renne vpon the seller or lender thereof. And also forasmuch as diuers English and estraungers brokers which bene named and assigned to occupy lawfull brocage, bene inducers and bargayne makers of vnlawfull cheuisaunce and vsury, and in some part of vnlawfull exchaunges, to the hurt of our sayd souereigne Lord, and this his sayde Realme: Therefore it is ꝛc. that all such brokers dealing vnlawfully of any of the premisses be put a part, and neuer to occupy as brokers within this Realme, as they may be espyed and founde in cities, boroughes and townes, by Maiors, Bailifes, or any of them, or of their ministers where such bargaynes be vsed. And that euery broker that is founde defectiue in making of vnlawfull brocage, shall forfaite for euery default twenty pound, and haue imprisonment for halfe a yere. And further more to be punished by the pillory or otherwise, to their open rebuke and shame: the king to haue the one halfe of euery of the sayd forfaites, and the partie that will sue the other halfe of the same, by action of debt in the common lawe, and the defendaunt in the same action be not admitted to wage his lawe, ne essoine, ne protection before the same defendaunt allowed. Anno 3. H. 7. cap. 6. See here 6. a repeale.

Forf. Seller Brokers Forf. Imprison Pillory Moitie

5 ¶ All maner of person or persons lending money to and for a time, taking for ỹ same loane any thing more besides or aboue the money lent by waye of contract or couenant at the time of the same loane, sauing lawfull penalties for non payment of the same money lent, and that al maner of person & persons which hereafter sell any goods, cattels, or marchandises to any person or persons being in necessitie, and the seller himselfe, or by his broker or factour in that behalfe agayne buy the same goods, cattels, or marchandises of the same person, to whome they were sold, being in necessity of his broker or factor in that behalfe, within three moneths after they bene sold, or a lesse sume of money then they were solde for, knowing the same goods so bought againe afore by the same buyer or buyers, to bee solde after the forme aforesaid, & that euery person & persons lending or taking any money to any person or persons, to a certaine time, and taketh landes, tenementes, or any hereditamentes, or other bondes, for suertie, profit, & sure paiment of his or their money lent at the time assigned without condition or aduenture, & also at ỹ time of the same loane or taking of the said money, couenaunteth, appoynteth, or contracteth, that he or they that so lend or taketh money, shall haue the reuenues and profits of the lands, tenements, or hereditamentes of him that so boroweth or taketh money, by a certaine time, that then euery person hereafter vpon any of the premisses conuicted, forfayte the money, or the value in money of the sayde money, goods, cattels, marchaundises, as is aboue sayd, so solde or lent after such value as they be solde or lent, for any fourme aforesayde, where of the king shall haue the one moitie of the same forfaiture, and the partie that will sue the other moitie. And if no man will sue, then the king to haue the whole. And this suite for the sayd penaltie and forfayture to bee as well at the kinges suite, as any other that will sue by information in any of the kinges Courtes of recorde, and such processe to be had in the same, as is vsed in other actions of debt at the common lawe in the same courtes. Prouided alway, that in the Courtes of Chaunce ry and Eschequer, they shall make such processe as hath bene vsed aforetime in informations afore them commenced, wherein the defendaunt shall not wage his law, nor protection, ne essoine de seruice le Roy in the same allowable. And that the same act and ordinance made the sayd third yeere (See Anno 3. H. 7. cap. 5. before 3.) and all thinges therein contained, be from henceforth vtterly voyde and of none effect. Reseruing alwayes to the spirituall iurisdiction their lawfull punishmentes in euery cause of Vsurie.

Loane Penalties Sell Buy 3. moneths Landes Suertie Forf. Moitie Proces Spirituall iurisdiction

Anno 11.H.7.cap.8. But this is also repealed, as here followeth 6.

6 ¶ Where diuers actes haue bene made for the auoyding & punishment of vsury, being a thing vnlawfull, and of other corrupt bargaines, shiftes, & cheuisances, which be so obscure in termes, & so many questions growen vpō ỹ same, & of so litle effect, that litle punishment, but rather incouragement to offenders that ensued thereby: For reformation thereof, bee it &c. that all and euery actes, statutes, and lawes heretofore made, of, for, or concerning Vsurie, shiftes, corrupt bargaynes, cheuysaunces, and euery of them, and all paynes, forfaitures, and penalties concerning the same and euery part thereof, shall from henceforth be vtterly voyde and of none effect to all intentes, construction and purposes.

Shiftes

Repeale

Voyde

And be it &c. that no person ne persons of what estate, degree, or condition soeuer he, or they bee, from &c. shall by himselfe, factour, attourney, seruant, or deputie sell his marchandises or wares to any person or persons, and within three monethes next after by himselfe, factour, attourney, deputy, or by any other person or persons to his vse and behooke, buy the same marchandises or wares, or any part or parcell there of, vpon a lesser price, knowing them to bee the same wares or marchaundises, that he before did so bargaine & sel, vpon the paines & forfaitures hereafter limitted in this estatute.

Sell

3. moneths

Buy

And be it &c. that no person or persons of what estate &c. by way or meane of any corrupt bargaine, loane, eschange, cheuisance, shift of interest of any wares, marchandise, or other thing or things whatsoeuer, or by any other corrupt or deceitful way or meane, or by any couine, engine, or deceitfull way or cõueyance, shal haue, receiue, accept, or take in lucre or gaines, for the forbearing or giuing daye of payment of one whole yere, of, and for his or their money or other thing, that shall be due for the same wares, marchandises, or other thing or thinges aboue the summe of tenne pound in the hundred, and so after that rate and not aboue, of, and for a more or lesse summe, or for a longer or shorter time, and no more greater gayne or summe thereupon to be had, vpon the paynes and forfaitures hereafter in this act mentioned and contained.

Loane

Gaines

x.li. the 100.

And be it &c. that if any person or persons, at any time after &c. doe bargayne and sell, or lay to morgage by any way or meane any manours, landes, tenements, or hereditamentes to any person or persons, vpon condition of payment or non payment of any summe or summes of money to be had, payed, or made, at any day certaine, or before any such daye by him that shall so bargayne, sell, or lay to morgage the same mannours, landes, tenementes, or hereditamentes, that the same person or persons, to whome any such mannours, landes, tenements, or hereditamentes shalbe so bargayned, solde, or layed to morgage, shall not by reason thereof, haue ne take in lucre or gaines of the issues, reuenues, and profites of the same manours, landes, tenements, or hereditaments aboue the summe of tenne pound in the hundreth for one whole yere, and so after the rate aboue sayd for a more or lesser summe, or for a longer or shorter time and no more, nor otherwise vpon the paynes, forfaitures, and penalties hereafter in this present estatute limitted and expressed. And bee it &c. that if any person or persons, of what estate &c. shall do any act or actes, thing or thinges, contrary to the tenour, fourme, and effect of this estatute, or of any clause, article, or sentence contayned in the same, that then all and euery offendour and offendours therein, or in any part thereof, shall forfaite and loose for euery such offence the treble value of the wares, marchandises, and other thing or things so bargayned, sold, eschaunged or shifted, and the treble value of the issues and profites of the sayd manors, landes, tenements, and hereditaments so had, taken or receiued by reason of any such bargayne, sale, or morgage, and also shal haue & suffer imprisonment of his body, and make fine and raunsome at the kings will and pleasure. The moity of which forfayture of the sayde treble value,

Sell Morgage Landes

x.li. the 100.

Forf.

3. Value

Imprison

Moitie

value, shall be to the king, and the other moity to him or them that wil sue for the same in any the kings courtes of record, by action of debt, bill, plaint or information &c. in which &c. no wager &c. Prouided alway, That it be not &c. that this act ne any thing therein contained, shall not in any wise extend to any lawfull obligation indorsed with a condition, nor to any statute or recognisaunce made and to bee made for the payment of a lesser summe, so that the same obligation, statute, or recognisaunce be made for a true, iust, and perfect debt, or for the performance of any other true couenaunts made or to be made vpon a iust and true intent had betweene the parties, other then in cases of vsury, interest, corrupt bargaynes, shift, or cheuisaunce, ne yet shall extend to any recouery, fine, feoffement, release, confirmation, or graunt made or to be made vpon condition with a true intent, other then to such recoueries, fines, feoffements, releases, confirmations, and grauntes, as shal be made vpon condition extending to vsury, interest, corrupt bargaynes, shiftes, or cheuisaunce, any thing in this statute cõtayned, or any lawe, statute or ordinance heretofore had, vsed, or made to the contrary notwithstanding. Anno 37. H. 8. cap. 9. This act was repealed by 5. E. 6. cap. 20. here following 7. But it is reuiued againe for a time by 13. Eliz. cap. 8. here following 8.

Obligation

* 7 Where in the xxvii. peere of the raigne of the late king Henry the eyght, (before 6.) amongst other actes and statutes then made, it was enacted by auctoritie of Parliament, that no person or persons at any time after the last daye of January, in the sayde xxvii. peere, shoulde haue, receyue, accept, or take in lucre, or gaynes, for the lone, forbearing, or giuing day of payment of any summe of money, for one whole peere, aboue the summe of ten pounde in the hundred, and so after that rate, and not aboue, of, and for a more, or lesse summe, or for longer or shorter time, vpon the paynes and forfaitures in the said act mentioned and conteined. The which act was not meant or entended for the maynteynaunce and allowance of Vsury, as diuers persons, blynded with inordinate loue of themselues, haue and yet do mistake the same, but rather was made and intended against all sortes and kindes of vsury, as a thing vnlawfull, as by the tytle and preamble of the sayde acte it doeth playnely appeare. And yet neuertheless the same was by the sayde acte permitted, for the auoyding of a more euill and inconuenience, that before that time was vsed and exercised. But forasmuch as Vsury is by the worde of God vtterly prohibited, as a vice most odious and detestable, as in diuers places of the holie Scripture it is euident to bee seene, which thing by no godly teachinges and perswasions can synke into the heartes of diuers greedy, vncharitable, and couetous persons of this Realme, nor yet by any terrible threatninges of Gods wrath and vengeaunce, that iustly hangeth ouer this Realme, for the great and open vsury therein dayly vsed and practised, they will forsake such fylthie gayne and lucre, vnlesse some temporall punishment bee prouided and ordayned in that behalfe. For reformation whereof bee it enacted by the auctoritie of this present Parliament, that from the first day of May, which shall be in the yeere of our Lorde God a thousand, fiue hundred, fiftie and two, the said acte and statute, concerning onely vsury, lucre, or gaynes, of, or for the lone, forbearing, or giuing dates of any summe or summes of money, be vtterly abrogated, voyde, and repealed.

Repealed

And furthermore bee it enacted by the auctoritie aforesayde, that from and after the sayde first daye of May next comming, no person or persons, of what estate, degree, qualitie, or condition soeuer hee, or they bee, by any corrupt, colourable, or deceitful cõueyance, sleight, or engine, or by any way or meane, shall lende, gyue, set out, deliuer, or forbeare Lend any summe or summes of money, to any person or persons, or to any corporation, or body politique, to, or for any maner of

Like vsury, increase, lucre, gayne, or interest, to be had, received, or hoped for, ouer and aboue the summe or summes so lent, giuen, set out, deliuered, or forborne, vpon paine of forfaiture the value, aswel of the summe or summes so lent, giuen, set out, deliuered, or forborne, as also of the vsury, increase, lucre, gaine, or interest thereof, and also vpon paine of imprisonment of the body or bodies of euery such offender or offenders, and also to make fine & raunsome at the kings wil and pleasure. The moity of which forfaiture of the said value, shall be to the king, and the other moitie to the partie that will sue for the same in any of the kinges Courtes of record, by action of debt, bill, plaint, or information, wherein no wager of lawe, essoyne, or protection shall be allowed or admitted. Anno 5. & 6. E. 6. cap. 20. This act is repealed for a time by 13. Eli. cap. 8. as here followeth 8.

Forf.

Moitie

☞ 8 ¶ Where in 37. H. 8. (before 6.) a good act was made for the reformation of vsury, whereby especially the corrupt cheuisaunce and bargayning by way of sale of wares, and shiftes of interest was well repressed, which was repealed by an other act made 5. & 6. Ed. 6. (before 7.) against vsury, which latter act hath not done the good that was hoped for, as wel for that there was no prouision against such shiftes of interest and sale of wares, as also for that there is no difference of forfaiture, vpon greater or lesser exactions, by reason of lones vpon vsury: Be it enacted, that the Statute made in the fift and sixt yeere of the raygne of king Edwarde the sixt, and euery braunche and article of the same, from and after the fiue and twentie daye of June next comming, shall be vterly abrogated, repealed, and made voyde: and that the sayd act made in the sayd xxxvii. yeere of king Henry the eyght, from and after the sayde fiue and twenty day of June next comming, shalbe reuiued, and stand in ful force, strength, and effect.

And bee it further enacted, that all bondes, contractes, and assurances collaterall or other, to bee made for payment of any principall, or money to bee lent, or couenaunt to be performed, vpon or for any vsury in lending or doing of any thing against the sayd act nowe reuiued, vpon or by which lone or doing there shal bee reserued or taken aboue the rate of tenne poundes for the hundred for one yere, shalbe vterly voyde.

x. li. the hundred

And be it further enacted, that all brokers, solicitors, and driuers of bargaynes for contracts or other doings against the said statute now reuiued, whereupon shal be reserued or taken more then after the rate of tenne pound, for the lone of a hundred li. for a yere, shalbe to all intents and purposes iudged, punished, and vsed as counsellours, atturneys, or aduocates in any case of premunire.

Brokers

Premunire

And forasmuch as all vsury being forbidden by the lawe of God, is sinne and detestable: Be it enacted, that all vsury, loane and forbearing of money, or gyuing dayes for forbearing of money by way of lone, cheuisaunce, shiftes, sale of wares, contract, or other doings whatsoeuer for gaine, mentioned in the sayd statute which is nowe reuiued, whereupon is not reserued, or taken, or couenaunted to be reserued, payed, or giuen to the lender, contracter, shifter, forbearer, or deliuerer, aboue the summe of tenne pounde for the lone or forbearing of C. pound for one yere, or after that rate for a more or lesser summe or time, shalbe from the fiue and twenty day of June next comming, punished in fourme following, that is to say, that euery such offender against this braunche of this present statute, shall forfaite so much as shall be reserued by way of vsury, aboue the principall for any money so to be lent or forborne. All such forfaitures to be recouered and imployed, as is limitted for forfaitures by the sayd former statute nowe reuiued.

x. li. & vndes

Forf.

And be it further enacted, that Justices of Oyer & Terminer, & Justices of assise in their circuites, Justices of peace in their sessions, maiors, sheriffes, and bailifes of cities, shal also haue full power & aucthority to enquire, heare, & determine of all and singuler offences committed against

Iust. of oyer
Iust. of ass.
Iust. of p.
Maiors
Sheriffes
Bailifes

againſt the ſayd ſtatute nowe reuiued.

And be it further enacted, that the ſaid ſtatute now reuiued, ſhalbe moſt largely & ſtrōgly cōſtrued for ẏ repꝛeſſing of vſury, & againſt al perſons that ſhal offend againſt ẏ true meaning of ẏ ſaid ſtatute by any way or deuice, directly, or indirectly.

Pꝛouided alway, that this ſtatute doth not extend, nor ſhalbe expounded to extēd vnto any allowances or payments for the finding of Oꝛphanes, accoꝛding to the auncient rates or cuſtomes of the citie of London, or any other city where like oꝛder is for the cuſtody of oꝛphanes, & their goods, as is in the ſaid citie of London.

Pꝛouided alwaies, & be it further enacted by the auctheꝛity afoꝛeſaid, that if any perſon or perſons, ſhal trō & after the ſaid xxb. day of June, offende cōtrary to ẏ ſaid ſtatute reuiued by this pꝛeſent act, made in the xxxvii. yere of the raigne of the ſaid late king Henry the eight: that then all & euery ſuch offender or offenders ſhal and may alſo be puniſhed & coꝛrected, accoꝛding to the Eccleſiaſticall lawes heretoꝛe made againſt vſury. And that all and euery perſon & perſons, offending in vſury, ſhiftes, or cheuiſance againſt this pꝛeſent act, and not taking or receiuing, but only after the rate of x. li. in the hundꝛed, or vnder, for a yere, ſhalbe onely puniſhed by the paynes & foꝛfaitures pꝛouided and appointed by this act, againſt ſuch, as ſhal not take or receiue ouer & aboue the rate of x. li. in the hundꝛed for a yere, and not otherwiſe. This act to continue & endure for & during the ſpace of v. yeres, next after the ende of this pꝛeſent Parliament, and from thence vnto the ende of the firſt ſeſſion of ẏ parliament thē next enſuing.

And be it further enacted by the auctheꝛity afoꝛeſaid, that if this pꝛeſent act ſhall not be continued in the firſt ſeſſion of the parliament next enſuing the ſaid terme of v. yeres, & then in ẏ ſame ſeſſion no other ſtatute or pꝛouiſion made againſt vſury, or coꝛrupt cheuiſance: that then all & euery the lawes & ſtatutes repealed by this act, ſhal remaine and be of ſuch like foꝛce and effect, as if this pꝛeſent act had neuer bene had ne made. Anno 13. El. cap. 8.

¶ Wager of lawe.

NO bayliſe from henceforth ſhall put any man to his open lawe, nor to an othe vpon his owne bare ſaying, without faithfull witneſſes bꝛought in for ẏ ſame. An. 9. H. 3. Mag. carta. cap. 28.

2 ¶ Where as much people be grieued and attached by their body in the citie of London, at the ſuit of people of ẏ ſame citie, ſurmiſing to them that they be debtoꝛs, & ẏ will they pꝛoue by their papers, whereas they haue no deede nor taile: It is aſſented, that euery man be receiued to his law by people ſufficient of his condition againſt ſuch papers, and the creanſour ſhall take ſuerty by an other way if he wil, without putting ẏ party to pleade to the enqueſt, if he will not of his owne gree. Anno 38. E. 2. cap. 5.

3 ¶ An. 6. R. 2. ſtat. 2. cap. 4. It was enacted, that in actions ſuppoſed to bee done by any in the late inſurrection, the defendant with iii. or iiii. witneſſes might wage his lawe.

4 ¶ To eſchewe diuers miſchieues, which haue bene, and be from day to day aſwell within the citie of Lōdon as within other cities & other places within the Realme of England, of that that diuers feined ſuites of debt hath bene takē, aſwel by the people of the ſaid cities, as of other places againſt diuers people, ſurmiſing them by their ſayd ſuite, that they ought to haue accompted before auditours aſſigned of diuers receiptes, duelies, and contractes had betwixt them, and that they were founde in arrerages vpon the ſame accompt in diuers great ſummes, ſurmiſing by the ſame ſuites ſometime their apꝛentices, and ſometime other of their ſeruants to be the auditours, where there was neuer receipt nor duetie betwixt ſuch parties, and where the ſaid apꝛentices and ſeruants did nothing know of ſuch accompt, to the intent to make thē, againſt whom ſuch ſuites were takē, to put them in inqueſt in the ſame ſuites, and to put them from the waging of their lawe in ſuch caſe: By reaſon whereof, by ſuch fauourable inqueſtes taken thereupon of the neyghbours of thoſe that haue

taken such suites, hath bene condẽpned in many great summes, to the great impouerishing & destruction of them: It is ordained & stablished, that the Justices in ỹ kinges court and other Judges, before whom such suites & actions shalbe sued & taken, in all such cases in cities, and boroughes, shal haue power to examine the attourneis and other whom please them, & thereupon to receiue the defendants to their lawe, or to trye the same by inquest after the discretion of the Justices and Judges aforesayde. Anno 5. H. 4. cap. 8. Where wager of lawe is put out in any action, see in euery such title as any such action is spoken of.

Justices

Attournais

¶ Wales.

IN the seconde volume of the booke of old statutes is a long act made. An. 12. E. 1. intituled, Statuta Walliæ, wherein it appeareth that Wales was then incorporated and united vnto Englãd, & there be many good lawes concerning ỹ diuisions of Wales into countles, and concerning diuers offices & officers, & concerning tryall, and concerning the diuisions of actions, and the forme of many writtes and the proceeding therein, much like to the lawes of England. which see there.

2 ¶ All the lordes of the marches of Wales shall be perpetually attendantes and annexed to the crowne of England, as they and their auncestours haue bene at al times before this, & not to the principalitie of Wales, in whose handes soeuer the same principality be, or hereafter shal come. An. 28. E. 3. cap. 2.

Lords

Crowne

3 ¶ From henceforth no hole Welshman, borne in Wales, & hauing father & mother borne in Wales, shall purchase landes and tenements within the towne of Chester, Salop, Bridgenorth, Ludlowe, Leompstre, Hereford, Glocester, Worcester, nor other market townes ioyning to the marches of Wales, nor in the suburbes of the same, vpon payne of forfaiture of the same lands & tenements to the Lordes of whome such lands or tenemẽts be holden in chiefe. And also that no such Welshmen bee from hence forth chosen or receyued to be citizen or Burgesse in any Citie, Borough, or market towne, & that such welshmen which now be in any such citie, borough, or fraunchised towne, being citizens or Burgesses shall finde sufficient suertie, & put a good caution of their good abearing, as well towardes our soueraigne Lord the king, and his heires of his realme of England, as for to holde their loyalty to the gouernors of such cities, boroughs, or townes, for the time being, in saluation of ỹ same cities, boroughes, or townes, if the same Welshmã wil dwell therein, so that none of them from henceforth be receyued nor accepted to no office of maior, baylifes, chamberlaine, constable, or keeper of the gates, or of the iayle, nor to the common counsaile of such cities, boroughes, or townes, nor that he be in no wise made other occupier or officer in ỹ same, nor that none of the said Welshmen frõ hẽcefoꝛth beare any maner armour within such citie, borough, or market towne, vpõ paine of forfaiture of the same armour, and imprisonmẽt till they haue made fine in this behalfe. An. 2. H. 4. cap. 12.

Chester

Forfaiture

Citizen

Suertie

Good abearing

Loyaltie

Office

Maior

Bailife

Constable

Armour

Forf.

Imprisonment

4 ¶ Upon a grieuous complaint made to our soueraigne lord the king by the cõmons in the parliamẽt, how the people of Wales, sometime by day & sometime by night, come within the counties ioyning vpõ the marches of Wales, & do take diuers distresses of horses, oxen, kine, shepe, swine & other their goods to a great nũber, & the same do leade, driue, and carry away to the seigniories where they be resiant, & there withhold them til agreemẽt be made at their will, & that aswell of thẽ that haue not offended, as of thẽ that haue offended, & also the said people of Wales doe dayly arrest the people of the sayde counties comming with their marchandises, or other their goods & cattels, & affirme plaintes against them of debtes, couenãts, trespasses, & other actions, whereto they be neither parties nor pledges, to the intẽt to grieue thẽ by diuers & outragious amerciaments & costs, to the great impouerishing and vtter vndoing of the people

Distresse Goods

Arrest

people of the sayde counties: Our soueraigne lord the king considering the mischeiues afore said, & willing thereupon to prouide remedy, by the assent & aduise of the said lords, & at the request of the sayd commons, hath ordayned and stablished, that if any people of the sayd counties be arrested & grieued, as afore is said, forthwith letters testimonials shall be made, reciting their grieuaunce directed to the gouernours or stewardes, where such offenders be resiaunt or the goods and cattels receiued in Wales, vnder the seales of the sheriffes of the said counties, or of the maiors and baylifes of the cities and boroughs, or stewards of franchises, where such people so grieued be dwelling, to the intent that the sayd gouernours or stewards shall do to be deliuered to them their distresses, goods, and cattels, so taken or arrested. And if they make not deliuery of such distresses, goods, & cattels so taken or arrested, within vii. dayes after request to them made, then it shalbe lawful to the English people so grieued, to arrest al men that come with goods and cattels of the of the seigniories of wales, where such offenders be inhabiting or resiaunt, & the same to retaine, til ỳ ful agreement be made to the sayd parties grieued, with their mises, costes, & expences, together with their distresses, goods and cattels afore sayd. Anno 2. H. 4. cap. 16.

Testimonials

Sheriffes

Steward

Deliuer

Arrest

Reteins

5 ¶ If any Welshmen from henceforth doe enter into the counties ioyning to the same in the realme of England, & in the same do hyenne, kill, rauish, or commit any other felony or trespasse, whereof he is attaynted within the Realme of England by ỳ lawes of the same realme, by outlagary or abiuration, and repaireth into Wales, and abideth there, that vpon the certification and records to be made by the Iustices of our soueraygne lord ỳ king in England, before whom they shal bee so conuict, vnder their seales to the lordes and ministers, where such felons shalbe found in Wales, finall execution be made vpon the same felons by ỳ same lordes or ministers, and that vpon a grieuous paine. An. 2. H. 4. cap. 17.

Felony Trespas

England

6 ¶ The Lordes of the marches of Wales shall ordaine & set sufficient stuffing & ward in their castels and seigniories of Wales, to the intent that in time to come no losse, riot, nor dammage come to our soueraigne lord the king or to his realme, nor to none of his liege people by their tenaunts, resiaunts, nor none other welshmen in their default, as hath come and bee done for default of good gouernance in time past. An. 2. H. 4. cap. 18.

Marches

7 ¶ No whole Englishman by three yeres next folowing shalbe conuict at the suite of any welshman within wales, except it bee by the iudgement of Englishe Iustices, by the iudgemẽt of whole Englishmen burgesses, or by enquesses of English boroughes & townes of the seigniories where such Englishmen bee arrested. An. 2. H. 4. cap. 19.

Englishmen

Enquest

8 ¶ From henceforth no Welshman be receiued to purchase landes nor tenementes within England, nor within the boroughs nor English townes of wales, vpon paine to forfaite the same purchases to the lordes of whom the sayd lands and tenementes be holden, such estate as the sayde purchasor had in the same, nor that no Welshman shalbe accepted burgesse, nor to haue any other libertie within the Realme, nor within the boroughes and townes afore said. Anno 2. H. 4. cap. 20.

Purchase

Fait.

Burgesse

9 ¶ No Englishman lyege to our soueraigne lord the king, be conuict by any Welshman within franches or without, in any county, hundred, or court within the land of Wales, of whatsoeuer thing, but by Englishmen and of the next venue, and by people of good fame, and not procured, nor that the English burgesses which haue maryed Welsh women, haue fraunchises with the English burgesses. An. 4. H. 4. cap. 26.

Englishman

Burgesses

10 ¶ No waster, rimour, minstrell, nor bagabond be in any wise sustayned in the land of Wales, to make commorthes nor gathering vpon the common people there. Anno 4. H. 4. cap. 27.

Bagabonds

11 ¶ No congregations be made nor suffred to be made by the welshmẽ in any place of Wales, for to make or take any

Congregations

counsell, vnlesse it be for an euident and necessary cause, & by licence of the chiefe officers and ministers of the same seignorie, where such thing shalbe done, and in the presence of the same officers and ministers, vpon paine of imprisonment, and to make fine and raunsome at the kinges will. An. 4. H. 4. cap. 28.

Imprison
Fine

12 ¶ From henceforth no Welshmã be armed, nor beare defensible armour to market townes, churches, nor congregation in the same, nor in the high waies, in affray of the countrey, or of the kinges liege people, vpon paine of imprisonmẽt, and to make fine & raunsome at the kings will, except those which be lawfull liege people to our soueraigne lorde the king. Anno 4. H. 4. cap. 29.

Armour

High wayes

Imprison
Fine

13 ¶ No Englishman nor Welshman of what estate or cõdition that he be, send or bring by colour of marchandise or other way, any vitaile or armour to any party of Wales, without the speciall licence of our soueraigne lorde the king, or of his counsel, vnlesse it be for stuffing or victoring of Castels & English townes, vpõ paine of forfaicture of ỹ same vitailes & armour, & that in euery part of the marches of Wales & townes of the marches, there be English cõstables for to enquire, search & arrest al such vitailes & armour, and the same constables for their trauaile shal haue the vi part of such forfaicures so by them found. An. 4. H. 4. cap. 30.

Vitaple
Armour

Forf.

Constables

14 ¶ No Welshman shal haue castel, fortresse, nor house defensiue of his owne nor of other to keepe, otherwise thẽ was vsed in the time of king Edward conquerer of Wales, (S. E. 1.) vpon paine of forfaiture of the same. Except Bishops and other temporall lordes for their owne bodies. An. 4. H. 4. cap. 31.

Castels

Forf.
Bishops
Lords

15 ¶ No Welshmã be made Iustice, Chamberlaine, Chaūcelor, Treasourer, sherife, steward, constable of castel, receiuour, eschetour, coroner, nor chiefe forester, nor other officer, nor keeper of the records, nor lieutenaunt in any of the sayde offices in no part of Wales, nor of the counsaile of any English lorde, notwithstanding any patent made to the cõtrary with this clause, non obstante quod sit Wallicus natus, except bishops in wales. And of those & other whom the king our soueraigne lord hath found his good and lawful liege people, he will to be aduised by his counsel. An. 4. H. 4. cap. 32.

Iustice
Chãberlaine

Officer

Bishops

16 ¶ The garisons of the castelles and walled townes there, be prouided & stored sufficiently of valiant English persons, strangers to ỹ seignories where the said castels be set, and not of any mixtuan of the sayde parties or seignories in Wales, or the marches of the same, till the sayd land of Wales be otherwise mistified and appeased for the time to come. Anno 4. H. 4. cap. 33.

Garisons
Castels
Englishmen

17 ¶ No Englishman maried to any Welshwoman of the amitie or aliance of Owen ap Glepndourdy, traytour to our soueraigne Lord, or to any other Welshwoman, after the rebellion of the sayde Owen, or that in time to come marieth himselfe to any Welshwoman, be put in any office in Wales, or in the marches of the same. Anno 4. H. 4. cap. 34.

Officere

18 ¶ Touching felonies and robberies done within any seignionies of south Wales, it is ordeined and stablished, that the people of the countrey where such felons be borne, receiued, or dwelling, shal take the same felons and bring them to the Iayle of the same countrey, where they shalbe taken, or els they shalbe charged and make satisfaction of the felonies and robberies aforesayde to the parties, and that by the ordinaunce and award of the Lord of the same seignionie. Anno 9. H. 4. cap. 3.

Felons

19 ¶ No thiefe nor felon in Wales openly knowen, bee not suffered to disclayme out of the seigniourie where the felonie was done, and that such maner of disclayming bee vtterly eschewed and taken away. And that as well the sayde theeues openly knowen, as other theeues be put to answere as priuie to the endictmentes or accusementes in the same seigniouries where the theeues bee taken, without being deliuered by disclayming, or by letters of marque in any maner. Anno 9. H. 4. cap. 4.

Felons

20 ¶ An.

20 ¶ An.1.H.5.cap.6. it was enacted vpon paynes expressed in the statute, that no action, suit or demand should be commenced by any welshman against any of the kinges subiects for killing of any of the rebelles that then late were in the rebellion in walles.

Rebels

21 ¶ For as much as sithence the rebellion of the welshmen nowe late reformed, many of ỳ rebels of wales, with other their adherentes, with force and armes in the maner of warre, sometimes by day, and sometimes by night, haue cõen into the cõtties of Salop, Hereford, and Glocester, and in other places bordering vpon the same countries, and in diuers woods and other places there hid them selues and lodged, and haue trayterously & feloniously takẽ many of ỳ kings faithfull liege people, some in riding about their merchaundises and doing their other busines, and some in their houses, where they were abydinge, doinge their workes & their husbandry in gods peace & the kings, & those the kings liege people so takẽ, haue brought out of their cõtrey to diuers parties of Wales, & them haue kept and withholden with them in the mountaynes of those parties of Wales by halfe a yere, sometime more and sometime lesse, till they haue raunsomed some of the sayde lyege people to an hundred pounde and some more after their rate, in like maner as is vsed in time of warre, to the great dammage & mischiefe of the people of the sayd counties & countries, and to an euill example if it be not the rather remedyed, as the king by the greuous complaynt of the cõmons hath perceiued: Our soueraigne lord ỳ king, willing agaynst all such offenders to ordayne a due punishment, hath ordayned & stablished, ỳ the Justices of peace within the counties of England assigned for the time, shall haue power to enquire, heare and determine al maner of such treasons and felonies as well at the kinges suit as at the parties. So that in case that such offenders will not appeare before the said Justices to answere as ỳ lawe requireth in this behalfe, till they be according to ỳ

Iust. of p.

Enquire Diuers ter. Treasons Felonies

custome of the realme outlawed, then the same Justices shall certifie by their letters vnder their seales to the officers of the seignories, in which such outlawes be withdrawen, abiding or resiãt, of the outlawry vpon them so pronoũced. And that the same officers vpon that certification, take the bodies of those outlawes, and do execution vpon them in the same seignio- Execut
rie, as the lawe demaundeth, without fine or raunsome in this behalfe to be made. Anno 2.H.5.cap.5.

22 ¶ Whereas diuers dwelling in Wales & in the marches, being indited & outlawed of treasons & felonies, come into the cõtty of Hertford, & there buy & sel & abide there 3. or 4. dayes at their pleasure, & returne againe without any let or execution made of them by the sherifes or other, & so they be emboldened to cõmit any offence in the sayd county: Be it &c. that if the sherife, vndersherife, or any she- Sherife
rifes ministers, maior & bailifs of townes Maior
& boroughs, or any other person conuersant within the said county, know and see Baylife
any such person endicted or outlawed, in any place within the said county, that he shal arrest, take & bring him to the gaiole Arrest
within the said county, & there shall deliuer him to the gaioler after the law of the realme. And if any such person endicted or outlawed, will disobey the arrest to be Disobey
made in the forme aforesaid, ỳ he against whom such disobeysance is made, shal leup huy & cry. And that euery person that Huy & cry
is conuersant within the said county that heareth the huy & cry, shal come and ayde him that leuied the sayd huy & cry to take the sayd offender, and shal do their power that to doe. And if they can not take him, they shal followe & pursue him out of the sayd county with huy & cry. And that the sherife, vndersherife, and their ministers, maior and bailifes, the conuersantes and hearers of such huy & cries, shal make due execution of the said ordinance, according Execution
to their power, vpon the payne, that is to say, the said sherife, vndersherife and their ministers, Maior and baylifes to make fine and raunsome to the king, and the Fins
sayd persons conuersantes and hearers,

that

Knight Esquier

that is to say, a knight C. shillinges, an Esquire fourty shillinges, and all other inhabitaunts twenty shillinges.

Just. of p.

And that the Justices of peace in the said county for the time being, shal haue power to enquire, heare and determine vpon the defaults and negligences of the sayde sherife, vndersherife, and ministers, Maior and baylifes, Conuersants, & hearers of the sayde hues and cries. And moreouer the king will that the statute of westminster 1. (which See in Robbery 1.) touching like matter, shalbe put in execution. Anno 23. H. 6. cap. 5.

Enquire Diet & ter.

23 ¶ The king hath approued, ratified, and affirmed all maner of statutes made in any parliament agaynst welshmen before this time not repealed. And moreouer hath ordained by the auctority aforesaid, that all grantes of fraunchises, markets, fayers, & other liberties to buy or to sell, to bake or to brue & to sell vnto the townes of North Wales made to any Welshman before this time, shalbe voyd and of no value. And that al the villeines of our soueraigne Lord the king within Northwales shalbe bound & constrayned to doe such labours & seruices as they of right haue vsed to doe of olde time, notwithstanding any graunt made to them, or any vsage vsed by them of a later time to the contrary. And that such officers shall haue power to compell them to do such labours and seruices, as they haue vsed to compell the before this time lawfully. Anno 25 Henrici 6. cap. 1.

Franchises Markets Fayers

Voyd Villeines

Labour Service

24 ¶ Where for lacke of diligent & sure custody of Iurours sworne for triall of murders & felons & their accessaries in wales & the marches of the same, the frendes of such offenders haue resorted to the Iurors & so corrupted them many times: Bee it &c. That forthwith vpon the charge giuen to any enquest hereafter to be take & sworne before any Justices, steward, lieutenaunt or other officer vnto Wales or the marches of the same, of, for and vpon any trauerse, agaynst the king, or the triall of any recognisaunce broken, or any other forfayture forfayted to the king, or of, for, or vpon the trial of any murder, felon, or accessary of felony or murder, one officer or other person shal be deputed & sworne in the presence of ý said Justiciar or other officer, for the true & diligent keeping of the same iurours. And ý the same officer or other person so sworne without the special cõmãdement of the said Justiciar or other officer, shall not do or suffer to be ministred to ý same iurours, any meate, drinke, or meate, fire or light, nor shal suffer the same iurours to speake to any person or persons, nor ý same officer nor other persõ sworne without the cõmandement aforesaid, shall not speake to ý sayd iurours, but onely to demand of thẽ of their agreement vnto such time as the same iurours shal haue giuen their verdict, any vsage or custome heretofore vsed to ý cõtrary notwithstãding. And if the same officer or other person so sworne in forme aforesaid, do not execute and accomplish the premisses in the othe before rehearsed in euery poynt and article: then the same officer or other person sworne, shalbe punished and imprisoned, and make fine and raunsome to the kings highnes by the discretion of the sayd Justiciar, steward, lieutenãt, or other officer. And also be it &c. that if ý same iurors do acquit any such felõ, murderer, or accessary, vpõ whose trial they shalbe charged, or giue any vntrue verdict against the king vpon the tryall of any trauerse, recognisance, or other forfaiture, cõtrary to good & pregnant euidence ministred to thẽ by persons sworne before the said Justiciar, steward, lieutenant, or other officers, or ý ý said iurors or any of thẽ do eate, drinke, or speake to, or w any other persõ or persons, thẽ to such as be sworne with thẽ, or otherwise misdemene thẽselues after they be sworne, & before they haue giuen their verdict: ý then ý lord Presidẽt, & other of ý counsaile of ý marches for ý time being, vpõ notice or cõplaint therof to thẽ made, shal not only haue power & auctority by this present act to call such iurors before thẽ, but also the same iusticiar, steward, or other officers, afore whõ any such acquital, vntrue verdict, or misdemeanors shal happen to be made, shal haue ful power & auctoritie

Enquest

Trauers Triall

Officer Othe

Vyeade Drinke Iurours

Officer

Imprison

Fine

Acquite

Verdict

Mysdemeane

L. Presidẽt

aucthority to compel such iurours and euery of them vpon paine of imprisonmẽt to be bounden by recognisaunce in a certayne summe of money, by their discretions to be limitted, that the same iurours and euery of them, shall personally appeare at a certayne day by the same iusticiar, steward, or other officer to be limitted, before the Lord Presidẽt and other of the counsaile aforesaid, for the time being, then and there to abide and stand to such direction and order, as the same cõsaile shal make, ordayne and decree of, in & vpon the same. And that the same cõsaile shall thereupon haue aucthority and power, by examination or otherwise, to heare and determine all and euery such cause, and shall haue like aucthority to cõmit euery of the same iurours to prisõ, or other punishment, as shall bee thought most meete, by the discretion of the sayde counsayle, or otherwise assesse to tare euery such iurour to his fine & raunsome by the same discretion to be paied and leuied of their landes, goods & cattels to ỹ vse of ỹ kings highnes. An. 26. H. 8. c. 4.

Recog.

Counsaile

Direct & ter.

Tare

25 ¶ For as much as the people of Wales and the marches of the same, perseuering in the perpetratiõ of manyfolde wickednesses, stand neede of sharpe correction: Be it &c. ỹ all & singuler person & persons dwelling or resiaunt ỹin Wales or in the Lordships marchers of the same from time to time, and at all times hereafter vpon such monitiõ or warning giuen for the Court to bee kept in Wales, or in any of the Lordships marcher aforesayde, as before this time hath beene vsed, shall personally repayre, resort, & appeare before the Justice, steward, lieutenant or other officer at all and euery sessions, court and courtes to bee holden before ỹ same Justice, steward, or other officers in any whatsoeuer castell, fortresse or other place within Wales, or within the precinct, limits, and iurisdictions of euery of the lordships marchers or seigniories aforesayde, or the marches of the same, as by the sayd Justice, steward, or other officers shall be appointed, and then or there shall giue his or their personall attendaunce, to do, execute, and accomplishe, al and euery thing & things which to him or them shall afferre and appertayne, vpon paine of such fines, forfaitures & amerciamentes, as shall be afferred, assessed, & taxed by the Justice, steward or other officer to the kinges vse, if it be within any of the kinges Lordshippes marchers. And if it bee within any other Lordshippes marches, then to the vse of the lord of the saide Lordshippe marcher for the time being. The saide forfaitures and amerciamẽts to be leuied, perceiued & taken by way of distresse of the goods & cattels of euery person not appearing at the said court or courts, or not doing, executing, or accomplishing his duetie, as is abouesaide.

Court

Appeare

Sessions

Justice Steward

Forf.

Distres

And for as much as the officers in the Lordshipps marchers in Wales haue oft and sundry times heretofore vnlawfully exacted the kinges subiectes within such lordshippes, where they haue had rule or aucthority by many and sundry wayes and meanes, and also committed them to straighte duresse & imprisonment for smal & light fayned causes, & extorciously compelled thẽ thereby to pay vnto thẽ fines for their redemtiõs, contrary to the lawe: Therefore be it &c. that if any Steward, lieutenaunt or any other officer of any Lordshippe marcher, doe fayne, procure, or imagine any vntrue surmise agaynst any person or persons that shall so giue their personall attendaunce before them at such court or courts, & vpon the same vntrue surmise commit them to any duresse or imprisonmẽt, contrary to ỹ lawe, or contrary to ỹ true & lawdable custome of ỹ Lordship, ỹ then vpon suit made vnto ỹ kings cõmissioners or cõsaile of the marches for the time being by any such person or persons so imprisoned, or by any their friendes, that then the same commissioners or counsayle shall haue full power and aucthority to send for such steward, lieutenant, or officer, and also for the person or persons so imprisoned. And if the same person or persons so imprisoned, can euidently proue before the saide counsail by good & substanciall witnesse or

Officers

Steward Lieutenant

Imprison

Commissioners

or otherwise, that his imprisonment was vpon any fayned surmise without cause reasonable or lawfull: that then the same commissioners, shal haue full power and aucthority to assesse the said officer to pay to the said person or persons wrongfully imprisoned, sixe shillings viii. d. for euery day of their imprisonment or more, by the discretion of the sayd commissioners, according to the hurtes & behauiour of the person or persons imprisoned. And that the same commissioners shall sett further fine vpon the said officer to be paid to the the kings vse, as by their discretions shal bee thought conuenient. And in case the same officers do refuse to appeare before the same commissioners incontinent after any commandement to them directed and deliuered, after any such complaynt made to the same cõmissioners: that then ỹ same cõmissioners shal haue full power & aucthority vpon euery default made by any officer or officers, to assesse & set vpõ euery such officer or officers making default, such fine or fines to bee leuied to the kinges vse, as by their discretions shalbe thought conuenient. And that the same cõmissioners shall haue full power and aucthority to compell the said officer or officers by way of imprisonmẽt aswel to pay such fine as shall bee set and taxed vpon them to the kinges vse, as to pay to euery person and persons so imprisoned, such summes of money as they shalbe selsed to pay for their wrong imprisonment. And also bee it &c. that no person or persons dwelling or resiaunt within Wales or the lordshippes marchers of the same, of what estate, degree or condition soeuer he or they bee of, comming, resorting or repairing vnto any Sessions or court to bee holden within Wales, or any Lordshippes marches of the same, shall bring or beare, or cause to bee brought or borne to the same Sessions or court, or to any place within the distaunce of two myles from ỹ same sessions or court, nor to any towne, church, faire, market or other congregation, except it be vpon a hue or outcry made of any felony or robbery done or perpetrated, nor in the high wayes in afray of the kinges peace or the kinges liege people, any bill, long bowe, crosse bowe, handgun, swoorde, staffe, dagger, halberd, morespike, speare, or any other maner of weapon, priuie coate, or armor defensiue, vpon paine of forfaiture of the same weapon, priuie coate or armour, and to suffer imprisonmẽt and make fine and raunsome to the kings highnesse by the discretion of the kinges commissioners of his marches for the time being, except it be by the cõmandement, licence, or assent of the sayd Justices, steward, or other officer, or of the commissioners or counsaile of ỹ marches for ỹ time being.

And that no person or persons from henceforth without licence of the sayde commissioners in writing, shall within Wales or marches of the same, or in any shires adioining to the same, require, procure, gather or leuie any Cõmorthe, Bydall, tenauntes ale, or other collection or exaction of goods, cattels, money or any other thing, vnder colour of marying or suffering of their children saying or singing their first malles, or gospels of any priestes or clarkes, or for redemtion of any murder or any other felony, or for any other maner of cause by what name or names soeuer they shall bee called, nor shall make or procure to be made any games of running, wrestling, leaping, or any other games, the game of shooting onely excepted and forprised, vpon paine of one whole yeres imprisonment of euery person or persons as shall gather or procure to be gathered any such collection or exaction, or shall make or procure to be made any games as is aforesaid.

And further they and euery of them shall make such fine, as by the discretion of the kinges commissioners of his marches shalbe thought conuenient.

And further the sayde commissioners by this present act, shall haue power and aucthority to heare and determine the sayd offences by their examination.

And that no person or persons, shall hereafter at any time call any thing into any court within Wales, or in any lordships marchers of the same, by ỹ meane or

Surmise
Assesse
Commissioners
Fine
Refuse
Officer
Fine
Compell
Weapon
Armour
Forf.
Imprison
Licenced
Commorthe
Bydale
Games
Imprison
Fine
Commissioners
Hear & ter.
Court

Archell

yn name of an Archell, by reason where-
of the court may be letted, disturbed, or
discontinued for that time, vpon paine of
Impriſon one whole yeres imprisonment of any
such person or persons as shal cast or cause
to be cast any such Archell into any court
or courtes, hereafter to be holden within
Wales or Lordshippes marchers of the
same. Any custome before this time vsed
to ẏ contrary notwithstanding. And that
Sessions Courts all sessions & courts hereafter to be holde
within wales or ẏ lordships marchers of
ẏ same, shalbe kept within ẏ most fitest
Place & peaceable place win the same lordship
marcher, where the said Justice, Steward
or other officer shall appoynt.

Triall Counterfaitors Washing Clipping Felonies

And for the punishment and speedy
triall, as well of the counterfayters of
any coyne currant within this Realme,
washing, clipping, or minishing of the
same, as of all and singuler felonies,
murthers, wilfull burning of houses,
manslaughters, robberies, burglaries,
rapes, and accessaries of the same, and
other offences feloniously done, perpe-
trated, and committed, or hereafter to be
done, perpetrated and committed within
any lordshippe marcher of Wales: Be it
Just. of g. deliuery Just. of p. enr. that the Justices of the gaiole deliue-
ry, & of the peace and euery of them for
ẏ time being, in ẏ shire or shires of Eng-
land, where the kings writ runneth, next
adioyning to the same lordship marcher
or other place in Wales, where such coun-
terfayting, washing, clipping or minish-
ing of any coyne currant within this Re-
alme, or murther hath beene or hereafter
shalbe cõmitted or done, or where any o-
ther felonies or accessaries shalbe hereaf-
ter cõmitted, perpetrated, or done, shall
haue from henceforth ful power and auc-
Sessions Enquier thority at their sessions & gaole deliuery,
to inquire by verdict of xii. men of the
same shire or shires next adioyning win
England where the kings writ runneth,
there to cause al such coũterfaiters, wash-
ers, clippers of money, felõs, murderers,
Indict & accessaries to ẏ same, to be indicted ac-
cording to ẏ lawes of this lãd, in like ma-
Petty treason ner & forme as if the same pety treasons,
murders, felonies, & accessaries to ẏ same,
had bin done, cõmitted or perpetrated wi-
in any of ẏ said shires win ẏ said realme,
and also to heare, determine, & iudge the Oyer & ter.
same, according to the lawes of ẏ realme.
And that all foreine pleas pleaded by any Foreine pleas
of the said malefactors & offenders, shalbe
tried and determined in the sayde shire or
shires, & that the acquitall or fine making
for any of the causes aforesayde, in any of
ẏ lordships marchers, shalbe no barre for Barre
any person or persons being indicted in ẏ
said shire or shires, within two yeres next 2. yeres
after any such murder or felony done.
And further it is enr. that the said Justices Just. of p.
of peace & gaole deliuery, & euery of thẽ,
shal haue full power and auctority to a-
ward all maner of processe, aswell of out-
lawry as otherwise, against all and euery
such offender & offenders, so indicted in
maner & forme, & according to ẏ customs
& lawes vsed and accustomed within this
realme of Englãd. And that ẏ said Justi-
ces, or ii. of thẽ, afore whõ any such offen- ii. Just. of p.
der shalhappẽ to be outlawed or attainted
by vtlagary, shal immediatly vpõ ẏ same
vtlawry or attainder direct & sende vnto
the kinges officers of his lordships mar-
chers, or to their deputy, or vnto the lord
or lords marchers of the same lordshippe
marcher, or to his or their officer or offi-
cers, or to their deputies, wherein such of-
fence, murder or felony shal happen to be
done, or where any such offender, murde-
rer, or felõ, shal happẽ to be resiant, a cer- Certificat
tificat vnder ẏ seales of thẽ or ii. of thẽ, of
any such vtlawry, or attainder, cõmãding
thẽ & euery of thẽ by ẏ same, vnder paine
of forfaiture of an C. li. to the king, to be Forf.
leuied & perceyued, aswell of the goods,
cattels, lands, & tenements of ẏ same lord
or lords marchers, as of goods, & cattels,
landes, & tenements of the kings officer
there, to apprehende & attach, or cause to Attache
be apprehended and attached the body or
bodies of the same offender or offenders,
so outlawed or attainted, & safely to kepe
or cause to bee kept the same offender or
offenders, till such conuenient time be-
fore the next sessions of ẏ kings Justices
of his gaiole deliuery of the shire, where
such offender or offenders shall happen

to

to bee outlawed or attaynted, as to the kings officer of his lordships marchers, or to their deputies, or vnto the Lorde marcher or Lordes marchers of the same Lordship marcher, or to his or their officer or officers, or their deputies, where such offender or offenders shall be apprehended, attached, detayned, & kept, shalbe thought expedient for the conueiance & conducting of the same offender or offenders, in maner and forme following, to be deliuered from the kinges officers or their deputies, or the lord marcher or Lords marchers, or his or their officer or officers, to other persõs assigned by this acte to receiue & conuey such offender or offenders by indenture to bee made betweene ỳ deliuerer or deliuerers, & the receiuer or ỳ receiuers. That is to say, that ỳ kings officers of his lordship marcher or their deputies, or the Lorde or Lordes marchers of the lordship marcher, or his or their officer or officers, or their deputies, where such offender or offenders shalbe apprehended, attached, detayned & kept, shall safely and surely conduct and conuey, or cause to be conducted and conueied the same offender or offenders to ỳ next Lordship marcher toward the shire where ỳ same offender or offenders shall happen to be outlawed or attaynted. And that the kings officers of the same Lordshippe marcher or their deputies, or the Lord or lords marchers of the same lordshippe marcher, or his or their officer or officers or their deputies, shall receiue & safely and surely conduct and conuey the same offender or offenders to ỳ next lordship marcher. And so the kinges officers of euery lordship marcher, or their deputies, or the lord or lords marchers of the same lordship, or his or their officer or officers, or their deputies, to receiue, conduct and conuey safely and surely euery such offender or offenders from one lordship marcher, to an other Lordship marcher, by indenture as is aforesayde, vnto the time that such offender or offenders shall be safely deliuered before the sayde Justices of the gayole deliuery, vpon payne of forfaiture by euery of the kings officer or lord marcher, by whose default ỳ same offender or offenders shal ne may not appeare before the same Justices at their said sessions, there to stand and abide the order of the kinges lawes, a hundred pounde to be leuied and perceiued of the goods and cattels, lands and tenementes of the same officer or lorde to the kinges vse. And that all and euery officer and officers, lord & lordes, or other persons, to whom any certificat shalbe directed, as is aboue said, shal at the next sessiõs & gaiole deliuery to be holden after the apprehension or attachment of such offender or offenders, retourne the same certificat in due forme, and what he or they haue done in that behalfe vpon the payne aforesayd. Sauing alwayes to all & euery offender or offẽders, al & singuler trauerses, challenges, exceptions, aduauntages, and all other pleas, to, of, & vpon ỳ outlawry pronounced or promulged against the same offender or offenders, in maner & forme as is & hath bene vsed & accustomed by ỳ lawes of this realme, for any the kinges subiects dwelling within ỳ same realme.

Indenture

Officer

Sessions

Prouided alwayes and be it &c. that if any person or persons which shal happen hereafter to be indicted, outlawed, arrayned, conuicted, or attaynted by vertue of this act, doe finde such sufficient suerties before ỳ kings Justices of his gaole deliuery, as by their discretiõ shalbe thought conuenient, that the same person or persons shal not from thencefoorth cõmit nor doe any felony, murder, or felonious offence, nor be accessary to any felony, murder, or felonious offence, but at all times frõ thencefoorth shalbe of good behauiour against the king our soueraigne lord, his heires & successours, his and their lawes, & subiects: that then the same Justices of gaole deliuery for the time being, with & by thassent, consent, and agreement of the said president, & two of the kings cõmissioners or cõsaile of the marches for the time being, or three of them at the least, whereof the lord President, or one of the said cõsaile to be one, shal & may by their discretion for one time onely, admit any such offender to a certaine fine or summe of

Suerties

Iust. of g. deliuerie

Fine

Fol.

of money on him by them to be assessed & taxed, to be surely paied to the kings vse, and shall haue full power and auctority by this present acte to discharge any such offender or offenders, so arrained, outlawed, conuicted and attainted of all & euery such felony, murder, or felonious offece, and accessaries of the same, and of all exactions and punishments of death which the same offender or offenders should suffer by the common lawes of this realme, so the same offender or offenders stand not appealed of the sayd felony, murder, or felonous offence, or accessary of the same offences at the time of his sayde discharge. And that euery such offender so discharged as is abouesaid, shalbe for the same offence or offences done within any of the kings lordshippes marchers, or any other lordshippes marchers discharged as wel agaynst the kings highnesse, his heires or successors, as agaynst al the Lords marchers for one time onely.

Discharge

Appeale

Prouided alway and bee it &c. That this present acte, nor any thing therein contayned, shall not extend ne take place to abridge, depriue, or minorat any liberties, priuiledge, or auctority of any lord marcher, heretofore granted to the same Lorde, or lawfully vsed or accustomed by the sayde lord, or any his auncesters, vnlesse the foresaide offenders happen to be endicted, outlawed, arrayned, conuicted, or attaynted, by force of this act, as is abouesayd, within two yere next after such murder, or other felonious offence perpetrated, done or committed within the sayde lordship marchers or any of them. Any thing in this present acte before rehearsed to ỳ contrary notwithstanding.

Priuiledge

And further bee it &c. That all murthers, robberies, felonies, and accessaries of the same, which shall happen hereafter to bee done, perpetrated, or committed within ỳ shire of Pereoneth in Wales, shall & may be from henceforth enquired, heard, and determined in the counties of Carnaruan, or Angleſey, before ỳ kings Justice of North Wales or his deputie for the time being, by verdict or enquest, to bee taken by the inhabitaunts of the same Shires of Carnaruan and Angleſey, or otherwise as by the discretion of the Justice there or his deputy shall bee thought conuenient.

Murders Felonies

Pereoneth

And that the same Justice or his deputy for the time being, shall haue full power and auctority by his discretion, by force of this present act, to heare & determine all and euery the foresayd murders, felonies, robberies, and accessaries in forme afore sayde. And where heretofore vpon diuers murders, robberies and felonies perpetrated and done, as well within the Lordshippes Marchers of Wales, as in other places of Wales without the same Lordshippes, the offenders diuers times flee and escape from the same Lordship, or other place where such offence was committed, and haue repaired and resorted into another Lordship marcher, and there by the ayde, comfort and fauour of the sayde Lorde of the same Lordship or his officer or officers, haue beene abiding & resiaunt, into which Lordships ỳ same Lordes marchers haue and doe pretend a custome and priuiledge, that none of the kings ministers or subiects may enter to pursue, apprehend, & attache any such offender thereunto repayred, as is afore-said, by reason whereof ỳ same offenders went vnpunished, to ỳ examination & encouraging of other euill disposed people:

Justice

Oier & ter.

Escape

It is therefore &c. that euery officer and officers, & their deputies, vpon commandement giuen by the commissioners or counsayle of the marches for the time being, shall bring, send, or deliuer euery such offender to the officer of the lordship marcher, or other place where any such offence is or shall bee committed or done vpon the metes and boundes of the sayde lordships, or to the said commissioners or counsaile, according as the same officers by them shal be commanded, vnder paine of xl. poundes, the same commandement or commission to bee directed to any such officer to be sent, conueied and deliuered by a sergeaunt at armes, or a pursuant attendaunt on the sayde counsayle in the marches for the time being. An 26. H. 8. cap. 6. See after 32.

Wounds

Fee.

Sergeant at armes

Pursuants

26 ¶ An. 29. H. 8. cap. 11. an act was made for punishment of welshmen attempting assault or fraies vpon the inhabitantes of Hereford, Glouc. & Shropshire, to endure to the last day of the next Parliament. And after it was continued Anno 28. H. 8. ca. 6. & 31. H. 8. cap. 7. & 33. H. 8. cap. 17. to endure to the last day of the next parliament, & then it expired.

☞ Forests

27 ¶ Where diuers & many forests be in Wales, and ỳ marches of the same, as well of the inheritance and possessions of our sayd soueraygne Lord the king, as of diuers others being Lords marchers: within which forests, certayne vnreasonable customes and exactions haue bene of long time vnlawefully exacted & vsed, contrary both to the law of God & man, to the expresse wrong and great impouerishing of diuers of the kinges true subiectes: the effect of which said vnlawfull exactions and customes be hereafter declared, that is to wit. It hath beene there vnlawfully vsed, that if it fortune any of the kinges subiectes to passe, go, or ryde thorough, or in any waye or path of any of the sayde forestes, not hauing vpon him or them that so shall fortune to passe, goe or ride, a token deliuered to him or them by the chiefe forresters, rulers, walkers, or fermours, the which token shall be wel knowen amongst al them that are walkers and rulers vnder him or them, or that hee or they that so shall fortune to passe, goe, or ride, in or throughout any of the sayde forestes, be not verely tributours, or chenseers: then hee or they so going, riding or traueling, in or throughout any of the sayde forestes, hauing no token, nor being verely tributours or chensers, as is aforesayde, haue vsed to pay by vnlawfull exaction vnto the sayde forresters, rulers, walkers and fermers of the sayde forestes, a grieuous fine or reward. And if any person or persons not hauing such token or tokens, and not being a verely tributour or a chenser, as is aforesayde, should happen to be taken, found or espied by any of ỳ said forresters, rulers, walkers, or fermers, or their assignes, by the space of xxiiii. foote out of the high way, then he or they so being taken, found or espied out of the high way, within any of the said forests, as is aforesayd, to forfayt & loose vnto ỳ saide forresters, rulers, walkers & fermers, all such money and golde as shoulde by them be found vpon him or them so being taken in any of the said forestes, out of the high way, as is aforesayde. And also the same person or persons so being taken or found out of the high way, to forfait and loose a ioynt of one of his or their hands, or else to make fine therefore with the sayde forresters, rulers, walkers, & fermers, at the will and pleasure of the sayde rulers, walkers, or fermers. And if also that it happen any beast or quick cattel to come, go, or escape into any of the said forestes by stray, of theefe stollen or otherwise, the said forresters, rulers, walkers, or fermers, after knowledg to him or them giuen, haue likewise vnlawfully vsed to seise & take the same beastes, or cattaile, as his or their owne, & marke them with the marke of their forest there vsed: & so seysed, marked, taken, and them retaine as cattell forfayted vnto their owne vse, by reason whereof the owner & owners of the saine cattell haue bene cleare without remedy for the hauing agayne of the sayd cattell, except onely by way of redemptiõ or buying againe of their owne cattell, contrary to all equity and conscience: In consideration whereof, it may please &c. to enact &c. that from the feast of ỳ Natiuitie of S. John Baptist next comming, which shalbe in the yere of our Lord God 1536. all the sayde vnlawfull customes to be determined voyde, & had for nought throughout all and euery the sayd forestes within Wales & the marches of the same. And that it shalbe lawfull from thencefoyth to all and euery of the kings true subiects & all other persõ or persons being in league & amitie with our soueraigne lord the king his heires & successors kings of England, freely, quietly & in peace to passe & repasse, trauaile and go into and through the said forestes and euery of them both on horsebacke & on foote, as well following and dryuing of

Coken

Tributor

Fort.

Fort.

Customes

Customes Voyd

of cattell, as with carying of wares or otherwise, about their lawfull busines and affaires without any fine, forfaiture, talle, custome, exaction or other imposition to be taken, exacted or demaunded of them, or of any of them, by the said forresters, rulers, walkers, fermers, or their assignes. And if it shall chaunce or happen any of the saide forresters, rulers, walkers, fermers, or their assignes, or any of them, at any time after the said feast of S. Iohn Baptist, to take any person or persons being the kings true Subiects, or otherwise in league and amitie with our sayd soueraigne lord his heires or successours kings of England, as is aforesaid, & exact and take of them, or any of them, any of the said forfaitures, fines, tolles, customes or exactions, as is aboue mencioned, and be thereof lawfully conuicted: that then he or they so doing and offending contrary to this act, to incurre and stand in the dangers of the estatute heretofore prouided for robberies by the kinges high way, and the same to be tried before the Iustices of the peace in the next shire adioynant, according to the Lawes of this realme of England.

Forresters
Exact
Connict
Robberie
Iust. of p.

And further be it &c. that if any maner of beast or quicke cattell of any of the Kings true Subiects, or other the kings friends, at any time after the said feast of the Natiuitie of Saint Iohn Baptist, to come into any of the said Forrests by straies, thiefe stolle or otherwise, and there to be marked and seysed by any of the sayd Forresters, rulers, walkers, fermers, or their assignes, or any of them, and the owner or owners of the same cattell, within one yere and a day then next ensuing, chaunce to find the said cattell so taken, and lawfully proue the same to be his or their owne proper cattell, that then the same cattell to bee redelinered to the owner or owners thereof, according to the auncient lawe of this realme of England, the sayd owner or owners reasonably paying for the keeping of such cattell after the rate of the time that such cattell shall haue bene in the custody and keeping of any such forresters, rulers, walkers and fermers, or his or their assignes, in such maner and forme as heretofore hath bene in like case vsed to be done by the Lawe of this Realme of estrayed cattell, claymed and proued by the owners within a yere and a day next after the seysing of the same cattell. And if any of the said forresters, rulers, walkers, fermers, their assignes or any of them, doe denye the deliuerance of any such cattell, by them or any of them so seised and marked within any of the sayde forests, after the owner or owners of them shall haue duely and lawfully proued them to be his or their owne proper goods and cattels, as is aforesaid, that then euery such forester, ruler, walker, fermer, or assignes, so doing and offending contrary to this act, to forfait and pay vnto the party greeued, the double value of all such cattell, as shal be so taken and marked, and not deliuered to the owner or owners, as is aforesayd. And that the partie greeued, may haue his action of detinue at the common lawe, of, and for the same cattell against euery such offender or offenders, and the same to bee tried in the next shire adioynant: in which action the defendaunt shal not bee admitted to wage his Lawe, nor essoigne, nor protection shalbe allowed for them: and like processe of outlagary to be had and made in the saide action of Detinue in the next Shire adioynant against euery forester, ruler, walker, fermer, or their assignes so offending, contrarie to the tenour of this act, as in an action of trespasse at the common law of this realme is vsed. Anno 27. H. 8. cap. 7.

Forresters
Denye
Forf.
Detinue
Outlagary
Pere & day
Pay keeping

28 ¶ Albeit the dominion, principalitie, & countie of Wales, iustly and righteously is, and euer hath bene incorporated, annexed, united, and subiect to & vnder the imperiall crowne of this realme, as a very member and ioynt of the same: Whereof the kings most roiall Maiestie of meere right & very right is very head, king, lord, & ruler: yet notwithstanding, because ỹ in the same countrey, principalitie, and dominion, diuers rightes, vsages, lawes and customes, be farre discrepant from the lawes and customes of this

realme, and also because that the people of the same dominion haue and doe daply vse a speach nothing like ne consonant to the naturall mother tongue within this Realme, some rude and ignorant people haue made distinction and diuersitie betweene the kings subiects of this realme, and his subiects of the said dominion and principalitie of Wales, whereby great discord, variance, debate, diuision, murmure, and sedition, hath growen betweene his said subiects: his highnesse therefore, of a singuler zeale, loue and fauour that he beareth toward his subiects of his said dominion of Wales, minding and intending to reduce them to the perfect order, notice and knowledge of his lawes of this his Realme, and vtterly to extirpe al and singuler the sinister vsages and customes differing from the same, and to bring his said subiects of this his realme, & of his said dominion of Wales, to an amiable accord and vnitie, hath by the deliberate aduise &c. ordained &c. that his said countrey or dominion of Wales shalbe, stand and continue for euer from henceforth incorporated, vnited and annexed to, and with this his realme of England. And that all and singuler person and persons borne, and to be borne in the said principalitie, countrey or dominion of wales, shall haue, enioy, and enherite all and singuler freedomes, liberties, rights, priuileges, and lawes within this Realme, and other the kings dominions, as other the kings Subiects naturally borne within the same haue, and enioy, and enherite. And that all and singuler person & persons inheritable to any manors, lands, tenements, rents, reuersions, seruices or other hereditaments, which shall discend after the feast of all Saints next comming within the said principalitie, countrey, or dominion of Wales, or within any particuler Lordship, part or parcel of the said countrey or dominion of Wales, shall for euer, from and after the said feast of all saints, be inheritable to the said Mannours, Lands, tenements, rents, reuersions, and hereditaments, after the English tenure, without diuision or partition, and after the forme of the lawes of this Realme of England, and not after any tenure, ne after the forme of any Welsh lawes or customes. And that the lawes, ordinaunces and statutes of this Realme of England for euer, and none other lawes, ordinances ne Statutes, from and after the said feast of all Saints next comming, shalbe had, vsed, practised, and executed in the said countrey or dominion of Wales, and euery part thereof in like maner, forme, and order, as they bene and shalbe had, vsed, practised and executed in this Realme, and in such like maner and forme as hereafter by this act shalbe further established and ordained: any act, statute, vsage, custome, president, libertie, priuiledge or other thing had, made, vsed, graunted or suffered to the contrary in any wise notwithstanding. And for as much as there bee many and diuers Lordships marchers, within the said Countrey or dominion of Wales, lying betweene the shires of England, and the shires of the said countrey or dominion of Wales, and being no parcell of any other shires, where the lawes and due correction is vsed and had, by reason whereof hath ensued and hath bene practised, perpetrated, committed and done within and among the said Lordships and countreis to them adioyning, manifold and diuers detestable murders, burning of houses, robberies, thefts, trespasses, routs, riots, vnlawfull assemblies, embraceries, maintenaunces, receiting of felons, oppressions, ruptures of the peace, and manifold other malefactes, contrary to all Lawes and Justice: And the said offendours thereupon making their refuge, from Lordship to Lordship, were and continued, without punishment or correction:

For due reformation whereof, and for asmuch as diuers and many of the said lordships marchers be now in the handes and possession of our soueraigne lord the king, and the smallest number of them in the possession of other Lords: It is therefore &c. that diuers of the said Lordships marchers shall be vnited, annexed and ioyned

Vnited
Borne
Enherit Freedome
Tenure
Marchers
Shires
Marchers Vnited

ioyned to diuers of the shires of Englād, and diuers of the said lordships marchers shalbe united, annexed and ioyned to diuers of the Shires of the sayd Countrey or dominion of Wales in maner and forme hereafter following. And that all the residue of the sayd Lordships marchers within the sayd Countrey or dominion of Wales, shalbe seuered and deuided into certaine particuler Counties of shires, that is to say, the countie or shire of Monmouth, the Countie or Shire of Brecknocke, the countie or shire of Radnor, the countie or shire of Mountgomery, the countie or shire of Denbigh.

Shires

Counties

And that the lordships, townеships, parishes, commotes and cantredes of Monmouth, Chepstow, Parthern, Lanihangell, Magor, Goldlife, Newport, Wenloge, Lanwern, Carliō, Ulke, Trelecke, Tintern, Skinfreth, Grōsmont, Whitcastell, Reglam, Calicote, Bilton, Abergenenny, Pemrose, Crenekeld, Mag and Hocuiſlade in ꝑ said countrey of Wales, and al and singuler honors, lordships, castels, manours, lands, tenements and hereditaments, lying or being within the compasse or precinct of the said lordships, townеships, hamlets, parishes, commotes and cantredes, and euery of them, in whose possession so euer they be or shalbe, and euery part thereof, shall stand and be, from & after the said feastes of al Saints guildable, and shalbe reputed, accepted, named and taken, as partes and members of the sayd shire of Monmouth. And that the said towne of Monmouth shalbe named, accepted, reputed, vsed, had and taken head and shire Towne of the saide countie or shire of Monmouth. And that the shirifes countie or shire court, of, and for the said shire & county of Monmouth, shalbe holden and kept one time at the said towne of Monmouth, and the next time at the Towne of Newport in the same Countie or shire, and so to be kept in the said two Townes Alternis vicibus, and according to the lawes of this Realme of England for euer, & in none other place. And it is &c. that all actions realles, that hereafter shalbe contained, perpetrated, or sued for any lands, tenements, or hereditaments, or any other thing within the sayd countie or shire of Monmouth, and all actions personals, within the same shire or countie, of the summe of xl.s. or aboue, and all actions mixt, shalbe sued by originall writ of the kings high court of Chauncery of England, and heard, determined and tried before the kings Justices of England, or by assise of Nisi prius within the said countie of Monmouth, in such like maner, forme and wise, as all other actions reals, personals, and actions mixt, sued, heard, determined, and tried, in, or for any Shire of this Realme of England.

Monmouth Townes

Guildable

Monmouth

Countie Court

Actions Reall

Personall

xl.s.

Originall Chauncery

And that the Kings Justices of his bench, or of his common bench at Westminster, shall haue full power and authoritie to direct all maner processe to the shirifes and all other officers of the sayd countie of Monmouth, and also to direct writs of Venire facias, to the same shirife for the triall of euery issue ioyned before them, and also to award commissions of Nisi prius into the sayd countie of Monmouth, for the triall of such issues ioyned before them, in like maner and forme as they do into euery shire of this realme of England. And all and euery the kings subiects and inhabitants within the sayd countie of Monmouth shalbe for euer, from and after the said feast of al Saints, obliged and bounden to be obedient and attendant to the lord Chancellor of England, the kings Subiects, and other of the kings most honorable counsell, and vnto all lawes, customes, ordinances and statutes of this Realme of England, in like maner, forme and wise, and all other the kings subiects within euery shire of this Realme of England be obliged and bounden: any act, statute, vsage, custome, libertie, priuiledge or any other thing to the contrarie in any wise notwithstanding. And that the shirife of the Countie shall hold plee of replegiare, and all other suites & plaintes vnder xl.s. in his Countie or shire court, in like maner and forme as all other shirifes do within this realme of England. And that the Shirife, escheatours

K. Iustices

Venire facias

Commissioners

L. Chauncello

Shirife

xl.s.

Eſchetors Cozoners

tours, and Cozoners, that hereafter ſhalbe within the ſaid Countie oz Shire of Monmouth, ſhalbe obliged and bounden to execute the Kings Pzocelles, and to

Returnes

make due returnes thereof, and to vſe and exercise their offices, accozding to the lawes and ſtatutes of this Realme of England, in all and euery thing as the Shirifes, Eſchetours, and Cozoners be obliged and bound to do in al and euery other Shire of this Realme of England. And

Shirife Eſchetors

that the ſhirife and eſchetours of the ſaide ſhire oz countie of Monmouth, that hereafter ſhalbe appointed by our ſoueraigne

Accompts

lozd the king, make their accomptes foz their ſaid offices in the kings Eſchequer in England, in like maner and fozme as other ſhirifes and Eſchetours doe within this Realme of England, and vpon ſuch like paine and penaltie, as is vpon other Shirifes and Eſchetours in euery other ſhire within this Realme of England.

And it is &c. that the Lozdſhips, townes-ſhips, pariſhes, commotes and cantredes

Brecknock

of Brecknocke, Crechowel, Tretowe, Penkelly, Engliſh Talgarth, Welche Talgarth, Dinas, The Haye, Glinbough, Brozulles, Cantercely, Lando, Blaiullingby, Eſtrodue, Buelth and Langoys in the ſayd Countie and dominion of Wales, and all and ſinguler honours, lozdſhips, caſtels, manours, lands, tenements, and hereditaments, lying oz being within the compaſſe oz pzecinct of the ſaid Lozdſhips, Pariſhes, commotes and Cantredes, oz any of them, in whoſe poſſeſſion ſoeuer they be oz ſhall be, and euery part thereof, ſhall ſtande and bee foz euer, from the ſayd feaſt of all Saints

Guildable

guildable, and ſhalbe reputed, accepted, named and taken as parts and members of the ſaid Countie oz Shire of Brecknocke. And that the ſaid towne of Brecknocke ſhalbe named, accepted, reputed, vſed, had and taken head and ſhire towne of the ſaid countie oz ſhire of Brecknock.

County Court

And that the ſhire, Court oz Countie of, and foz the ſaid ſhire oz county of Brecknocke, ſhalbe holden and kept in the ſayd Towne of Brecknocke. And it is &c. that the Lozdſhips, townes-ſhips, pariſhes, commotes, and Cantredes of newe Radnoz,

Radnoz

Eliſtherman, Elueles, Bonghzed, Glaſebery, Glowdiſtre, Highelles Church, Meleneth, Blewagh, Knighton, Nozton, Preſton, Comothuder, Raider, Guethonion, and Stanage, in the ſayd Countrey of Wales and euery of them, and all and ſinguler Honozs, Lozdſhips, Caſtels, Mannours, lands, tenements and hereditaments, lying oz being within the compaſſe oz pzecinct of the ſayde Lozdſhips, townes-hips, pariſhes, commotes and cantredes, oz any of them in whoſe poſſeſſion ſoeuer they be oz ſhalbe, and euery part thereof, ſhall ſtand and be foz euer from the ſaid feaſt of all ſaintes, guildable, and

Guildable

ſhalbe reputed, accepted, named and taken as partes and members of the ſaide countie oz ſhire of Radnoz. And that the ſaid towne of new Radnoz ſhalbe named, accepted, reputed, vſed, had and taken head and Shire towne of the ſaid countie oz Shire of Radnoz. And that the Shire

Countie Court

court oz countie of, and foz the ſaid countie oz ſhire of Radnoz ſhall be holden and kept one time at the ſaid Towne of newe Radnoz, & the next time at ẏ towne of Rother Gowy, in that ſame countie oz ſhire, and ſo to be kept in ẏ ſame two townes Alternis vicibus foz euer, and in none other place. And it is &c. that the lozdſhips, townes-hips, pariſhes, commotes and cantredes of Mountgomery, Kevewankery,

Mountgomery

Cawzſland, Arneſtly, Kenyliocke, Doythure, Powesland, Clomes land, Bale lie, Tempeſter and Aleſter, in the ſaid countrey of Wales, and euery of them, and all and ſinguler honours, lozdſhips, caſtels, manours, lands, tenements, and hereditaments, lying oz being within the compaſſe oz pzecinct of the ſaid lozdſhips, Pariſhes, Townes-hips, Commotes and Cantredes, oz any of them, in whoſe poſſeſſion ſo euer they be oz ſhall be, and euery part thereof, ſhal ſtand and be foz euer, from the ſayd feaſt of all Saints guildable, and ſhalbe reputed, accepted, named and taken, as partes and members of the ſaid Countie oz Shire of Mountgomery. And ẏ the ſaid towne of Mountgomery ſhalbe named, accepted, reputed, vſed,

had

had and taken, head and shire towne of the said countie of Mountgomery. And that the countie or shire court, of, and for the saide Countie or Shire of Mountgomery, shalbe holden and kept the first time at the said towne of Mountgomery, and the next time at the towne of Maghenlethe in the same shire or countie, and so to be kept in the sayd two townes Alternis vicibus for euer, and in none other place. And also it is &c. that the lordships, townships, parishes, Commotes and Cantredes of Denbigh Denbighland, Ruthin, saint Tasse, Kilthowen, Bromfielde, Yale, Chirke, and Chirkeland, Mylesdale and Holsedale, in the said countie of Wales and euery of them, and all and singuler honours, lordships, Castels, mannours, Lands, tenements, and hereditaments lying or being within the compasse, or precinct of the sayd Lordships, Townships, commotes and Cantredes, or any of them in whose possession so euer they be or shalbe, & euery part thereof shall stand and be for euer from the said feaste of all Saints guildable, and shalbe reputed, accepted, named and taken as parts and members of the said county or shire of Denbigh. And that the said towne of Denbigh shalbe named, accepted, reputed, vsed, had and take, head and shire towne of the countie or shire of Denbigh. And that the Countie or shire Court, of, and for the said countie or shire of Denbigh, shalbe holden and kept the first time at the said towne of Denbigh, and the next time at the towne of Wixham in the said shire or countie, and to be kept in the same two townes Alternis vicibus for euer, and in none other place.

And forasmuch as the Counties or shires of Brecknock, Radnor, Mountgomery, and Denbigh be farre distant from the Citie of London, where the lawes of England be commonly vsed, ministred, exercised and executed, and for that the inhabitāts of the said shires of Brecknock, Radnor, Mountgomery and Denbigh, be not of substance, power and ability to trauaile out of their Countries to seeke the administration of Justice: It is therefore &c. that the king our Soueraigne Lord shall haue one Chauncerie and Eschequer at his castell of Brecknocke, and one other at his towne and castel of Denbigh. And that the shiriffes, eschetors and other officers accomptants of the Counties of Brecknock and Radnor, Mountgomery and Denbigh, from & after the said feast of all Saincts shalbe yerely appointed by our soueraigne lord the king, for and within euery of the sayd shires of Brecknocke, Radnor, Mountgomery, & Denbigh. And ỳ the shiriffes, eschetours and other officers accomptaunts of the Counties of Brecknocke and Radnor, from & after the said feast of all Saints, shall yerely make their accompt before the kings Auditours and such Chamberlaine or Barron of the said Eschequer, as shalbe thereupon appointed by our saide soueraigne lord the king, in such like maner and forme, as shirifes, eschetours, and other officers accomptaunts, doe yerely make their accompts in the kings Eschequer at Westminster, within this realme of England: & that the shirifes, eschetors and other officers accomptaunts of the countie of Mountgomery and Denbigh, from and after the said feast of al Saints, shall yerely make their accompt before the kings Auditours, and such Chamberlaine or Barron of the said Eschequer, as shalbe thereunto appointed by our sayd Soueraigne lord the king in such maner and forme as shirifes, eschetors and other officers accomptaunts, doe yerely make their accompts in the kings Eschequer at Westminster within this realme of England. And that Justice shalbe ministred, vsed, exercised and executed vnto the kings subiects and inhabitants in euery of the said shires of Brecknock, Radnor, Mountgomery and Denbigh, according to the Lawes and statutes of this Realme of England, and according to such other customes and lawes now vsed in Wales aforesaid, as the King our Soueraigne Lord, and his most honorable Counsaile shall allowe and thinke expedient, requisite and necessary, by such Justiciar or Justicers as shalbe thereunto appointed by out said soueraigne lord the king, and

Chauncery Eschequer

Shirifes Eschetors

Accompt

after such forme and fashion as iustice is vsed and ministred to the kings subiects within the three shires of North Wales.

And also it is &c. that the Lordshippes, townes, parishes, commotes, hundreds and cantreds of Oswestre, Whetington, Malbroke, Knoking, Ellesmere, Downe, and Churbury hundred, in the marches of Wales aforesaid, and euery of them, and all and singuler honours, lordships, castels, manours, townes, hamlets, lands, tenements and hereditaments, lying or being within the compasse or precinct of the sayd Lordships, townes, parishes, commotes, hundreds and cantredes, or any of them, in whose possession soeuer they be or shalbe, and euery part thereof, shall stand and be for euer, from and after the said feastes of all Saintes guildable, and shalbe united, annexed & adioyned to, and with the county of Salop as a member, part or parcell of the same, and that the said lordships of Owestre, Whetington, Malbroke, and Knowing with their members, shalbe taken, named and known by ỹ name of the hundred of Owestre in the countie of Salop, and the inhabitants thereof shalbe attendaunt, and doe euery thing and things at euery sessions, assise, and gaiole deliuery to bee holden within the countie of Salop, as the inhabitants of all other hundreds do within ỹ said Countie of Salop, according to the lawes of this Realme of Englande.

Oswestre

Salope

Hundred Owestre

And that the Lordship of Ellesmer, with the members of the same shalbe united, ioyned, and knitte to the hundred of Pimhil in the county of Salop, and shalbe taken, named and knowen to be parcel of the same hundred, and the inhabitants thereof shall be attendant, and doe euery thing and things with the inhabitants of the sayd hundred of Pimhill, as the inhabitants of the same hundred nowe doe and vse, according to the Lawes of this realme of England. And that the Lordship of Downe with the members shalbe united, ioyned, and knit to the hundred of Churbury in the Countie of Salop, and that the inhabitants of the sayd hundred of Churbury, and Lordship of Downe shalbe attendant, and doe euery thing and things at euery sessions, assise, and gaiole deliuery to bee holden within the saide countie of Salop, as the inhabitants of all other hundreds doe within the saide countie of Salop, according to the lawes of this Realme of England.

Ellesmer

And that the sayd hundred of Churbury after the sayd feast of all Saints, nor the said hundred of Oswester, nor yet ỹ lordship of Ellesmere shalbe in no wise otherwise priuiledged, nor haue no other liberty or priuiledge, but as hundreds vnited, annexed and knit to the saide Countie of Salop, as other hundreds bee within the sayd Countie. And that the Lordships, townes, parishes, commotes, hundreds and cantredes of Ewias Lacy, Ewias Harold, Clifford, Winforton, Yerdesley, Huntington, Whitney, Wigmore, Logharneis, and Stepulton, in the sayd marches of Wales and euery of them, and all and singuler honours, lordships, castels, manours, lands, tenements and hereditaments, lying or being within the compasse or precinct of the saide Lordships, townes, parishes, commotes, hundreds and cantredes, or any of them, in whose possession so euer they be or shalbe, and euery part thereof shall stande and bee for euer, from and after the sayd feastes of all Saints guildable, and shalbe vnited, annexed & adioyned to and with the countie of Herford, as a member, part or parcell of the same Countie of Herford, and that the sayde Lordships of Wigmore, and Logharnes, with their members shal be taken, named and knowne by the name of the hundred of Wigmore in the countie of Herford aforesayd. And that the inhabitants thereof shalbe attendaunt and doe euery thing and things, at euery sessions, assise and gaiole deliuery to be holden with the said county of Herford, as ỹ inhabitants of al other hũdreds, do within the sayd county of Herford, according to the Lawes of this realme of England.

Guildable

Herford

And that the whole lordship of Ewias Lacy, with the members shalbe taken, named and knowen by the name of the hunyed of Ewias Lacie within the sayde

Countie

Countie of Herford. And the inhabitants thereof shalbe attendaunt, and doe euery thing and things at euery sessions, assise, and gaole deliuery to be holden within the said countie of Herford, as the inhabitants of all other hundreds do, within the said Coutie of Herford, according to the Lawes of this Realme of England. And that the Lordship of Ewias Harold with the members, shalbe united, ioyned and knit to the hundred of Webtre in the said county of Herford, and shalbe taken, named, and knowen to be parcell of the said hundred of Webtre, and the inhabitants thereof shall be attendant and doe euery thing and things with the inhabitants of the same hundred of Webtre, as the inhabitants of the same hundred nowe doe according to the Lawes of this Realme of England. And that the lordships of Clifford, Winsforton, Yerdesley, Whitney, and Huntington, with their members, shall be taken, named and knowen by the name of the hundred of Huntington, within the countie of Herford aforesaid: and that the inhabitants thereof shalbe attendant, and doe euery thing and things at euery sessions, assise, and gaole deliuery to be holden within the sayd Countie of Herford, as the inhabitãts of al other hundreds do within the saide countie of Herford, according to ẏ lawes of this realme of England. And that the said hundred of Wigmore, with the members, and the said hundred of Ewias Lacy, and the said hundred of Huntington, and the said lordship of Ewias Harold annexed vnto the hundred of Webtre, after the said feast of all Saints, shalbe in no wise otherwise ꝑiuiledged, nor haue no other libertie, franchise, ne ꝑiuiledge: but as hundreds vnited and annexed to the sayd countie of Herford, & as other hundreds be within ẏ said county of Herford. And that the lordships, Townes and Parishes of Mollaston, Tidnam, & Bechley, in the said marches of Wales, and all honors, lordships, castels, mannours, lands, tenements and hereditaments lying or being betweene Chepstowe bridge in the sayd marches of Wales, and Glocester shire, in whose possession so euer they bee or shall be, and euery part therof shall stand and be guild- Guildable able from, & after the feast of all Saints, and shall be united, annexed and ioyned to and with ẏ said countie or shire of Glocester as a mẽber, part or parcell of ẏ same. Glocester And that the said Lordships, townes and Parishes of Mollaston, Tidnam, and Bechely, and all honours, Lordships, castels, manours, landes, tenements, and hereditaments, lying or being betweene Chepstowe bridge, and the shire of Glouester as is aforesaid, shalbe united, ioyned and knit to ẏ hundred of Westbery within the said shire of Glocester, and shalbe taken, named and knowen to be part and parcell of the same hundred, and the inhabitants thereof shalbe attendant, and doe euery thing and things with the inhabitants of the sayd hundred of Westebery, as the inhabitants of the same hundreds nowe doe according to the Lawes of this Realme of England. And that the sayd Lordships of Mollaston, Tidnam, and Bechely, after the sayd feast of all saints, shalbe in no wise ꝑiuiledged, nor haue no other liberty, franchesse ne ꝑiuiledge, but as a parcell of the sayd hundred of Westebery in the said Countie of Glocester. And that the Lordships, townes, parishes, commotes, hundreds and cantreds of Gowerkilney, Bishops Towne, Landaffe, Sighnith supra, Sighnith subtus, Gilking, Ogmors, Gleincothnay, Tallagarn, Ruchien, Tallauan, Lanblethian, Lantwide, Tiriall, Auan, Neth, Landway, and the Cleyes in the saide Countrey of Wales and euery of them, and all honours, lordships, castels, mannors, lands, tenements and hereditamẽts, lying or beeing within the compalle or ꝓecinct of the said lordships, townes, parishes, commotes, hundreds & cantreds, or any of them, in whose possession soeuer they be or shalbe, and euery part therof, shall stand and be guildable for euer, from Guildable and after the said feast of all Saints, and shalbe united, annexed, and ioyned to and with the Countie of Glamorgan, as a Glamorgan member, part or parcell of the same.

And ẏ the sayd shire of Glamorgan and

Morganniocke, and all the foreſaid Lordſhips, townes, pariſhes, commotes, hundreds and cantreues, united and annexed to the ſaid countie of Glamorgan, ſhall from and after the ſaid feaſt of al Saints be reputed, named, excepted and knowen by the name of the ſhire of Glamorgan onely, and by none other name. And that from and after the ſaid feaſt of al Saints, Juſtice ſhalbe miniſtred and executed to the kings ſubiects and inhabitants of the ſayd county of Glamorgan, according to the lawes, cuſtomes and ſtatutes of this Realme of England, and after no Welſh lawes, and in ſuch forme and faſhion as iuſtice is miniſtred and vſed to the kings ſubiects within the three ſhires of Northwales. And that the Lordſhips, Townes, pariſhes, commotes, hundreds & cantreds of Lonemtebery, Abermeleſe, Redwely, Eſkenning, Cornwolthon, New caſtel, Emlin, Abergoilly, in the ſaid countie of Wales, and euery of them, and all honors, lordſhips, caſtels, mannours, lands, tenements and hereditaments, lying or being within the compaſſe or precinct of the ſaid Lordſhips, Townes, Pariſhes, commotes, hundreds and cantreues, or any of them, in whoſe poſſeſſion ſoeuer they be, or ſhalbe, and euery part thereof ſhall ſtand and be guildable for euer, from and after the feaſt of all Saints, and ſhalbee united, annexed and ioyned to and with the countie of Kaiermerthen, as a member, part, or parcell of the ſame. And that from and after the ſayd feaſt of all Saints, Juſtice ſhalbe miniſtred and executed to the Kings Subiects and inhabitants of the ſaid county of Kaiermerthen, according to the lawes, cuſtomes and ſtatutes of this Realme of England, and after no welſh lawes, and in ſuch forme and faſhion as iuſtice is miniſtred and vſed to the kings ſubiects within the three ſhires of North Wales. And that the Lordſhips, Townes, Pariſhes, commotes, hundreds and cantreues of Hauerford weſt, Kilgaran, Laſteffan, Langhuarn, otherwiſe called Tellangherne, Walwincaſtell, Dewes land, Lanneahdein, Laufrey, Herbert, Slebeche, Roſemarket, Caſtellan, & lande of Lour in the ſaide countrey of Wales, and euery of them, and all honours, Lordſhips, Caſtels, Mannours, Lands, tenements and hereditaments, lying or being within the compaſſe or precinct of the ſayd Lordſhips, townes, pariſhes, commotes, hundreds and cantreues, or any of them, in whoſe poſſeſſion ſo euer they bee or ſhalbe, and euery part thereof, ſhall ſtand and be guildable for euer from and after the ſaide feaſt of all Saints, and ſhalbe united, annexed and ioyned to and with the Countie of Pembroke. And that from and after the ſayd feaſt of all Saints, Juſtice ſhalbe miniſtred and executed to the kings Subiects & inhabitants of the ſayd county of Pembroke, according to the Lawes, cuſtomes & Statutes of this Realme of England, & after no Welſh lawes, & in ſuch forme & faſhion, as iuſtice is miniſtred & vſed to the kinges Subiects within the three ſhires of Northwales. And that the lordſhips, Townes, pariſhes, commotes, hundreds and cantredes of Tregarn, Generglin, Ladwy, Ureny, in the ſaid countrey of Wales and euery of them, and all honours, Lordſhips, Caſtels, Mannours, lands, tenements & hereditaments lying or being within the compaſſe or precinct of the ſaid Lordſhips, Townes, pariſhes, commotes, hundreds & cantredes or any of them, in whoſe poſſeſſion ſoeuer they be, or ſhalbe, and euery part thereof, ſhall ſtand and be guildable for euer, from and after the ſayd feaſt of all Saints, and ſhalbe united, annexed, and ioyned to and with the countie of Cardigan, as a member, part, or parcell of the ſame.

And that from and after the ſaid feaſt of all Saints, iuſtice ſhalbe miniſtred and executed to the kings ſubiects and inhabitants of the ſaid countie of Cardigan, according to the lawes, cuſtomes and ſtatutes of this Realme of England, and after no welſh lawes, and in ſuch forme and faſhion as iuſtice is miniſtred and vſed to the kings ſubiects within the three ſhires of Northwales. And that the Lordſhips, Townes and Pariſhes of Mountway in the ſayd Countrey of Wales, in whoſe poſſeſſion

Guildable

Kaiermerthen

Guildable

Pembroke

Guildable

Cardigan

possession soeuer it bee, and all landes, tenements and hereditaments now lying or beeing within the compasse or precinct of the sayd Lordeshippe, towne or parish of Mountway, or any of them, in whose possession soeuer they be or shalbe, & euery part thereof shal stande, and be guildable for euer, from and after the said feast of all Saints, & shalbe united, annexed, & adioyned to and with the countie of Mereoneth in Northwales, as a commote, member, part or parcell of the same. And be it &c. that al Justices, commissioners, sheriffes, coronors, eschetours, stewards and their lieutenaunts, and all other officers and ministers of the lawe, shal proclaime & keepe the sessions, courtes, hundreds, leetes, sherifes courtes, & al other courts in ỳ english tõgue, & al other offices, iuries and inquestes, and al other affidauith, verdicts, & wagers of lawe to be giuen and done in the english tongue. And also that from henceforth no person or persons that vse the welshe speach or language, shall haue or enioy any maner office or fees within ỳ realme of Englãd, Wales, or other the kings dominion vpon paine of forfeiting the same offices or fees, vnlesse he or they vse and exercise ỳ speach or language of English. And it is &c. ỳ it shalbe lawful to the sherife of euery of the foresayd shires of Monmouth, Brecknocke, Radnor, Mountgomery and Denbigh, and euery of them to put euery misruled & suspect persons within their sherifewicke, vnder common mainprise and suerty of their personall apparaunce, as the sherifes do within euery of the three shires of Northwales. And that the recognisance of such common mainprise & suerty of apparaunce taken before any of the said sherifes, shalbe as good & effectuall, as if it were taken by any Justice of Record. And that the sherife of the county of Monmouth shall certifie such recognisaunces, common mainprise, or suertie of apparaunce at euery quarter sessions, before the Justices of peace of the said county of Monmouth. And that euery person and persons within the said countie of Monmouth, put vnder common mainprise, & bound to his personal apparaunce, shall keepe their personall apparaunce, at the sessions holden within the said shire of Monmouth, next after the cluse of Easter, & at the sessions to be holden within the said shire next after the feast of S. Michael the archangel, vntil such time ỳ they be thereof released after the fourme of the lawe. And that euery of the sherifes of the said counties of Brecknock, Radnor, Mountgomery & Denbigh, & euery of thẽ shal certifie such recognisaunce, common mainprise or suertie, apparaunce by them taken, before such Justice as shalbe appointed by our soueraigne lord ỳ king within euery of ỳ said shires at euery such sessions to be holden in any of the saide shires before the same Justice. And that euery person and persons within the sayd Counties of Brecknock, Radnor, Mountgomery, and Denbigh: And also vnto the aboue named cosities of Glamorgan, Karmarden, Penbroke & Cardigan, or any of them, put vnder common mainprise, & bounde to his or their personal apparaunce, as well by the foresaid sherifes, as by the Justices of any of the said counties, shal keepe their apparaunces before the saide Justices at euery sessions within the saide counties, to be holden in such like maner & fourme as is vsed in the three shires of Northwales, And for that the lords marchers before this present Parliament haue vsed to put their tenaunts within their Lordshippes marchers vnder such common mainprise & suertie of apparaunce, and haue had the forfeitures thereof: which for euer from and after the sayds feast of all Saintes shal vtterly cease and determine:

Therefore be it &c. that after the said feast of al Saints, euery lay & temporall person, now being a Lord marcher, shall haue ỳ moity or halfe of euery forfeiture of al and euery common mainprise, recognisance for ỳ peace or apparance, forfeited by any of their tenants, inhabiting within any of their lordships marchers, and they to be payed the same moitie or halfe by the handes of the Sherife of euery

Mereoneth

Courtes

English

Forf.

Sherife

Mainprise

Recog.

Just of p.

L. marcher

Moitie

Sheriffe

euery of the said counties, where such forfeitures shalbe, if the sheriffe can leue the same: and the same sheriffe to accompt to our soueraigne Lord the king for the other halfe or moitie in such Eschequer as they be bound to be accompteant.

Chancellor

Be it further &c. that immediatly vpon ẏ prorogation or dissolutiõ of this present Parliament, the Lorde Chauncellour of England shal direct the kinges commissiõs vnder his graces great seale to such persons as to him shalbe thought conuenient, to enquire and viewe al the said shires of Kaermerdin, Penbroke, Cardigan, Monmouth, Brecknocke, Radnor, Mountgomery, Glamorgan, & Denbigh, and euery parte and parcell of them: and vpon such viewe and serch, to deuide them and euery of them into so many hundredes, as they shall thinke most meetest and conuenient. And ẏ hundredes so deuided, shall returne and certifie with the said commission into ẏ high court of Chauncery before the saide feast of all Saintes, and the same to remaine of record, & to be of such force and effect as it were by act of parliament. And that the said hundreds after the said certificat, shalbe vsed and taken as other hundreds be in euery other shire within this realme of England. Furthermore it is &c. that immediatly after the prorogation or dissolution of this present parliament, the lord Chauncelour of England shall direct the kinges Commission vnder his graces great seale, to such persons as by him shall be thought conuenient, to enquire, and search out by all wayes and meanes that they can, all and singuler lawes, vsages and customes vsed within the said dominiõs & countrey of Wales, and the same shall returne and certifie to the kings highnesse and his most honourable counsaile before the said feast of all Saints next comming, & that vpon deliberate aduise thereof had and taken, al such lawes, vsages and customes, as the kings highnesse and his saide most honorable counsaile shal thinke expedient, requisite, and necessary to be had, vsed, and exercised in the before rehearsed shires, or

Commission

any of them, or in any other shire of ẏ dominions or countrey of Wales, shal stãd and bee of ful strength, vertue, and effect, and shalbe for euer inuiolably obserued, had, vsed, and executed in the same shires, as if this act had neuer bene had ne made, any thing in ẏ same act contained, to the contrary in any wise notwithstanding.

Parliament

And it is &c. that for this present parliament, and all other parliaments to be holden and kept for this Realme, two

Knightes

knightes shalbe chosen and elected to the same parliament for the shire of Monmouth, & one burgeis for ẏ Borough of Monmouth, in like maner, fourme & order as knightes & burgeis of the parliament be elected and chosen in all other shires of this realme of England. And that the same knightes and burgeis shall haue like dignitie, preheminence, & priuiledge, & shalbe allowed such fees, as o-

Fees

ther knightes and burgeis of the parliament haue bene allowed. And ẏ knightes fees to bee leuied, perceiued, receiued, gathered, and paide, in such maner, fourme, and order, as such fees ber gathered, leuied, perceiued, receiued and paid in other shires of this Realme of England: And the burgeis fees to be leuied as wel with-

Burgeis fees

in the borough of Monmouth, as within al other auncient boroughes within the said shire of Monmouth. And that for this present Parliament, and all other Parliaments to bee holden and kept for this realme, one knighe shalbe chosen &

Knight

elected to the same parliaments for euery of the shires of Brecknocke, Radnor, Mountgomery & Denbigh, & for euery other shire within ẏ saide countrey or dominion of Wales, and for euery borough being a shire towne within the saide countrey or dominion of Wales, except the shire towne of the aforesaide County of

Election

Merioneth, one burgeis: And the election to be in like maner, fourme, and order, as knightes and burgeis of the parliament be elected & chosen in other shires of this realme: And that the knighe and burgeis and euery of them, shal haue like

dignitie, preheminence, priuiledge, and

shalbe

shalbe allowed such fees as other knights of the parliament haue and bee allowed. And the knightes fees to bee leuied and gathered of the commons of the shire that they be elected in. And the burgeis fees to bee leuied and gathered aswel of the boroughes and shire townes as they bee burgeis of, as of all other auncient boroughes within the same shire.

And it is &c. that al and euery lay and temporall person & persons, nowe being L. marchers lords marchers, & hauing any lordships marchers, or lordships realles, shal from and after the said feast of al Saints, haue all such mysles, and profits, of their tenaunts as they haue had or vsed to haue at the first entrie into their lands in times past. And also shall haue, hold, and keepe within the precinct of their lordeshippes, courts baron, court leetes, & lawedaics, Courtes and al and euery thing to the same courts belonging. And also shal haue within the precinct of their said lordships or lawday, waife, straife, Infangthef, outfangthef, treasure, troues, deodams, goods and Felons goods. cattels of felons, and of persons condemned or outlawed of felony or murder, or put in exigent for felony or murder, & also wrecke de miere, wharfage and customes of straungers, as they haue had in times past, and as though such priuileges were graunted vnto them by our Soueraigne Lorde the King by poynt of Chartre: Any thing in this present acte to the contrary notwithstanding. (See after 33.)

Prouided alway, that this present act, nor any thing therein contayned, shall take away or derogate any lawes, vsages or lawdable customes nowe vsed within the three shires of Northwales, nor shall not depriue, nor take away the whole liberties of the Duchy of Lancaster: but that the saide liberties shall continue and bee vsed in euery Lordeshippe parcel of the saide Duchy within the dominion or countrey of Wales, as the liberties of the sayde Duchy bee vsed in shire ground, and county palantine within this Realme of Englande.

Prouided also, that this acte nor any thing therein contayned, doe not extend nor be preiudiciall to any person or persons to auoide any patent, ioynt patent, of any office, fees, annuites, or reuersion of any office, fees, or annuites, to them graunted for terme of their life or liues by our soueraigne lord ỳ king, or by any other persõ or persõs other, for the vsing, exercising, or occupying of any maner office, or otherwise, but ỳ they shall haue & enioy their said fees, & al other offices Offices of constableships, porterships, stewardships of leetes, lawdaies, court barons, and other offices, being not repugnaunt against this act: And in case any such offices be repugnant against this act, that then the grauntees to haue & enioy their fees, during their life or liues: any article or clause in this present act, to the contrary in any wise notwithstanding.

Prouided also that this act, nor any thing therein contained, bee not in any wise preiudicial to the right honourable Henry Earle of Worcester, for the exercising, vsing and occupying of the offyce of the Justice of the whole Countie of Glamorgan, any thing in this present act contained, to the contrary in any wise notwithstanding.

Prouided also, that this acte nor any thing therein contained, extend not to depriue, take away, or derogate any other acts before this time made for the trial of treason, murder, or felonies, or accessaries of the same, committed and done in any Lordeshippe marcher in Wales or in the next shires of England adioyning to the saide Lordship marcher.

Prouided alway that lands, tenements, and hereditaments, lying in the sayde countrey and dominion of Wales, which haue bene vsed time out of minde, by the laudable customes of the saide countrey to bee departed and departable among Deuision issues and heires males, shall stil so continue and be vsed in like forme, fashion, and condition, as if this act had neuer ben had nor made, any thing in this act to the contrary thereof notwithstanding.

Prouided also, & be it &c. that ỳ kinges Kings highnes, notwithstanding this acte, or any

any thing therein contained, shall haue power and auctho̅itie fo̅ the terme of thee yeeres next after the ende and dissolution of this p̄sent parliament, to suspend fo̅ such tyme as shall please his grace, o̅ vtterly to repeale, reuoke and abrogate this whole act o̅ any part thereof from time to time, as shall stand with his most gratious pleasure: so that euery such suspending, repeale & reuocation fro̅ tyme to tyme as often as any such case shal happen, shalbe made in writing vnder the great seale of England, and be annexed to the rolle of this p̄sēt Parliament wherein this act shalbe enrolled, and p̄clamation thereupon to be made in euery shire within the said countrey & dominiō of Wales. And that euery such suspending, repeale and reuocation so to be had and made by the kings highnesse, shalbe as good and effectuall to all intēts and purposes, as if the same had bene done by auctho̅itie of this p̄sent Parliament: this act o̅ any thing therein contained to the contrary thereof notwithstanding. And where by this p̄sent act there is appoynted one Chauncery and one Eschequer at Bꝛeckenock, and an other Chauncery and Eschequer at Denbigh: It is &c. that the kinges highnesse from time to time within the terme of v. yeeres, next after the ende of this parliament, fo̅ due ministration of Justice in the sayd co̅ntrey of Wales, shal haue power and auctho̅ity to erect, make and o̅daine such court o̅ courtes and so many courts of recoꝛd, and such and so many iustices, ministers, officers, & clearkes, as by his highnesse within ỹ time of v. yeres next after the ende of this p̄sent parliament shalbe thought sufficient & conuenient as wel fo̅ the due execution of this act, o̅ of any thing o̅ thinges that shalbe had, done o̅ made by auctho̅itie of the same, as fo̅ the good gouernance and rule of the said countrey of Wales.

Repeale

Proclamation

Chauncery Eschequer.

Courts

Prouided alway that this act, o̅ any thing o̅ things to be done by auctho̅ity thereof, shall not bee p̄iudiciall to any person o̅ persons which now haue by the kinges letters patents any office o̅ offices of p̄otonotary o̅ clerke of ỹ crowne in the saide countrey and dominion of Wales, but that they and euery of them shal and may still haue and vse their offices, in as large and ample maner, fo̅me, fashion and condition, as if this act o̅ any thing to be done by auctho̅itie thereof had neuer bene had o̅ made, any thing in this act, to the contrary thereof notwithstanding.

Officers

Prouided also that this act, o̅ any thing therein contayned, extend not, o̅ in any wise be p̄iudicial o̅ hurtfull to syr Walter Deuereux knight of the noble o̅der of the garter, lo̅d Ferrers of chartly, of, fo̅ and concerning the offices of chiefe Justice of Southwales, the office of Chamberleine of Southwales, & of the counties of Carmerden and Cardigan in Southwales afo̅esaide. And of & fo̅ the office of the stewardship of the lo̅deshippe of Bealth in the marches of Southwales, and of and fo̅ the office of receiuourship of the saide lo̅deshippe of Bealth, o̅ of, fo̅ o̅ concerning any of the said offices: but that the saide Lo̅d Ferrers may haue, vse, exercise, and enioy the sayd offices and euery of them with all fees, wages, emoluments, commodities and p̄fits to the same offices o̅ to any of them in any wise belonging o̅ appertayning, in as large and ample maner, fourme and condition, as if this act had neuer bene had no̅ made. An. 27. H. 8. ca. 26.

29 ¶ Because the allotment made in the statute 27. Hen. 8. (before 28.) of diuers townes, & c. to certaine shires there, by credible information is fallen out not to indifferent, no̅ commodious fo̅ the subiects: Be it &c. That the kings highnesse (during the time of thee yeeres next after the end of this p̄sent Parliament) shal haue power and auctho̅itie by writing vnder his great seale, to allot, appoint, assigne and limit to euery of the shires named in the said act, such and so many lo̅dships, townes, parishes, hamlets, hu̅dreds, commotes, and cantredes, as his maiestie by his most high wiledō shal thinke most conuenient and agree-

King

Lo̅deships

able

able for the ease & commoditie of his louing subiects the inhabytants of the said dominion and pyncipalitie (S. of Wales.) And shal likewise haue power and aucthoritie to name and assigne the Shire townes in euery of the said shires named in the said act. And that euery such limitation, appoyntment, nomination and assignement to be made by the kings highnesse in that behalfe, by aucthoritie of this act, shalbe as good & effectual to al intēts and purposes, as though it had ben done and made plainely and particularly by aucthoritie of parliament, any thing contained in the said act, made in the last parliament, or any other thing or thinges to the contrary thereof notwithstanding. An. 28. H. 8. cap. 3.

The king during the said three yeeres did nothing cōcerning the accomplishment of the said act, wherefore An. 31. H. 8. ca. 11. it was enacted as followeth.

30 ¶ That his maiestie during the space of other three yeeres, next after the first day of this present parliament shal haue like power and aucthority to do, vse, execute, and accomplish al & euery thing and things limitted and appoynted to his maiestie to be done, vsed, and accomplished by the same act made in the sayd 28. yeere of his graces raigne (cap. 3. before 29.) in as large and ample maner in euery condition as his maiestie might haue done, vsed and accomplished within the said time of three yeeres, limitted by the same act, as is aforesaide. And that euery such limitation, appoyntment, nompnation and assignement to bee made by the kings highnes in that behalfe, by aucthoritie of this present acte, during the space of the saide other three yeeres next after the first day of this present parliament, shalbe as good and effectual to al intents and purposes, as though it had bene done and made plainely and particularly by aucthoritie of Parliament. Anno 31. H. 8. cap. 11. See office. Anno 32. H. 8. cap. 27. of graunts of sherifewickes in Wales made voyde.

31 ¶ Where the lordships, townes, and hamlets of Hope and Assaph, haue of old time bene reputed, accepted & take as part and parcel of ỳ county of Flint, and so haue bene continued vntil now of late that by an act of parliament made in the 27. yeere of the raigne of our most dread soueraigne Lord the kings maiestie that now is (cap. 26. before 28.) the same were assigned to ỳ county of Denbigh:

And also where parcel of the parish of Hawarden is at this day, and of olde time hath bene accepted, taken and vsed as part of the saide county of Flint, & the residue of the sayd parish of Hawarden is, and alwayes hath bene without the precinct, limittes and iurisdiction of ỳ same county: Be it &c. that as wel the said Lordships, Townes and hamlettes of Hope, Assaph, and the saide whole parish of Hawarden, together with the lordeship of the same, as also the lordshippes, townes, and parishes of Holdesdale, Mereford and Osley, and al the landes, tenements and hereditaments within the precinct & limits of the same, or any of them, shall from henceforth be reputed, accepted, taken, & abiudged to be within the saide county of Flint, as a member, part and parcel of the same county of Flint, and not of, nor within any other countie or shire, any statute, ordynaunce, law or custome heretofore had or vsed, to the contrary thereof in any wise notwithstanding. Lordeships

Prouided alwaies, ỳ the inhabitants and tenaunts of the said lordships, Townes, hamlettes and Parishes of Hope, Assaph, Holdesdale, Mereford, & Hawarden shal pay their milles & tallages when and as ofte as the same shalbe due, with the inhabitants of such shire or shires as before time hath bene accustomed. And that the said lordeship of Hope, Holdesdale, Mereford, Osely, & Hawarden, w̄ the whole and entire parish of Hawarden, and all the grounds, landes, tenements, & hereditaments, within the precinct and limits of the same, shal from hēceforth be called, taken and accepted the hundreds of Holdesdale in the Countie of Flint. Tallage Hundred

And that the sayde Lordeshippe of Assaph, with all the grounds, landes, tenements, and hereditaments within the precinct

precint and limittes of the same, shalbe taken, accepted, & iudged, to be as part & parcel of the hundred of Rutlande in the same county. An. 33. H. 8. cap. 13.

32 Our soueraigne lord the kings maiestie of his tender zeale and affection that he beareth towardes his louing and obedient subiectes of his dominion, principalitie and Countrey of Wales, for good rule & order to be from hencefoorth kept and maynteined within the same, whereby his said subiects may grow and rise to more welth and prosperitie, hath deuised and made diuers, sundry, good & necessary ordinances, which his maiestie of his most aboundant goodnesse, at the humble suit and petition of his said subiectes of Wales, is pleased and contented to be enacted &c. in maner & fourme as hereafter ensueth. First þ his graces sayd dominion, principality and country of Wales, be from hencefoorth deuided into xii. Shires, of the which viii. haue bene Shires of long and auncient time, that is to say: the shires of Glamorgan, Carmerthen, Pembroke, Cardigan, Flint, Carnaruan, Anglesey, and Mereoneth. And iiii. of the sayde xii. shires, be newly made and ordained to be shires, by an act made at the parliament, holden at Westminster, in the xvii. yeere of our sayde Soueraigne Lord his most noble raigne (capitulo 26. before 28.) that is to say, the shires of Radnor, Brecknocke, Mountgomery, and Denbigh, ouer and besides the Shire of Monmouth, and diuers other dominions, Lordships, & manours in the marches of Wales, united and annexed to the shires of Salop, Herford, & Gloucester, as by the sayd late act more plainly appeareth. Item that the limitations of the hundreds of late made within the sayde shires by vertue of his graces commission, directed out of his high court of Chauncery, & againe returned into þ same, shal stand in ful strēgth, force, and effect according to the sayde limitation. Except such of the same, as sith that time haue bene altered or chaunged, by vertue of any act or actes of Parliament already made, or that shalbe altered or chaunged, by any acte or actes in this present Session to be made. Item that there shal be and remaine a president and counsaile in the sayde dominion and principalitie of Wales and the marches of the same, with all officers, clerkes, and incidentes to the same, in maner and fourme as hath bene heretofore vsed and accustomed. Shires. President Counsaile

Which president and counsaile shall haue power & authoritie to heare and determine by their wisdomes and discretions, such causes and matters as bee or hereafter shalbe assigned to them by the kings maiestie, as heretofore hath ben accustomed & vsed. Item that there shalbe holden and kept sessions twise in euery yeere, in euery of the said Shires in the said dominion & principalitie of Wales. That is to say, in the Shires of Glamorgan, Brecknocke, Radnor, Caermerthin, Pembroke, Cardigan, Mountgomery, Denbigh, Flint, Carnaruan, Mereoneth, and Anglesey, the which sessions shalbe called the kings great sessions in Wales. Item that the Justice of Chester for the time being, shall holde and keepe sessions twise in euery yeere in the shires of Denbigh, Flint, and Mountgomery, and haue nothing but his olde fee of an hundred pounds yeerely for the same. Oier & ter. Sessions Fē

Item that the iustices of Northwales shal in likewise hold and keepe Sessions twise euery yeere, in euery of the saide shires of Carnaruan, Mereoneth & Anglesey, and shal haue yeerely of the kings maiestie a yeerely fee of fifty pounds for the same. Item that one person learned in the lawes of this Realme of England, by the kinges Maiestie to be named and appoynted, shalbe Justice of the Shires of Radnor, Brecknocke, and Glamorgan, and shal in likewise hold and keepe sessions twise in euery yeere in euery of the same shires, and shall haue yeerely of the kinges Maiesty fifty poundes for his fee. Item that one other person learned in the lawes of this Realme, to bee appointed as is aforesayd, shal be Justice of the Shires of Caermerthen, Pembrok, and Cardygan, and shal in likewise holde Fē Justice

and

and keepe ſeſſyons twiſe in euery yeere in euery of the ſame ſhires: and ſhall alſo haue yeerely of the kinges maieſtie fifty pound for his fee.

Item the ſaid perſons or Juſtices, & euery of them now beeing, or that hereafter ſhalbe, ſhall haue ſeuerall letters patentes and commiſſions for their offices vnder the kings great ſeale of England, to bee exercyſed by themſelues, or their ſufficient deputies according to their purpoſes and intents, in their ordinaunces ſpecified. Prouyded alwayes, that their commiſſions to them already graũted vnder the ſayd great ſeale, ſhal ſtand in force and effect according to ỹ tenour of the ſame: vnleſſe it ſhal pleaſe ỹ kinges Maieſtie hereafter to alter or change them or any of them, this preſent article laſt before expreſſed, in any wiſe notwithſtanding. Item that euery of the ſayde iuſtices within the limittes of their commiſſions and auctorities to them appointed as is aforeſayd, ſhal holde al maner of pleas of the crowne at and in the ſayde ſeſſions, in as large and ample maner, as the kinges chiefe iuſtice of England, and other the kinges iuſtices of the kinges benche there, or any of them may doe in their place or elſe where within the Realme of Englande. And alſo to holde pleas of aſſyſes, and all other pleas and actyons, reall, perſonall, and mixt, in as large and ample maner, as the Kings chiefe Juſtice of the common place in Englande, and other Juſtices of the ſame place, or any of them may doe in the Realme of England. Item that euery of the ſayde Juſtices of Wales ſhall haue power and auctoritie to enquire of al treaſons, murders, felonies, riottes, routes, vnlawfull aſſemblies, extortions, imbraceries, maintenances, reteynours, concealements, contempts, and all other offences & euil deedes, of what natures, names or qualityes ſo euer they be done, committed or perpetrated, within the lymittes of their commiſſions and auctorities, againſt the forme of the common lawe of the Realme of Englande, or of any ſtatutes of the ſame, and to heare and determine the premiſſes and euery of them, and generally to miniſter common Juſtice to al and ſinguler the kings ſubiects within the limittes of their commiſſions and auctorities according to ỹ lawes, ſtatutes, and cuſtomes of ỹ realme of Englande, and according to this preſent ordinaunce. Item that euery of the ſayd Seſſions ſhalbe kept and continued by the ſpace of ſixe dayes in euery of the ſayde ſhires, at eyther of the ſayde times, as is and hath bene vſed within the ſayde three ſhires of Northwales. And that the ſayde Juſtices ſhall cauſe open proclamations to be made in the ſhire townes, what tyme and place they purpoſe to keepe their ſaid Seſſions xv. dayes at ỹ leaſt before they keepe the ſame, to the intent the kinges Subiectes may haue knowledge thereof. Item the dayes ſhall be giuen in all pleas, plaints, proceſſes, & aiournements from day to day, & Seſſions to Seſſions, by the diſcretions of the ſayde Juſtices within the limittes of their auctorities, for the good and ſpeedy miniſtration of iuſtice, to al and ſinguler the kinges Subiects, as is or hath bene vſed in Northwales. Item that one originall ſeale deuiſed by the kinges highneſſe, for iuſtice to bee miniſtred in the ſayde three ſhires of Northwales: That is to ſay the ſhires of Merioneth, Carnarum & Angleſey, ſhalbe & remaine in the charges, keeping and cuſtody of the Chamberlayne of Northwales.

And that one other originall ſeale, deuiſed by the kings Maieſtie, for miniſtration of Juſtice to bee vſed in the ſayde ſhires of Carmarthen, Pembroke and Cardigan, ſhalbe & remaine in the charges, and keeping of the Chamberlaine of Southwales. And that likewiſe one other originall ſeale deuiſed by the kinges maieſtie for the miniſtration of iuſtice to bee vſed in the ſaid three ſhires of Brecknocke, Radnor, Glamorgan, ſhalbe and remaine in the charge and cuſtodie of the ſteward & chamberlaine of Brecknocke. And that alſo one other originall ſeale deuiſed by the kings maieſtie for miniſtration of Juſtice to bee miniſtred with-

in

Letters p.

Cõmiſſions

Pleas

Iuſtices

Enquire

Diet & ter.

Proclamation

Dayes

Seals

in the said shires of Denbigh & Mountgomery, shalbe & remaine in the charge, keeping and custody of the Steward and Chamberlaine of Denbigh. And that the original Seale of Chester, shal be & stand for the originall Seale of Flint, for Justice to be ministred in ỳ said shires of Flint, and shal be and remaine in the charge, keeping & custody of the Chamberlaine of Chester. Item that the sayd Stewards & Chamberlaines shal Seale with the sayd seales, that is to say, euery one of them shall seale with the seale to his charge committed, al maner of original writtes & proces returnable before ỳ said Justices at the Sessions to bee holden in euery of the sayde shires in maner and fourme as is afore sayd.

Accompt

And shal seuerally accompt and aunswere the kinges maiestie, for the profits of the same seale. And that none of the sayd Stewards, chamberlaynes or chancellours, having the charge & keeping of the sayd seales, shal by occasion therof, or by colour of any of their offices, compell or cause any person or persons, inhabiting within any of the said twelue shires, to appeare before thẽselues or their deputies, ne shal haue power or authoritie to heare or determine any pleas of ỳ crowne, nor other causes or matters of iustice, otherwise thẽ in this ordinãce is limited & expressed: But shall haue the charge & keeping of the sayd seales, to seale al such original writs & proces as shalbe returnable before ỳ sayd Justices in their said sessiõs as is before specified, & as hereafter shalbe declared, which writs & proces shal be vsed, made, sealed & returned in maner & fourme as hath bene vsed before ỳ Justices in Northwales. Item ỳ all such persons as nowe bee or hereafter shal bee thẽ kings highnes stewards, chamberlaynes, or chauncellours, within any of the sayde twelue Shires, which by reason of their

Receiuours

said offices, haue charge for the receipt, collection or accompt of & for the kinges rentes, reuennes, fermes, or profites, to bee due to his Maiestie, within the sayde

Proces

dominions of Wales, may direct proces vnder the seale being in their charge and custody win the lymits of their auctorities only against baylifes, reues, fermours, and other myniſters accomptant, to appeare before themselues to answere to & for any the kings reuenues, fermes, rentes, or profites, and for none other causes, nor against any other person or persons, in like maner and fourme as they haue bene accustomed in that case to doe.

Item that al stewards of any Lordships or mannors in Wales, shall and may keepe and holde such leetes, lawedayes and court barrons as apperteineth and belongeth to the Lordeshippes and mannours wherof they be stewardes. And to holde pleas by playnt vnder the summe of fourty shillinges in euery such Court Baron, and haue and enioy al other auctorities, commodities and profites, as stewardes of leetes, lawedaies, and court barons in England commonly haue and bene vsed to haue, by reason of the sayde offices, and none other: any law, vsage or Custome in the sayd dominiõ of Wales, heretofore had to the contrary herof notwithstanding.

Steward

Courts

Item, prouided alwaies, and bee it enacted, that the said stewards or any of thẽ, nor the sherife of the saide Counties in Wales, shal haue any power or authority to enquire of any maner of felonie in any such leete or lawday or turne, within the sayd dominion to bee holden.

Enquire Felonie

And that fromhenceforth, no leete nor lawday be kept by the stewarde or other officer of any lordship or mannour in the said dominion of Wales, but in such lordships and places, where it was accustomed to be kept before the making of ỳ act of Parliamẽt concerning Wales, made in the xxvi. yeere of our sayd soueraigne lordes raigne, (cap 6. before 25.) so alwayes ỳ place where such court shalbe kept, be meete & conuenient for ỳ purpose.

Place

Item that all Maiors, baylifes, & head officers of corporate townes in Wales, may hold pleas, & determine actiõs, & do euery other thing concerning common iustice, according to their lawful grants, & lawdable customes of such townes, so alwayes they followe the course, trade,

and

and fashion of the realme of England, & not of any welsh lawes or customes. And that in euery of the said townes they may Triall try all issues ioyned in any action personall by sixe men, according as heretofore in diuers places of the sayde countrey it hath bene vsed, any thing cõtained in this act to the contrary notwithstanding.

Prouided alwayes, and bee it &c. that forasmuch as there bee diuers and many small boroughs & townes corporat within the sayde dominion of Wales, whereof many haue their commencement by grants made from ỳ marches, & some by other meanes, our said soueraygne Lord shal from hẽceforth by vertue of this act, haue full power and aucthoritie by his letters patentes, to be inrolled in his graces high court of Chauncery at any time within seuẽ yere hereafter next ensuing, to the ende of this present parliament, to Repeale repeale, annihilat, and dissolue such and as many of the sayd boroughs & townes corporate, and all liberties and customes of the same, as to his highnesse shall bee thought expedient, to the intent his Maiesty at his graces pleasure, may newely erect, ordayne, and make such and as many other boroughes and townes corporat Townes within the said dominion, being more apt and conuenient for that purpose, and endue them with such liberties and franchises, as to his most excellent wisdome shal be thought necessary for the wealth of the sayd County. Item the kinges Maiestie is pleased and contented of his most gracious goodnesse, that such as haue Patentes of any office of stewardshippes, Officers chamberlaineshippes, chauncellershippes, or Justiceshippes, within the sayd dominion of Wales, for terme of their lines, shal haue and enioy their certaine ordinary Fees and annuall fees of money vsed & accustomed to bee payed and borne by the kinges highnesse, by vertue of any their letters patents during their interest therin, but in no wise to take or clayme any casuall fees claimed by colour of their offices, contrary to this present ordinance: Any custome in Wales, or any thing in this act to the contrary notwithstãding.

Item ouer and besyde the originall seales, Seales there shalbe iiii. iudicial seales deuised by the kings Maiesty, whereof one shall remaine with the Justice of Chester, which is appoynted by this act, to be Justice of the shires of Flint, Denbigh, & Mountgomery, to be vsed within the said shires, to seale all iudicial processe and bils, that shalbe sued before the sayd Justice, in the Sessions to bee holden within the same shires. And that one other of the said iudiciall seales shal likewise remaine & be in the charge & custody of the said Justice of Northwales. And that the third of ỳ sayd seales shal be and remayne in the custody and charge of the Justice of the iii. shires of Glamorgan, Brecknocke, & Radnor. And the fourth of the sayd seales shall remayne in the charge and custody of the Justice of the sayd three shires of Pembroke, Carmarthen, and Cardigan. And the sayd Justices shal seale with the sayd iudiciall seales, that is to say, euery of the with the seale committed to his charge & custody, as well all billes as all other iudicial proces that shalbe sued before them in the said session, vpon any originall bils or writtes, & all other processe that shalbe awarded from any of the sayde Justices, shalbe sealed with the sayd iudicial seale. Item that euery of the sayd Justices, shal Justices accompt and answere to the kinges Ma- Accompt iestie for the profites of the sayd seales being in his charge and custody, in maner and fourme as hereafter shal be declared. Item that the Teste of euery bill and iu- Teste diciall processe that shall passe vnder the sayd iudicial seale, shalbe vnder the name of such of the sayd Justices from whome such bill or iudicial processe shal passe, in like maner and fourme, as is vsed in the common place in England. Item that al actions reall and mixt, attaints, conspira- Actions cies, assises, & Quare impedit, appeales of murther & felony, & all actions graunted vpon any statutes, shalbe sued by originall writtes, to be obtayned and sealed with the sayde originall seale, returnable before the sayd Justices at their sessions, within the limits of their auctorities, in maner and forme as is afore mentioned.

Item that all maner of personal actions, as debt, detinue, trespasse, accompt, and such like amounting to the summe of xl. shillings or aboue, shalbe sued by writtes originall, to be obtayned and sealed as is aforesayde, or by billes at the pleasure of the partie suing the same before the sayd Justices, within the limittes of their auctho̅rities, as is vsed in Northwales. And that all personall actions vnder the summe of fourtie shillings, that is to say, debt, trespasse, detinue, accompt, and such like, shall and may be sued before any of the sayd Justices in the sayde sessions, by bill, as is vsed in Northwales. And that euery originall bill concerning actions personals, shall be sealed with the kinges iudiciall Seale, being in the custody of the sayd Justice, before whome such personal actions by bill shall be brought and commenced. And that such fees shall be payed for the writing and sealing of such originall writtes and billes, as hereafter shall be expressed, that is to say, for the sealing of euery originall writte to be sued in and vpon the causes aforesayd, and for euery bil to be pursued in actions personall, whereof the debt, and dammages amounteth to the summe of xl.s. or aboue, the parties pursuing ẏ same shall pay for the seale of euery such writte or bill vi.d. And for euery iudicial processe to be sued vpon any such originall writte, or bill, the parties pursuing such iudiciall processe, shal pay for the sealing thereof vii. pence, whereof the kinges Maiestie shall haue fiue pence, and the Justice sealing such iudiciall processe, shall haue one peny. Item that euery bill, in personall action, whereof the debt, duetie, or dammage amounteth not to xl. shillings, and all maner iudiciall processe to be sued vpon the same, shall also be sealed with the kinges sayd iudiciall Seale, and the parties pursuing the same, shal pay for the seale of euery such bill, and iudicial processe thereupon to be sued, iii.d. whereof the kinges Maiesty to haue ii. pence, and the Justice sealing such processe to haue a peny.

Bylles

Fees

Writtes

Item that all writtes of Scire facias, and writs of good abearing, or for the peace, or writtes of Supersedeas vpon the same, and all other processe to be sued from the sayd Justices vpon any recorde or suggestion admitted by any of the sayde Justices, within the limittes of their auctho̅rities, shall also be sealed with the sayd iudiciall seale. And that the parties pursuing for the same, shall pay for the Seale of euery such writtes and processe seuen pence, whereof the kings highnesse shall haue fiue pence, and the Justice by whom such processe shall be sealed, a peny. And that euery exemplification vpon any recorde, before any of the sayde Justices, shall be sealed with the kinges sayd iudiciall seale, and the partie pursuyng the same shall pay for the seale thereof twentie pence, whereof the kinges highnesse shall haue sixteene pence, and the Justices sealing the same, foure pence. Item that recouery and fines, concordes and warraunts of Atturney for the same, shal and may be taken before euery of the sayd Justices, of landes, tenementes, and hereditamentes within his auctho̅ritie, by force of his generall commission, without any writte of Dedimus potestatem, to bee sued for the same, in like maner and fourme as is vsed to be taken before the kinges chiefe Justice of his common place in Englande. Item that all fines hereafter to bee leuyed before any of the sayde Justices with Proclamation made the same Sessions, that the sayd fine shal be engrossed, & in two other great Sessions then next to be holde̅ within the same Countrey, shall be of the same force and strength to all purposes, as fines leuyed before the Justices of the common place in England. Item that euery person suing writtes of entrie in the post, or writs of couenant, or any other writtes for any recouery to be had by assent of parties, or otherwise, or for fine to be leuied, shal pay such fines to the kinges vse for the same, as wel fines Pro licentia concordandi, as all other maner of fines, as is vsed in the kinges Chauncery, or else where in any of the kings Courts of England, which fines shall be payed to such persons, as shall seale the originall writtes for that purpose.

Fines

Dedimus potestatem

Writtes

purpose. And that they shall accompt for the same in like fourme as they shall doe for the profites of the sayd originall seale, as is aforesayd. Item that the kinges siluer vpon euery fine to be leuyed, shall be payed as is vsed in the common place in England, that is to say, two shillinges, which kinges siluer shall be payed to the Justice, afore whome such fine shalbe leuyed. Whereof the kinges highnesse shal haue twenty pence, and the prenotary entring the same shall haue ii.d. and the Justice afore whom such fine shalbe leuyed, other ii.d. And that the same Justice shall accompt for the kings part thereof, like as he shal for the profits of the kings iudicial seale, committed to his charge in maner & fourme as is aforesayd. Item there shalbe iiii. prenotaries for the making of all iudicial processe, and for the entring of all pleas, processe, and matters of record in the sessions to be holden before the said Justices, wherof one of the said prenotaries shal attend vpon the sayd Justice appointed for the iii. shires of Northwales. And one other shall attend vpon the Justice alligned for the three shires of Flint, Denbighe, and Pountgomery. And the third shall attend vpon the Justice alligned for the three shires of Carmarthin, Cardigan, and Pembrooke. And the fourth of the said Prenotaries shal attend vpon the Justice alligned for the three shires of Glamorgã, Brecknocke, & Radnor. And these foure Prenotaries, as often as their said offices shalbe voyde, shal be named and appointed by the kinges highnes, by his maiesties letters patents vnder his great Seale of England. And where one John Arnold gentleman hath the office of the Prenotary and clarkeshippe of the crowne by the kinges highnesse letters patents within the sayd three shires of Northwales: And that one John Breakenhed hath the office of the Prenotary and Clarkeship of the crowne by the kinges letters patentes within the sayde shire of Flint: And ꝑ likewise one John Leonard hath the office of the Prenotary and clarkeshippe of the crowne by the kings letters patents within all the residue of the sayd dominion of Wales: The kings Maiesty is pleased and contented that the sayd three Prenotaries, shal haue, vse, and enioy their sayd offices according to the effect of the sayde letters patentes to them thereof made, doing their duties and attendaunce by themselues or their sufficient deputies, at euery of the sayde Sessions to bee kept within the shires, whereunto they be so appointed. Item, there shalbe a Marshall and a cryer in euery of the circuites and limittes allotted to the sayd Justices, which shalbe named by the sayd Justices, within the limittes of their auctoritie and commission, in like maner and fourme as Justices of assise do in England, and the sayd officers shal attend vpon the said Justices in their circuites, in their owne proper persons, and not by their deputies. And that the Marshall shall haue vpon euery iudgement, and euery fine, foure pence, and the cryer a peny. And vpon the acquitalles of felonies, and of them that shall be deliuered by proclamation, or deliuered out of common mainprise, before any of the said Justices, the Marshal shal haue iiii.d. and the cryer a peny. Item that euery of the sayd Prenotaries within the limittes of their offices shall take such fees, as hereafter shall be expressed. That is to say, for the writing of pleas, and ingrossing of writtes of entrie in the Post, writtes of right, Quod ei deforceat, or any other writtes, pursued by the assent of the parties, v.s. And if it bee with a double voucher, then sixe shillings and eyght pence, and for the exemplification thereof two shillings. And for the engrossing of fines, to haue for euery fine three shillings and foure pence. And if it be with proclamations, then foure shillings. Item for euery bill of debt, detinue, trespasse, and all other actions personalles, sued before the sayd Justices in their circuites, vnder the summe of xl.s. the Prenotaries shal haue for the first bill foure pence, for the second bill foure pence. And for the thirde bill iiii. pence. And for the entrie of euery declaration, plea in barre, replication and reioynder in and vpon euery such actiõs,

Pr. fines

Marshall Cryer

Fees

Fees

Prenotaries

Letters p.

so that he do inroll the same in parchmēt, iiii.d. And for euery Venire facias, Tales, habeas corpora, and distring. in the same actions, iiii.d. & for the iudgement, foure pence. And for euery writte of execution, in euery such action, sixe pence. And for euery warraunt of attourney, in euery such action, as well for the plaintifes as for the defendaunts, iiii.d. Item in all actions of detinue, trespasse, and all other actions personal, wherein the dutie, debt, or dammage amounteth to the summe of fourtie shillings or aboue, which shall be sued by billes before the sayde Justices, the Prenotary shall haue for the first bill, iiii.d. for the second bill iiii. pence, for the third bil iiii.d. And for euery the declarations, the answere, replication, and reioinder, if it be enrolled in parchement, viii.d. And for the Venire facias, tales, habeas corpora, & Distr. for euery of them sixe pence, and for the iudgement viii.d. and for the warraunt of atturney iiii.d. and for euery writte of execution vpon the iudgements in such billes, vi.d. Item in originall writtes, sued vpon euery actions personall, returnable before the sayd Justices, the Prenotaries shall haue for euery Iterum summoneas, sixe pence, for euery distresse in trespasse, sixe pence, and for the declaration eyght pence, for the answere, replication, and reioinder for euery of them, if they be enrolled and ingrolled as is aforesayd, xii.d. For the Venire facias, Tales, Habeas corpora, & Distr. for euery of them vi.d. and the prenotaries to haue for thentrie of the iudgements in euery action xii.d. And for euery writte of execution sued vpon the same vi.d. For theremplification of euery recorde in any of the sayd actions, ii.s. For euery warrant of attourney iiii.d. In all actions reals, and mixt offices, Quare impedit, appeales of felony, murder, maihme, the Prenotary to haue for the declaration or plaint, ii.s. and for the plea in barre, replicatiō, reioynder, surreioinder, for euery of them, if they be inrolled as is aforesaid xii.d. and for the writing of euery Venire facias, Tales, Habeas corpora, & distr. vpō the same for euery of thē vi.d. and for the entrie of the iudgement in euery of the said actions and appeales, ii.s. And for the writing of the writtes of execution, made vpon euery of the sayde actions & appeales, and assises xii.d. And for writtes of graund Cape, & petit Cape, and writtes of diewe, writtes of voucher, & all other writtes in euery such actions xii.d. And for euery warrant of atturney, for the defendaunts, or for the demandants or plaintifes, in euery such action reall, assise, appeale, and Quare impedit, iiii.d. And for the essoines of euery such action iiii.d. and for the baile of euery person of felony, xii.d. and for the baile for trespasse vi.d. And for the apparance and bayling of common mainprise, ii.d. Item for writing of writtes for the peace & good abearing, granted by any of ỳ said Justices in their sessions vi.d. and for the entring of euery recognisance to be had & taken before the sayd Justices, for euery cause or causes, other thē before is expressed, xii.d. & if it be with cōdition, then ii.s. And vpō euery acquitall & deliuerance of felons and murderers by verdict or by allowance of pardō, ỳ Prenotaries to haue ii.s. And if it be vpon indictments certified from ỳ Justices of the peace afore the Justices in the great sessions, ỳ clarke of ỳ peace to haue also xii.d. And vpon ỳ deliuery of any suspect of felony or murder by proclamatiō, ỳ said prenotarie to haue xii.d. Item ỳ the kings maiesty shal haue al fines, issues, amerciaments, & al forfaitures of recognisances, lost or forfait before any of the said Justices in the session aforesaid. And that the said Prenotaries, within the limittes of their offices, shall perely extrete ỳ same into the Eschequer, appoynted for that limitte, to the intent that processe from thēce may bee awarded to the sherifes to leuy ỳ same to the kings vse as appertayneth, which sherifes shall perely make their accomptes before the kings auditours thereunto to be assigned and appoynted.

Clerke of ỳ peace

King Fines

Extreat

Sherifes Accompt

Item ouer & besides ỳ sayd president & counsel & Justices, there shalbe iustices of peace & quorum, & also one Custos rotulorum in euery of the sayde xii. shires.

Item

Iust. of p. Custos rotulorum

Item that the said Iustices of peace, Iustices of Quorum, & Custos rotulorum, in the sayde shires shall be named and appointed by the Chauncelour of England by commission vnder the kinges great seale of England, by thaduise of the Presydent, Counsaile, and Iustices aforesaid, or three of them, of the which the said presydent to be one, from time to time as the case shall require.

L. chauncelor

Item that there shall not exceede the number of viii. Iustices of the peace in any of the sayd shires, ouer and besides the Presydent, counsaile & Iustices aforesaid, and the kings Atturney and Solicitour, which Presydent, Counsaile, Iustices & the kings Atturney & Solicitour, shalbe put in euery commission of peace in euery of the sayd xii. shires. Item that such persons as shalbe named to be Iustices of peace, within euery of the said shires, shal be of good name and fame, and after they be alligned by commission, may vse and exercise the office of the Iustice of peace, albeit they may not dispend xx. li. nor be learned in the lawes of the land, without any losse, dāmage, or penalties, for insufficiency of their landes. And that euery of the said Iustices of peace, before they shal execute their commission, shall take their othes before the Chauncelor of Englād, or els before the sayd Presydent, or one of the sayd Iustices in Wales, by vertue of the kinges writte of Dedimus potestatē, or before any other person, to be limitted by the lord Chauncelour of England for that purpose: The contēts of which othe shall bee after the fourme as Iustices of peace in England vse to makē. Item, that the said Iustices of peace, or two of them at the least, wherof one to be of the Quorum, shall and may keepe their Sessions within the limittes of their commissions foure times in the yeere, & at other times vpon vrgent causes, as Iustices of peace in England vse to do, and shall haue like power and auctho͂itie in all thinges, and fees of the kings Maiestie for the time of their sitting, aswell for themselues, as for their clarks, and shalbe bound to vse & do their offices, in like maner as is vsed in England. Itē that no Iustices of peace, Clarke of the peace, nor other Clarke of any Iustices of peace in Wales, shal take for the writing of any warraunt of the peace or good abearing, aboue vi.d. and for entring of pledges or bonowes to pay the kings fine vpon any indictment ix. d. And if it be with protestation, then to take xii.d. & for a Supersedias not aboue viii. d. and for a recognisaunce xii.d. And that all the said Iustices of peace shall certifie all recognisances taken before any of thē for the peace, or good abearing, into their sessions next to be holden after the taking thereof. And recognisance taken before any of them, for suspicious of any maner of felony, shalbe certified before the Iustice in the great sessions, next to be holdē after the taking thereof, without concealment, detayning, or imbeseling of the same, vpon such penalties and daungers, as be therefore ordained and established.

Not xx.li.

Othe

ii. Iust. of p. One of the Quorum Sessions

4. times

Fees

Iust. of p. Certifie

Item that al fines and amerciaments, Fines
before the sayd Iustices of peace, lost and hereafter to be lost, shalbe tared and afferred by two Iustices of the peace at the least, whereof one to be of the Quorum. And that all such fines & amerciamentes shalbe set truely and duely, according to the quantitie of the offences, without parcialitie or affection.

Tare

2. Iust. of p. One of the Quorum

Item, that the said fines & amerciamēts, & also all issues lost before the sayd Iustices of peace, and all forfaitures of recognisances and other forfaitures before the said Iustices, shall be yerely extreated by the Clerkes of the peace into the Eschequer appoynted for that limit, to ỹ intent that processe from thēce may be awarded, for the leuying of the same forfaitures & summes of money to the kings vse to the sherife of euery cosity, as shal appertaine, who shall make thereof their accomptes, before such auditours as thereunto shalbe alligned, so that the kinges Maiestie may thereof be truely and duely answered and satisfied, which auditours shall make due allowāce to the same sherifes, for the fees of the Iustices and clarkes of the peace, vpon their sayd accomptes, as is vsed in the realme of England.

Estreats

Sherife

Accompts

Sherifes

Item that there shalbe sherifes in euery of the said shires yeerely appoynted by the kings Maiestie. And that none of the sayd sherifes shall haue their office of sherifewike any longer time then is vsed by the lawes & statutes of England. And for the yeerely nomination of the said sherifs, the said Lord Presidēt, Counsaile & Justices of Wales, or iii. of them at the least, whereof the said President to be one, shal yeerely nominate iii. substantiall persons, in euery of ỳ said xii. shires, to be sherifes of the same, & shall certifie their names to the Lordes of the kinges most honorable counsaile, attending vpon his graces person, crastino animarum, to the intent the kings Maiesty being thereof aduertised, may appoynt one of them in euery of the said shires, to be sherife for the yere, at his most gratious will & pleasure, like as his highnesse doth for his realme of Englād. And thereupon the said sherifes shal haue their patents and commissions vnder the great Seale of Englande, as sherifes of England haue, and shall make and take othes and knowledges of recognisances before the President and Justices or one of them, by vertue of the kinges writtes of Dedimus potestatem, to bee directed for the same, for the due execution of their offices, and for their iust & true accompts before the kinges auditour or auditours alligned for Wales. Item that euery of the sayd sherifes shal haue power and auctority within the limittes of their sherifwike, to doe and vse their offices as sherifes in England, and shall accomplish and execute without any fauour, dread, or corruption, al maner of writtes, processe, iudgements, and executions, and all maner cōmon iustice, appertayning to their offices of sherifes, & all lawfull commādements and preceptes of the sayd President, Counsaile, & Justices of Wales, & also of the Justices of the peace, Eschetours, and Coroners, & euery of them, in all thinges appertayning to their offices & auctority. Item that the sayd sherifes shall do and be bound to do all and euery other thing and thinges for the ministration of Justice, and for the conseruation of the kings peace, and the apprehension & repelle of traitors, murtherers, theues, felons, & other offenders, as sherifes of England do vse & be bound to do within the Realme of Englande. Item that the sayd sherifes shall yeerely accompt before such the kings auditor or auditors, as shal be alligned and appoynted by the kinges maiesty for his sayd dominiō of Wales. And that euery of the sayd sherifes, shall haue yeerely for his fee, v.li. Item that all maiors, sherifes, stewardes, bailifes, and other ministers and officers of Justice of euery county, lordship, towne, and place within the saide dominions of Wales, & all and singuler the kings subiects of the same, shalbe alwayes obedient, attendant & assisting to the said president, counsaile and Justice of Wales, & euery of them, and shal obey the kings commādementes and processe, from them or any of them directed, and all the lawfull and reasonable precept of the sayd President, counsaile, and Justices, and euery of them. And also shall be obedient to all the sayde Justices of peace, Sherifes and Eschetors, within their limits of their said auctority, as well for common administration and due execution of Justice, as in all other thinges appertayning to their dueties and offices. Item that Eschetours shall be named in euery of the sayd shires by the Lord Treasorer of Englād, by the aduise of the sayd President, counsaile and Justices, or three of them at the least, whereof the sayde President to bee one, which eschetors shall make and take their othes, and knowledge their recognisaunces before the sayde President, or one of the sayd Justices by vertue of the kings writte of Dedimus potestatem, to be directed for the same, for the due execution of their offices, and for their true accompt to be made before the kinges auditour or auditours to be assigned for the same, which othe and recognisaunce shall be agreeable to the othe & recognisance, vsed for the Eschetours in England, and the Eschetours shal yeerely haue their patentes and commissions vnder the great seale of England, & shal haue power and auctority

Sherifes
1. President
Certifie
Patents
Othes
Sherifes
Sherifes Accompt
Fee
Officers
Eschetours
1. Treasorer
1. President
Othe
Patentes

auctoritie to exercise their offices, in like maner and fourme as Escheatours in England, and shalbe bound to all lawes and estatutes of England. Item that all such persons as shall be appoynted to the said offices, shal & may exercise their offices, if they may dispend yerely v.li. of free hold, any statutes of England to the contrary thereof notwithstanding.

v.li. land

And that euery of the said Escheatours shall make their accompt yeerely before such auditour or auditours as shall be assigned by the kings maiesty to heare and determine his highnesse accompt for his reuenues and profites of the sayd dominions of Wales. Item, there shall be two Coroners to bee elected in euery of the sayd xii. shires, as is vsed in England, by vertue of the kings writte de coronatore eligendo, to be awarded out of the kings chauncery of England. And that the said Coroners shall haue like power and auctoritie to doe and exercise their offices, and haue like fees, as is limitted by the lawes and statutes of England.

Accompt

Coroners

Prouided alwayes that the writte de coronatore eligendo, to chose coroners within the sayd county of Flint, shall be directed out of the eschequer of Chester.

☞ Item that the said Justices of peace, or two of them at the least, whereof one of them to be of the Quorum, shall appoynt and name in euery hundred within the limittes of their commission, two substantial gentlemen or yeomē, to be the chiefe Constables of the hundred, wherein they inhabite, which two Constables of euery hundred, shall haue especiall regarde to the conseruation of the kings peace, and shall and may doe and vse their offices in all and singuler thinges as is vsed by the high constables of the hundreds in England. And shall be bound to all thinges as high Constables of the hundreds in England be bound to doe.

ii. Iust. of p. One of the Quorum

Constables

Item that euery of the sayd sherifes shal haue a gaole of prisoners within some cōuenient place for the castels of the shire townes where he is sherife, or in such other conueniēt place, as by the said President, counsaile & Justices, or iii. of them, whereof the said President to be one, shal be appoynted: Any patent or grant heretofore made to any person or persons of the Constableship, or keeping of any of the sayd castels, in any wise notwithstanding. And that the sherife shal make the bailifes of the hundreds, and they to attend vpon the Justices in euery of their courtes and sessions. Prouided alwayes, that the Constables of the kinges castels within euery of the sayd shire townes of Wales, shall not bee charged with the gaole, and of all the prisoners, that shalbe cōmitted to their ward, like as they haue heretofore bene, vnto such time conuenient places for the purpose, be assigned by the sayd sherife. Item, the sayd sherifes shall keepe their County monethly, and their hundred courts for pleas vnder xl. s. as is vsed in England, and shall take for the entring of plaintes, procesle, pleas, & iudgements in the sayd shire courtes and hundreds, such small fees, as is vsed to be taken in shires & hundreds in England, and not aboue. Item, that all maner of tryalles before them in their sayd courts, or before any stewards in court Barons, shalbe by wager of lawe, or verdict of sixe men at the pleasure of the party plaintife or defendaunt that pleaded the plea. And that euery of the sayd sherifes shall keepe and holde their tournes yerely after Ealter and Michaelmas, as there haue bene vsed in England. Item the kinges highnesse shall haue all maner of fines, issues, amerciaments and forfaitures lost or forfaited in any of the sayde counties, hundreds, courts, & tournes to his owne vse, and the sherife to accompt for the same accordingly. Item, that the extretes of the said tournes, counties, & hundreds shalbe viewed, & the fines, issues, and amerciaments, afferred by the said Justices of assises of that circuit, before ỳ leuiyng of ỳ same amerciaments or other forfaitures. And that no sherife, or any of his officers presume to gather or leuy any such amerciamēt or other forfaiture before the sayd extrete be so afferred, vpon payne to forfaite to the kinges vse xl. s. And that the sherife vpon euery iudgement had before

Gaole

Counties court

Tournes

King

Fines

Issues

Forfaitures

Sherife

Estretes

Fol.

Sherifs

him in his county, or hundred court, in any playnt vnder xl.s. shall & may awarde a capias and satisfaciendum, to arrest the party condemned, or els a Fieri facias, at the liberty of the partie pursuant. Item, that all billes sued before the saide Justices, in personal actions, whereof the debt, dute, or damage is vnder xl.s. the sherife shal haue for the retourne of euery bill ii. d. And for euery venire facias, tales, habeas corpora, and distresse ii.d. And for writtes of execution vpon the iudgement in any such bill xii.d. Item in billes sued before the said Justices, in actions personals, aboue the summe of xl.s. the sherife shall haue for the retourne of euery such bill iiii.d. & for the retourne of euery Venire facias, habeas corpora, Distr. & Tales iiii.d. & for euery writ of executiõ, ii.s. And in al personal actions, sued by originall writs, returnable before the said Justices, the sherife shal haue for euery Iterũ sum. distr. & alias distr. iiii.d. & for euery Venire facias, habeas corpora, distr. and Tales vi.d. And for euery writte of execution to be executed vpon the iudgement, in such actions ii.s. for the seruing of euery writte of Eligit, vi.s. viii.d.

And in all reall actions or mixt, pursued before the sayd Justices by originall writte, for retourne of euery originall ii. shillinges. And for the retourne of euery other writte, and iudicial processe depending vpon the same before iudgemẽt, ii.s. And for euery writte of execution after iudgement vpon euery originall, in actions reall or mixt. ii.s. And for seruing of euery writte of Habere facias seisinam, vi.s. viii.d. Item for attachements vpon Capias, or other processe sued before the sayde Justices, by originall or iudiciall writte, if he retourne Cepi corpus. ii.s. And for a reddit se, vpon an exigent of felony, in appeale of murder or meime, or vpon an inuictment of felony or murder, ii.s. And vpon a reddit se, vpon an exigent of debt, trespalle, detinue, & all other actions personalles xii.d. And for the making of Repleg. xxii.d. And Withernam vpon the same xii.d. For the retourne of euery writte of appeale of murder, felony or maime xii. pence. And vpon all other processe growen vpon the same, as Venire facias, Tales, habeas corpora, & Distr. xii.d. And in euery action taken before the sherifes by Justices, for the summe thereof iiii.d. and for euery other processe thereupon iiii.d. And for euery prisoner deliuered by acquitall or by proclamation, for any maner of felony. xii.d.

Item that euery sherife within the limits of his auctoritie, may and shall put such persons vnder common mainprise, as they haue reasonable cause of suspect, according to þ said act made for Wales. S.An.26.H.8.ca.6. binding such as they shall so put to common mainprise, with two sufficient suerties with them by recognisaunce, to appeare before the sayde Justices, within the limittes of their auctorities, at the next great sessions to bee holden, next after þ taking of such bands, and shall certifie the names of them that be bound, before the sayd Justices at the sayde sessions accordingly, without concealement thereof, at their pleasure. Mainprise Suerties Recog.

Item that euery person that the sherife taketh to cõmon mainprise, to appeare before the said Justices, as is aforesaid, shall pay for his mainprise ii.d. and not aboue. And the sayd sherife to put no man to cõmon mainprise, but such as be suspect, & shalbe retourned by them before the sayd Justices at their sessions, as is aforesayd. And also the said sherifes shal haue for the retourne of a writte of false iudgement, out of a base court, before the sayd Justices, ii.s. And that the said sherife shal take no maner of fee for the retourne of any of the said writs of executiõ afore expressed, vnlesse he recourne the same executed.

Item that in al and euery such writtes originall or iudiciall, or other processe, pleas or writings, which be not expressed in this ordinance, the fees thereof as well for þ seales as writing, shalbe rated by the said President, counsaile, & Justices, or three of them, whereof the said President to be one, by their discretions frõ time to time as þ case shall require. And that they shal haue full power and auctority from time to time to assesse and appoynt, what fee

8. President

kee the sayde sheriffe, escheatours and coroners, and their ministers, Prenotaries & their clarks, & other ministers of Justice in the sayde shires, shall haue, take, and receiue of the kinges Subiectes, for any maner writtes, playnt, pleas, proces, retournes, or any other matter or thing, concerning or belonging to the execution of their offices and roomes, & to augment or diminish any fee or fees aboue declared, as shall be thought by their discretions, to be conuenient and meete for the cõmon wealth of the kings subiectes of those partes of Wales, any thing contayned in this act to the contrary thereof notwithstanding. Fees

Item that from henceforth no maner of person or persons, for murder or felony shalbe put to his fine, but suffer according to the lawes of the Realme of England, except it please ỳ kinges maiesty to pardon him or the. And if ỳ said Justices see cause of pity or other consideration, they may reprieue ỳ prisoner, til they haue aduertised ỳ kings maiesty of the matter. Reprieue

Item that the acte made in the Parliament holden in ỳ sixe & twenty yere of the most royall raigne of the kings Maiesty, cap. 6. (before 25.) concerning among other thinges, inquisitions and trials of counterfayting, washing, clipping and minishing of the kinges coyne, murders, felonies, and accessaries to the same perpetrated or done thin Wales, to be had, made & determined in the next shire or county, within England adioyning, where the kings writ runneth, and euery article therein contained, shal stand in his full strength & force, according to ỳ tenoure & effect of ỳ same. Any thing in this said ordinãce, or any other act, cause or matter, heretofore had or made to the contrary thereof not withstanding. 26. H. 8. c. 6.

And albeit the same act, S. An. 26. H. 8. cap. 6. as it was neuer put in execution, for any of the said offences heretofore done or committed, within any of ỳ said three shires of Northwales: That is to say, the counties of Angleſey, Carnaruan, & Merioneth: Be it now &c. that the said act, & euery article therein cõtained, shal from henceforth take effect, & be executed in all pointes, for & concerning any of the sayd offences perpetrated or done, or that hereafter shall bee perpetrated or done within ỳ said county of Merioneth, to be enquired of, heard, and determined within the county of Salope, in like maner and forme, as commonly is and hath bene vsed for any of the same or like offences, committed or done within any other coũty or place of Southwales: Any matter or cause heretofore risen or growen to the contrary thereof notwithstanding. *

Item that the towne or hamlet of Abertanuad, and all the grounde and soyle within ỳ same, which afore this time hath bene taken, reputed, and vsed as parcel of the said county of Merioneth, shall from the feast of Easter next comming by vertue of this act, bee united, annexed, and made parcell of the sayde county of Salop, and so from thencefoorth to be reputed, taken, and vsed for euer, and not to be of any other shire or Countie of Wales. And that the same towne or hamlet, and all the ground and soyle within the same towne or hamlet, bee from and after the sayd feast, accepted and taken, as part and parcell of the hundred of Oswestre, and that the inhabitauntes thereof, from the sayd feast, shall be attendaunt and do euery thing and things, with the inhabitantes of the sayde hundred of Oswestre, as the same inhabitantes doe or bene bounde to doe, any lawes or customes to the contrary thereof not withstanding. Counties

Item in case any forreine plea or voucher, be hereafter pleaded or made before any of the sayde Justices of Wales betweene partie and partie, tryable in any other shire within Wales, then where ỳ same plea is pleaded, or voucher made, that then the sayd Justices afore whome the same plea or voucher is or shalbe pleaded or made, shal and may send the kings writte with a transcript of the recorde, mentioning the same forreyne matter of plea or voucher, vnder the Seale to him committed, vnto the Justice of the countie, where the same matter is or shall be tryable, commaunding the sayde Justice Forreine plea Voucher

by

by vertue of the sayde writte, to proceede to the triall thereof, according to ꝑ kings lawes and statutes, which triall so before him had, he shal remaund with the whole record vnto the Justice, before whome the sayde plea or voucher was pleaded or made, who thereupon shall proceede to iudgement, as the case shall require. Item in case the same forein plea, voucher, or other matter so pleaded, bee triable within the Realme of England: That then in euery such case, the Justice afore whom the same plea or voucher is or shalbe pleaded, had, or made, shall and may proceede to the triall thereof, as shal appertaine within the same shire of Wales, where ꝑ same plea, voucher, or matter was pleaded, the sayde forein plea, voucher, or any other thing or matter to the contrary thereof notwithstanding. Item that no maner of persõ or persons, from henceforth without lawfull auctority, shall make any rumours, tumults, vnlawfull assemblies or outcries, at any of the said courts or sessions, nor any outcries or vnlawfull assemblies in great numbers, at any other time or times, except it be for the apprehensiõ or pursuing of murderers or felons, vpon paine of imprisonment and grieuous fine to be taxed and set vpon them by the sayd Presidẽt & Counsayle, or by the Justices or other officer, before whom such misbehauiour shall happen to be committed.

Triall

Rumours Tumults

Imprison

Item ꝑ al manors, lands, tenements, messuages, & other hereditaments, & all rights & titles to the same in any of the shires of Wales, descended to any maner person or persons, sith ꝑ feast of the Natiuity of S. John Baptist, in the xxviii. yere of our said soueraigne lords raigne, or that hereafter shall descend, bee taken, enioyed, vsed, holden as English tenure to all intents, according to the common lawes of this Realme of England, & not to be partable among heires males, after the custome of Gauelkind, as heretofore in diuers parts of Wales hath bene vsed & accustomed. And ꝑ ꝑ same law, from & after ꝑ said feast of S. John Baptist, in ꝑ said xxviii. yere, be vsed, taken, & exercised in the said county of Monmouth, & in all such lordships, & other places, as by vertue of ꝑ said act, made in ꝑ said xxvii. yere ca. 26. or by any other act or acts, made or to be made, were & shalbe annexed, vnited or knit to any of the shires of Salop, Hereford, Glouc. or other shire, any lawes, vsages, or customes heretofore had or vsed to the contrary thereof notwithstanding.

Tenure

Item, that no morgages of lãds, tenemẽts, or hereditamẽts, made or had after ꝑ sayd feast of S. John Baptist, which was in the said 33. yere of the raigne of our soueraigne lord, or that hereafter shalbe had or made, ẽbin any of the said shires or places, shalbe hereafter allowed or admitted, or otherwise then after ꝑ course of the cõmon lawes & statutes of the Realme of England, any vsage or custome heretofore had to the contrary thereof notwithstanding.

Morgage

Item it shal be lawfull to all persons, to alien, sell, or otherwise put away their landes, tenementes, and hereditamentes within the sayde countrey or dominions of Wales, the County of Monmouth, and other places annexed to any of the shires in England, from them and their heires, to any person or persons in fee simple or fee taile, for terme of life, or for terme of yeeres after the maner, and according as is vsed by the lawes of the realme of England: Any Welsh lawe or custome, heretofore vsed in the said countrey or dominion of Wales to the contrary hereof notwithstanding.

Sell

This article to take effect from and after the said feast of the Natiuitie of S. John Baptist, which was in the said xxviii. yere of our said soueraigne lords raygne. Item if any person or persons, hauing lands or tenementes within the sayd dominion of Wales, bene or hereafter shall be bounde within the realme of England by obligation vpon the statute of the Staple, or by recognisance, and pay not the debt as shal appertaine, that then vpon certificat thereof made into the kinges Chauncery of England, by the clerke of the Staple, or by any Justice of record, before whõ such recognisaunce shall be knowledged, proces shalbe made to the sheriffes of Wales

Statute staple

Proces

out

out of the Chauncery of England, after the forme as is vsed to be made vpon statutes and recognisances, by the course of the lawes of England, for due leuying & paying of the sayde debt. Prouided alwaies & be it &c. That for such recognisances as be or hereafter shalbe taken and knowledged before the kinges Justices of his highnes Bench or Common place of England, proces shall be had and pursued immediatly out from the said Justices, as is vsed vpon recognisances taken before the sayde Justices, by common course of the lawes of Englande. Item that all such writtes, billes, playntes, pleas, proces, challenges, & trials, shalbe vsed throughout all the shires aforesayd, before the sayd Justices in their sessions, as is vsed in North Wales, or as shalbe deuised by the sayd President, counsaile, and Justices, or three of them, whereof the sayd president to be one, for the good ministration of iustice to bee had in euery of the sayde shires.

Recog.

Trials

Item where the Lordshippe of Hope, with diuers other Lordshippes, parishes, townes and hamlets, were by an act of parliament, made in the xxviii. yere of the raigne of our sayde soueraigne Lord (S. cap. 13. before 31.) appoynted and translated from the sayd county of Denbigh to the county of Flint, and by the same acte, were made part, parcell and members of the same county of Flint, afore which appoyntment or translation, diuers indictments and presentments, as well felony, as other offences were had and taken for the kinges highnes, before the Justice of ỳ said County of Denbigh in the great session there, and some before the Justices of the peace, within the same county for offences supposed to bee done within diuers of the sayde Lordshippes, so translated, & also diuers iudgements giuen at suit of parties before the sayde Justices, and some before the sherife of the sayd county of Denbigh, for matters risen and growen within the precinct of the sayde Lordships, or other places, before the translation of the same:

Hope

It is &c. that all the sayd indictments and presentments, shalbe heard, tried and determined within the sayde County of Denbigh, by persons as well of the sayd Lordship or place, where as the sayde offences were done or committed, as of other place or places win the sayd county of Denbigh, in maner & forme as though the saide translation had neuer beene had ne made.

County

And also that the sayd iudgements as before giuen or had betweene party and parties, before any Justice of Record, or other officer within the sayde County of Denbigh, for any matter or cause appearing by the record of ỳ same to be growen and rysen within any of the sayde Lordships, parishes, townes or hamlets, so translated, shall and may bee executed by the Sherife of the sayde County of Denbigh, within any of the same Lordshippes, or other place so translated, the sayde translation or any other cause or matter to the contrary thereof notwithstanding.

Item, like lawe and order to bee kept and ministred vpon all other like translations of any other Lordships, manours, Townes, parishes, & other places within Wales, had, made, or done in this present parliament, or any other afore or after the same translations, or any other cause or matter to the contrary thereof notwithstanding.

Translations

Item where there shall be diuers and many suites taken before the sayd Justices in pleas personall, which (as it is thought) cannot bee tried before them in the sayde great Sessions, for breuity of time: Therefore and for the speedy trial of those matters, the issues taken in the sayde suites, shall and may bee tried at a pety Sessions beefore the Deputy, Justices there, as it is and hath bene vsed in the sayde three shires of Northwales. Except such of the sayde suites, as by the discretions of the the said Justices shalbe thought necessary to be tried before themselues, win their limittes. And that there shal no suit be taken before any of the said Justices by bill, vnder ỳ summe of xx.s.

Pety sessions

Suit

Item if any murder or felony hereafter be

Murder Felony

be committed, or done within Wales, that then the party or parties to whom any such offence shall happe to be committed, shal in no wise take any end or agreement with the offenders in that behalfe, nor with any other in his name or behalf, vnlesse the sayde party first make the sayd presidente and counsaile, or one of the said Justices priuie vnto ỳ same, vpon payne of imprisonment and grieuous fine to be set and adiudged, at the discretion of the said presidente, counsayle and Justices, or two of them, whereof the sayde presidente to be one. The same payne and penalties to extend as well to and agaynst such as shall labour, moue, or procure any such end or agreement made, although ỳ same labour, motion, or procurement neuer take effect, to make any end or agreemẽt, as agaynst him or them, with whom such end, or agreemẽt shalbe made, if the same happen to take effect.

Compound

Imprison Fine

Procure

Item where diuers Lordshippes marchers as wel in Wales, as in the borders of the same, now being by acte of parliament annexed to diuers shires of Englãd, be lately commen to the kings hands, by suppression of houses, by purchase or attayndours, and now bee vnder the Surueiour of the court of augmentations, or of the kinges generall surueiours, the liberties, fraunchises and customes of all which Lordshippes, be lately reuiued by act of parliament, made the xxxii. yere of his most gracious raigne (cap. 10. which is in Fraunchises 12.) Neuertheles his maiesty willeth & commaundeth, ỳ no other liberties, frauchises or customs shall from henceforth be vsed, claimed or exercised win the said lordships, nor any other lordships within Wales, or ỳ county of Monmouth whosoeuer be Lorde or owner of the same, but onely such liberties, fraunchises and customes, as be giuen & cõmanded to the lords of the same Lordshippes, by force & vertue of the sayd act of parliamẽt made for Wales in the said xxvii. yere of his graces raigne cap. 26. and not altered, ne taken away by his ordinaunce, the sayd acte made in the sayde xxxii. yere cap. 20, or any other act, grant, lawe, or custome to the contrary thereof notwithstanding.

Customes

Item that if any person or persons, their auncestours, or they whose estate the same person or persõs haue, or hath haue beene in peaceable possessiõ of any lands or tenementes in Wales by the space of fiue yeres, without let, interruption or lawful claime: ỳ thẽ ỳ same persõ or persons shall still continue their possession, vntill such time as it shall be lawfully recouered agaynst them by the order of the kinges lawes, or by decree of the Presidente and Counsayle there.

Possession

v. yeres

Item in actions personals, taken & pursued before the said Iustices in Wales by originall writ or bill, if nine of the Jury bee sworne to try the issue betweene the party plaintife and the defendaunt, & the residue of the sayde Jury make default, or be tryed out, then the sherifes shall and may immediatly retourne other names in the sayde Jury, de circumstantibus, vnto such time there bee xii. men sworne to try the issue betweene them, as before the Justices of North Wales hath beene afore vsed & accustomed in such cases.

Actions

Jurye

Sherifes Returne

Item that if any goodes or cattels bee stolen by any person or persons, and sold in any faire or market, within the sayde dominiõ of Wales, that no such sale shal change the property therof from the owner of the same, but that he may lawfully sease, take, and haue the same agayne, vpon proofe thereof made, the sayde sale notwithstanding.

Stollen goods

Faire

Market

Property

Item that no person or persons bargaine or buy any maner of beast, or other quicke cattell, in any place within Wales, out of the market or faire, vnlesse he can bring forth sufficient & credible witnesse of the name of ỳ person, what place and time he bought the same, vpon paine and danger of such punishment & fine, as shalbe set vpon him, by the said Presidente & counsaile, or any of the said Justices in his circuit, for ỳ said offence, & as he will therefore answere at his farther peril.

Buy Cattell

Punish

Item if any goods or cattels be stolen within the limittes of any the saide shires of Wales, that then vpon suit thereof had

Stollen goods

Pursue

had and made, the tract shall be followed from townshyp, to townshyp, or Lordeshyp to Lordeshyp, according to the lawes and customes in that behalfe heretofore vsed in Wales, vpon such penaltie and dãger as heretofore hath bin accustomed.

Item that euery person that hath any landes or tenementes in fee simple or fee taile, or for terme of his life, or for terme of any other mans life, being freeholde, shall and may passe in all maner iuries & tryals, as well in case of felony or murder, as in al actions real, personal & mixt whatsoeuer they be, attaint only except.

Iurones

And also may be empanelled, and enquire of all concelementes, forcyble entries, and other causes of enquirie for the kings maiestie, albeit he may not dispend fortie shillings by yeere. Sauing to euery man his lawefull challenge for any other cause, according to the lawes of the Realme of England.

Challenge

Item no Iurour shal passe in attaint, vnles he may dispend fortie shillings by the yeere of estate of freeholde.

Iurour

Item ỳ tenants & resiants in Wales, shall paye their callage at the chaunge of their Lords, in such places, and after such forme as hath bin heretofore accustomed in Wales.

Callage

Item that all the kinges subiects, and resiauntes in Wales, shall find at al parliamentes hereafter to be holden in Englande, Knyghtes for the shires, and cityzens and burgesses for cities and townes to be named and chosen by aucthoritie of the kings writ vnder the great Seale of England, according to the acte in ỳ case prouided, and shalbe charged and chargeable to all subsidies and other charges to bee graunted by the commons of any of the sayd parliamentes, and pay all other their rentes, fermes, customes and dueties to the kings highnesse, as they haue bene accustomed heretofore, fines for redemptions of sessions onely excepted, which the kings maiestie of his most gracious goodnes and liberalitie, is contented and pleased to remitte, at the humble suite of his sayde louing subiectes of his sayd dominion of Wales.

Parliament Knyghtes Burgesses

Subsidies

Item that the Towne of Hauerforde west shall after thend of this present parliament for euer, finde one burges for the sayd towne, at euery parliament after that time to be holden. And the charges of the same Burges to be alwaies borne by the maior, burgesses, and inhabitantes of the sayd towne and none other.

Burges

Item that the kings maiesty shal haue all felons goods, and goods of persons outlawed, weife, strayes, & all other forfaitures and eschetes whatsoeuer they be, answered thereof by the hands of the sherifes, sauing alwayes the rightes and interestes of euery of his subiectes hauing lawfull title to haue the same.

King Felons goods

Sherifs

Item that all errours & iudgements before any of ỳ sayd Iustices at any time of the great Sessions in pleas reals or mixt, shalbe reuersed by writte of errour, to be sued out of the kings Chauncery of England, retournable before the kinges Iustice of his bench in England, as other writtes of Errour be in England.

Errour Iudgemẽts

Reuerse

And that al errours in pleas personal, shall be reformed by billes to bee sued before the sayd Presidente and Counsaile of Wales, from time to time as the partie grieued will sue for the same. And if in case the iudgement bee affirmed good in any of the said writtes of errour or billes, then there to make execution, & all other proces thereupon, as is vsed in the kings Bench in England.

And that the pursiauntes in euery such writte of errour or bill, doe pay like fees therefore as is vsed in England. Itẽ that no execution of any iudgemẽt giuen or to be giuen in any base Court, be stayed or deferred by reason of any writte of false iudgement, but that execution shall and may be had and made at all times before the reuersall of the sayd iudgement, the pursuite of the sayde writte notwithstanding.

Fees

Iudgemẽts

And in case the sayde iudgement happen after to be reuersed, then the partie pursuant to be restored to all that he hath lost by the sayd iudgement, according to the lawes of this realme.

Restore

Item that all processe for vrgent and weightie

Proces

weightie causes shall be made and directed into Wales, by the speciall commandement of the chauncelour of England, for the time being, or any of the Kinges counsaile in England, as heretofore hath bene vsed, Any thing in this act to the cõtrary thereof notwithstanding. L. Chauncelour

Item that the towne of Bewdly which is within the parish of Ribbesford, in the county of Wigorum, and all the ground and soyle of the same towne, shall from henceforth be united, annexed and made parcell of the countie of Wigorne, and to be within the hundred of Dodingtree. Countie

And that all the inhabitauntes of the saide towne and parish, shall from henceforth be attendant and do euery thing and thinges with the inhabitaunts of the said hundred, as the same inhabitants be now bound to doe, by the lawes of this realme of England. Sauing always to the burgesse and inhabitants of the said towne of Bewdley, all such liberties and franchises as they lawfully had and exercised within the same towne before the making of this acte, in like maner and fourme, as though this acte had neuer bene had nor made.

Item that the lordeship of Lanlliffan, Ulterlops and Langham, and the members of the same, & all mannours, lands, tenementes, and other hereditamentes, in the same Lordeship, and the members of ỳ same, be from henceforth united, annexed, ioyned, named, accepted and take, as part and parcell of ỳ County of Carmarthin, and reputed, ioyned, united, named, accepted and taken, as part & parcell of the hundred of Derles in the saide countie of Carmarthin. Countie

And that the tenaunts and inhabitants of the said Lordship, and members, be attendant, and doe euery thing and things with the tenaunts and inhabitants of the said hundred of Derles, as the said inhabitants now be bound to do according to the lawes there vsed.

Item that the countie or shire courte of the county of Radnor, shal from henceforth be holden one time at new Radnor, and one other time at Prestein, Alternis vicibus, and neuer from henceforth to be kept or holden at Rather Gowye: Any former act or other thing to the contrary thereof notwithstanding. Countie court

Item it is &c. that the kings most royall Maiesty, shall and may at all times hereafter from time to time change, adde, alter, order, minish, and reforme all maner of thinges afore rehearsed, as to his most excellent wisedome and discretion shall be thought conuenient. And also to make lawes and ordinances for the common wealth and good quiet of his sayde dominion of Wales, and his subiectes of the same from time to time, at his maiesties pleasure: Any thing contayned in this act, or in the sayd act made for ỳ shire grounde of Wales, or any other act or actes, thing or thinges, to the contrary thereof heretofore made, in any wise notwithstanding: And all such alterations of the premisses, or any part thereof. King

And that all such lawes and ordinaunces, to be hereafter made, deuised, & published by auctoritie of this act, by the kings maiesty in writing vnder his highnes great seale, shalbe of as good strẽgth, vertue, and effect, as if they had bene had and made by auctority of parliament.

Item bee it &c. that where the kinges Maiesty that nowe is, by his letters patentes, bearing date the first day of May, in the xxviii. yere of his most prosperous raygne, demised and graunted to William Webbe, the subsidy and vsage of all woollen clothes, made, or to be made, in the county of Monmouth, and in twelue shires in Wales, that is to say, in the cosity of Brecknocke, Radnor, Mountgomery, Carmarthin, Glamorgan, Pembroke, Cardigan, Anglesey, Flint, Denbigh, Carnaruan, and Merioneth, and in all and singuler townes and other places, whatsoeuer they bee, within the precinct and limittes of the sayd counties, and els where within the dominion of Wales: to haue and to holde to the sayd William Webbe, and his assignes for certayne yeeres yet enduring, that the sayd William Webbe, his deputies and assignes, shall haue from henceforth full power and L. patents Subsidie

and authoritie by force of this act, to take for ꝑ sealing of euery woollen cloth hereafter to be made in the sayd xii. shires, and elsewhere within the sayd dominion of Wales, as hereafter is declared, & none otherwise, that is to say, for euery whole piece of frise i.d. euery halfe piece of frise ob. euery piece of cotte and lining being xviiii. yards and vnder ob. And for euery piece of the same being aboue 24. yardes one peny. Of euery woode cloth one penie. Of euery piece of karsey being xviii. yards & aboue, one penie: Of euery piece of karsey being vnder xviii yards. ob.

Seale Woollen cloth

Fees

Prouided alwayes that this acte, ne nothing therein contained, extend not to charge any maner of person or persons being, or that hereafter shal be inhabitat, in any of the said xii. shires, or elsewhere within the dominion of Wales, for any clothes, frises, karseys or linings, made or hereafter to be made and occupied, vsed in their houses, and not put to sale to any person or persons, but to their seruauntes for their wearing.

And further be it ꝛc. that the said Aulneger in Wales by himselfe, or by his sufficient deputie or deputies shall in all thinges to his office appertaining, doe, and be bound to doe, and answere in euery case, like and according as all and euery other Aulneger in the realme of Englande doe or ought to doe, according to ꝑ lawes and statutes of the realme of England. And for the contrary doing or exercising of the sayde office, shall in euery case & degree suffer, as by the said lawes and statutes is ordeined, established, or enacted for Aulnegers vnder the Lorde Treasourer of England for the time being. And furthermore the kings maiestie is contented & pleased, notwithstanding the statute made in the xvii. yeere of his most gracious raygne ca. 26. that where there shoulde be but twelue Shires in Wales, that the towne of Hauerforde west, shalbe a countie in it selfe, as it hath bene before this time vsed, at the will and pleasure of the kings sayde maiestie, and that it shalbe separated from the countie of Pembroke, at the kings sayd pleasure.

Aulneger

Shires

And that the kings high Justice of the sayd countie of Pembroke, shall be high Justice of the saide countie and towne of Hauerford west, and shall haue like power and authoritie, to and for the ministration of Justice, within the sayd countie and towne of Hauerford west, as is limited and appointed to the sayd Justice to and for the administration of Justice in the sayd countie of Pembroke.

High Justice

And that the Maior, Shirife, baylife, and burgesses of the sayde Countie and Towne of Hauerford west, from time to time, shall be as well attendaunt and obey all preceptes and commaundementes of the president and counsaile of our sayd soueraigne Lorde ꝑ king in his marches of Wales, as also shall be attendant to all preceptes, and proces awarded or directed by the saide high Justice, vnto the shirife of the sayde countie and towne of Hauerforde west, and to make returne thereof.

Maior Shirife Baylife

Returne

And the said Shirife of the said countie and towne, shall serue all preceptes and proces directed from the sayde high Justice, in like maner and forme as the shirife of the sayde countie of Pembroke is bound to doe, and according to the effect and purporte of the kings ordinaunces in that behalfe had, made and prouided. And that it shall be lawefull vnto the sayd Maior, shirife, bailifes and burgesses of the sayd countie and towne of Hauerford west aforesaid, to vse and exercise all lawefull liberties and graunts by the kings maiestie or his noble progenitors to them granted & cõfirmed, at the kings maiesties will & pleasure according to ꝑ lawes of the Realme of Englande & not otherwise. And that the iudiciall seale of ꝑ said shires of Pembroke, Carmarthin, and Cardigan, being in the custodie and keeping of the kinges high Justice there for the time being, shall be vsed in the said Countie and towne of Hauerford west, as the originall and iudiciall Seale of ꝑ same towne and countie.

Shirife

Maior Shirife Bailife

Seale

And that ꝑ said Justice of ꝑ said shires of Pembroke, Carmerden, and Cardigan, shall haue like power and authority

Justice

by

by vertue of ỹ kings letters to him made, as well to doe all and euery thing and things, concerning common Iustice to be ministred win the said towne & county of Hauerford west, as he hath in his saide letters patents win any of the sayd shires of Pembroke, Carmerden, & Cardigan.

Prouided alway, that this article, touching and concerning the countie and towne of Hauerford west, and all things therein contained, shall stand and endure but onely at the kinges maiesties will & pleasure, and none otherwise.

Bodies politike

Prouided alwayes that this acte, or any thing therein conteyned, shall not be preiudiciall nor hurtfull to any person or persons, or bodies politike, for or concerning any landes, tenementes, rents, seruices, bondmen, tolles, or other hereditamentes, but that they and euery of thē, their heires and successors and assignes, and the heyres, successours and assignes of euery of them, shal haue, holde and enioy their landes, tenementes, rentes, seruices, bondmen, and other their hereditaments, in such like maner, fourme and condition, as they had the same before ỹ making of this act, & as if this act had neuer bene had ne made.

Prouided also that this acte nor any thing therein contayned, shall be hurtfull or preiudiciall to any person or persons, for, or concerning any office or offices, which they or any of thē haue, by vertue of any the kinges letters patentes, being now in force, before the making of this act, nor to the fees of money, vsed and accustomed to be payed for the exercise of any such offices, but that euery person & persons, hauing such offices and fees, & their substitutes and deputies, shall and may haue and exercise their sayd offices as is limitted by this acte, and as they mought haue done before the making of this act. And shall also haue & perceiue al such fees, for the exercise of the sayd offices, in as large and ample maner, forme & condition, as they might afore the making of this act, and as if this acte had neuer bin had nor made.

Landes

Prouided alwayes, that all landes, tenements, and hereditaments, within the sayd dominions of Wales, shall discend to the heires, according to the course of the cōmon lawes of this realme of England, according to the tenour and effect of this act, & not to be vsed as Gauelkinder Any thing conteined in these prouisions, or any of them, to ỹ contrary thereof notwithstanding. Discend Heyres

Prouided alwayes, that this act ne any clause, article or thing therein contained, be in any wise preiudiciall or hurtful to George Blunt esquire, sonne & heyre of sir John Blunt knyght, deceased, for or concerning the offices of stewardships of the kinges Lordships or mannours of Bewdley, and Cleburie, or any other office or offices, heretofore graunted vnto the said George Blunt, by the kings letters patents sealed vnder the great seale of England, for terme of life of the same George, or for or concerning any fees, wages, rewardes, annuities, profites, commodities, aduantages or emoluments appertayning or belonging vnto the said offices or any of them, but that the sayde George, his deputie and deputies, shall and may at al time and times, during the life of the same George, haue, holde, exercise and enioy the saide offices and euery of them, and also perceiue, leuie, and take the fees, wages, rewardes, and al other profits and commodities to the same offices and euery of them, or to any of thē belonging, or in any wise appertayning, in as large and ample maner, forme and condition to all intentes, constructions and purposes, as though this acte had neuer bene had or made: any thing before in this acte conteyned to the contrary notwithstanding.

Liberties Lancaster

Prouided alwayes, that all liberties, franchises, and priuiledges of the Duchy of Lancaster, or in any wise apperteining to the same, shalbe of ỹ same force, plight, quality, goodnesse and condition, & may be vsed in as large and ample maner, as they were before the making of this act, and as if this acte had neuer bene had ne made: any thing in this act to the cōtrary notwithstanding. An. 34. H. 8. ca. 26.

33 ¶ Forasmuch as Bishops and other Ecclesiasticall persons being Lord marchers, and the heires and successors of the temporal lord marchers, were not prouided for by the statute of 27.H.8.(cap.26. before 28.)as ỳ tempozall lozd marchers themselues were, which was against reason: Be it &c. That aswell your said spirituall ecclesiasticall subiects, Lozds Marchers now hauing lozdships marchers, oz Lozdships royall in Wales afozesaid, and their successors, and the successors of euery of them, as also the heires and successors of the lozds tempozal marchers, that then were oz nowe be, and the heires and successours of euery of them, being, oz which hereafter shalbe Lozdes Marchers within their lozdships marchers, & lozdships royals, in the dominion oz principalitie of Wales, shall haue and enioy to them, and to their heires and Successors, respectiuely and seuerally for euer, the moytie and halfe of euery forfaiture of all and euery common mainprise, recognisance for the peace oz apparance forfaited by any the tenants inhabiting within any of their Lozdships marchers, oz lozdships royall, and they to be paied the same moitie, oz halfe, by the hands of the Shirife of the Countie for the time being, after such forme and sort, as the said Lay oz Tempozall Lozdes Marchers haue bene, oz ought to haue bene paid the same by force of the said statute (See. Anno 27. Henrici 8. capitulo 26. before 28.) And further shall haue all such Miles and profittes of their tenants, as the Lozds marchers, spirituall oz tempozall, respectiuely, oz seuerally had oz vsed to haue, at their first entry into their landes in times past, before the making of the said act oz statute. And also shall haue, hold, and keepe within the precinct of their sayd Lozdships, all such Courts barrons, Courts leete, and lawdayes, and all and euery thing and things to the same courts belonging, and also shal haue within the precinct of their said seuerall Lozdships oz lawdayes, all such waife, straife, infangthefe, outfangthefe, treasure troues, deodandes, goods, and cattels of felons, and of persons condemned oz outlawed of felonie oz murder, put in exigent for felony oz murder, and also all such wreeke de mere, wharfage, and customes of straungers, as the lozds marchers spirituall and tempozall respectiuely, and seuerally, had and vsed in times past before the making of the sayd estatute. Anno 1.& 2.P.& M.cap.15.

Spiritual

L. marchers

Moitie

Courts

Waife and straie

34 ¶ Forasmuch as in the principalitie of Wales and Countie palatine of Chester, many great and weightie matters be now determinable before one only Justice, which breedeth infinite trouble and great delay, & it hath bene doubted whether her maiestie may by her Letters Patents constitute more, oz associate any there: for plaine explanation thereof, and for the more speedie administation of Justice, Be it declared, explaned, enacted and established by the Queenes most excellent Maiestie, by the assent of the lozds Spirituall and Tempozall, and the commons in this present Parliament assembled, and by the authority of the same, that the Queenes highnesse, her Heires and successours may and shall at her oz their will and pleasure, haue full power, prerogatiue and authozitie from time to time, to constitute, authorize, name oz appoint, two oz more learned as afozesaid, in the lawes of this Realme, to be Justices of, and for ỳ said counties of Chester, Flint, Denbigh, and Mountgomery: and two oz more learned as afozesaid, to be Justices of Northwales, vz. of and for the sayd Shires of Angleley, Caernaruan, and Merioneth: and likewise two oz more learned as afozesaid, to be Justices of and for the sayd Circuit and Shires of Radnor, Glamorgan, and Breckenocke: and also two oz more learned as afozesaid, to be Justices of and for the sayd Circuite and Shires of Cardigan, Caermerthen, and Pembroke, and the towne and countie of Hauerford West: any law, vsage, opinion, oz Statute to the contrarie notwithstanding.

Justices

And that her Maiestie, her heires and successours, may and shal at her and their good will and pleasure from time to time, associate, and graunt Commission

Commissiõs and commissions of association or associations, vnder the great seale of England, to any person or persons learned as aforesayd, to be associate to or with euery or any such seuerall Justice or Justices for the time being, of the said seuerall circuites and Counties aforesayd, or in any of the sayd Counties: and that al and euery such two Justices or more, within euery of the sayde seuerall Circuites and Counties, and also that euery such Justice or Justices together with such person or persons associate, if any such association or associations shall happen to bee as aforesayd, during such association: and after such association ended, or without such association, such Justice or Justices shall haue the like full power, prehemnence, aucthoritie, and iurisdiction from henceforth, to all intents, constructions, purposes, and effects, as any one Justice within any of the said Circuites or shires aforesaid, now hath, or at any time heretofore had or ought to haue: and also shall haue like power, authoritie, prehemnence, and iurisdiction, to keepe and hold the seuerall Sessions aforesayd, twise in euery yere in euery of the sayde Shires, win their seueral circuits aforesaid, & to Sessions Diers & ter. heare, determine, order, award, adiudge, receiue, take knowledge of, and execute all and singuler causes, matters, pleas of Assises, treasons, murders, felonies, indictments, appeales of murder, felony, and maimes, actions reals, personals, and mixt suites, plaintes, informations, quarels, attaintes, conspiracies, quare impedit, and all actions grounded vpon any statute or statutes, writtes, processes, retournes, essoines, verdicts, iudgemẽts, fines, acknowledges, confessions, warrantes and executions, actions and actes whatsoeuer, and to doe, perfourme, obserue, accomplish, and make all and euery other act and actes, matter and matters, thing and things whatsoeuer, in like, and in as ample, beneficiall, lawfull, and effectuall maner and forme, to al constructions, qualities, intents and purposes, as any of the nowe seuerall Justices, or any one of the now Justice or Justices, within the same seuerall circuit or circuites, and Counties aforesaid, may, ought, hath or might lawfully do by force of any lawe, vsage, or statute heretofore had, made, or vsed, before the making of this act: and that from henceforth all and singuler Writtes, Processe, Returnes, es- Writtes soynes, verdictes, iudgements, fines, recoueries, recognisaunces, acknowledges, confessions, act and actes, thing & things, matter and matters, as aforesaid, had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed by or before any such two iustices or more: or any such Justice or Justices, and associat or associates, as aforesayd, to bee appointed, nominated, authorized, or constituted as aforesaid, shalbe allowed, taken, construed, expounded, and adiudged as good, effectuall, and auaileable, to all intents, constructions and purposes, as if the same had bene had, made, taken, done, returned, heard, determined, awarded, iudged or executed by or before any such one Justice, or one of the Justices nowe, or late being Justice or Justices of the same circuite, or seuerall circuites aforesayd: any lawe, vsage, statute, act, ordinance or prescription to the contrarie in any wise notwithstanding. Anno 18. El. cap. 8.

¶ Walsingham.

ANno 35. Hen. 8. capitulo 13. an act was made whereby it was authorised, that the demesne Lands in Walsingham belonging to the late Priorie there, might be let by copie, and be copiholds. Copiholds

¶ Wapping marshe.

ANno 35. H. 8. capitulo 9. an act was made concerning the partition of Wapping marshe.

¶ Wardes.

IF the heire of any such (S. holding by Knight seruice) be within age, his Lord shall not haue the ward of him, nor of his land, before that he haue taken of him homage. And after that such an heire hath Homage bene

bene in warde (when he is come to age) that is to say, to the age of xxi. peres, he shall haue his inheritance without relefe and without fine, so neuertheleſſe, that if such an heire being within age be made knight, yet his land shall remaine in the keeping of his lord vnto the terme aforesaid. Mag. car. cap. 3. An. 9. H. 3.

Relefe

Knight

2 ¶ Heires shalbe maried without disparagement. Mag. car. ca. 6. An. 9. H. 3.

Disparagement

3 ¶ If any do hold of vs by fee ferme, or by socage or burgage, and he holdeth lands of an other by knights seruice, we shal not haue ỳ custody of his heire nor of his land, which is of the fee of an other man, by reason of that fee ferme, socage, or burgage, nor we shall not haue the custodie of that fee ferme, or socage or burgage, except the same fee ferme doe owe vnto vs knight seruice, nor we shall not haue the custodie of the heire, or of any lande which he holdeth of any other by knight seruice, by occasion of any pettie sergeanty that he holdeth of vs by seruice, to pay to vs Knifes, Arrowes or other like. Mag. car. ca. 27. An. 9. H. 3.

Fee ferme Knights seruice

Pettie sergeantie

4 ¶ Of heires that be lead away, withholden, or maried by their kinsfolkes or by other with force against our peace: Thus it is prouided that whatsoeuer lay man be conuict thereof, that he hath so withholden, lead away, or maried any child, he shall pelde to the looser the value of ỳ mariage. And for the offence, his body shalbe taken and imprisoned vntill hee haue recompenced the loser, if the child be maried, and further, vntil he hath satisfied the king for the trespas. And this shall be done of an heire being within the age of fowerteene peres. But touching an heire being xiiii. peres olde or aboue, vnto his full age, if he marrie himselfe without the licence of his Lord to defraude him of the mariage, and his lord offer him a reasonable and conuenient mariage (without disparagement) then his lorde shall hold his land beyond the terme of his age, that is to say of xxi. peres, so long that he may receiue there of ỳ double value of the mariage, after the estimation of lawfull men, or after as it hath bene offered him for the said mariage before without fraude & colusiõ, and after as it may be proued in the kings court. Merton, ca. 6. An. 20. H. 3.

Withholde

Imprison

xiiii. peres old

Mariage

5 ¶ As touching lords, which marry those that they haue in ward to villaines or other, as burgesses, where they be disperaged, if such an heire be within the age of xiiii. peres, & of such age that he cannot consent to mariage: then if his kinsfolke complaine thereof, the lorde shall lose the wardship, vnto ỳ age of the heire. And all the profit that thereof shalbe taken, shalbe cõuerted to ỳ vse of the heire being within age, after the discretion & prouision of his kinsfolke, for the shame done to him, but if he be xiiii. peres old and aboue, so ỳ he may consent, & do consent to such mariage, no paine shal follow. If an heire (of what age soeuer he be) will not marrie at the request of his lord, he shal not be compelled thereto, but when he cõmeth to ful age, he shall giue to his lord, & pay him as much, as any would haue giuen him for ỳ mariage, before he receiue his land, & that whether he wil marry himselfe or not, for the mariage of him that is within age of mere right pertaineth to the lorde of the fee. Merton, cap. 6. & 7. An. 20. H. 3.

Villaines

Foyl.

xiiii. peres old

Refuse

6 ¶ As touching them that vse to enfeffe their eldest sonnes & heires, being within age, of their heritage, for to defraud the lordes of the fee of their wardships: It is prouided & agreed, that by occasion of any such feoffemẽt no chiefe lord shal lose his ward. Moreouer touching them ỳ fayne false feoffements of their lads, which they would deliuer out for terme of yeres, for to defraud the chiefe lords of their wards, wherein it is contained, that they are satisfied of ỳ whole seruice due vnto them, vntill a certaine terme, so that such feffees are bound at ỳ said terme to pay a certain summe to the value of the same lands, or farre aboue, so that after such terme, the land shal retourne to the or to their heires, because no man will be willing to keepe it vpon the price: It is prouided and agreed, that by such fraud no chiefe lord shall lose his ward, neuertheleſſe it shal not be lawful to them to dilleise such feffees without iudgement, but they shall haue a writ for

Feoffements

Fraude

Writ

to haue the wardship peelded vnto them, and by the witnesses cõtained in the deede of feoffement, with other free and lawfull men of the countrey, and by the quantitie and value of the land, and by the quantitie of the summe payable after the terme, it shalbe tried whether such Feoffements were made in good faith, or by collusion to defraud the chiefe Lordes of the fee of their Wardes. And if the chiefe lordes in such cases recouer their wardes by iudgement, the feoffees shal neuertheleslie haue their action to recouer such terme or fee (which they had therein) when the heires come to their lawfull age. And if any chiefe lords do maliciously implease such feffees, feining this case, namely where the feoffements were made lawfully, and in good faith, then the feffees shall haue their dãmages awarded, and their costes which they haue sustained by occasion of the foresaid plea, and the plaintifes shalbe greeuously punished by Amerciament. Marl. cap. 6. Anno 52. H. 3.

Dammages

7 ¶ In the common plea for wardship, if the defoyceours come not at the great distresse, then the sayd writte shalbe renewed twise or thrise at such termes as it may bee done within the halfe yere following, so that euery time the writte be read in the open countie (if the defoyceour be not found before) and there be openly proclaimed that he come at the day limited: and if he absent himselfe then, so that he come not to answere within the sayd halfe yere, nor the shirife can finde him, by which he cannot haue his body before our Iustices, to answere according to the lawe and custome of the Realme: then as a rebell, and such a one as will not be iustified, he shal leese the seising of ỳ warde: sauing to him his action at another time, if perhaps he haue any right to the same. But in such cases, where wardships belong to ỳ keepers of wardes being within age, and where keepers demaund a wardship, which belongeth to the heire, or as appertaining to their inheritance: such heires within age shall not leese their inheritance by the negligence or rebellion of their keepers, as in the case afore rehearsed, but let the common lawe renne in like maner as it hath bene accustomed to doe. Marlb. ca. 7. An. 52. H. 3.

Graund distresse

Rebell Foyl

8 ¶ It is prouided, that if land holden in socage be in ỳ custody of the kinsfolke of ỳ heire, because the heire is within age, ỳ keepers shal make no wast nor sale, nor any distruction of the same inheritance, but safely shal keepe it to ỳ vse of the sayd heire, so that whẽ he cõmeth to his lawful age, they shal answere to him for ỳ issues of the said inheritãce by a lawfull accõpt, sauing to ỳ same keepers their reasonable costes. Neither shal the said keepers giue or sell the mariage of such an heire, but to the aduantage of the foresayd heire. But the next kinsefolke which had the warde (for all that time that writs of impleding doe not lie) shall haue such wardship vnto the aduantage of the heire, as is sayd before, without waste, sale, or destruction making. Marleb. ca. 17. An. 52. H. 3.

Socage

Waste

Sell

Wast

9 ¶ Concerning the lands of heires being within age, which be in the ward of their Lords: It is prouided, that the wardens shall keepe and sustaine the Lande without making distructiõ of any thing. And that of such maner of wardes, shalbe done in all pointes as is contained in the great Charter of liberties made in the time of king Henrie, father to the king that nowe is, and that it be so vsed from henceforth. And in the same maner shall Archbishopricks, Bishopricks, Abbacies, churches, and all spirituall dignities be kept in time of vacation. W. 1. cap. 21.

Archbishopsriches
Bishopricks
Vacation

10 ¶ Of heires maried within age, without the cõsent of their keepers, afore that they be past the age of xiiii. peres, it shalbe done according as it is contained in the statute of Merton. And of thẽ which shalbe maried without the cõsent of their keepers, after they be past the age of xiiii. peres, the keeper shall haue the double value of their mariage after the tenour of ỳ same act. Moreouer such as haue withdrawen the maringe, shall paie the full value thereof vnto the keeper for the trespasse, and neuertheleslie the King shall haue his amendes according to the same act, of him that hath so withdrawen it.

Paris

Double value

Pay

And

Women 14. yeres

And of heires females after they haue accomplished the age of xiiii. yeres, and the lord (to whom the mariage belongeth) wil not mary them, but for couetous of the land wil keepe them vnmaried: It is prouided, that the lord shal not haue nor kepe by reason of mariage, the Landes of such heires females more then two yeres after the terme of the said xiiii. yeres. And if the lord within the said two yeres do not mary them, then shall they haue an action to recouer their inheritance quite without giuing any thing for their wardship or their mariage. And if they of malice, or by ill counsaile will not bee maried by their chiefe lords, (where they shall not be disparaged) then their lords may hold their land & inheritãce, vntil they haue accõplished ỹ age of an heire male, that is to wit xxi. yeres, & further vntil they haue taken the value of the mariage. W. 1. cap. 22.

11 ¶ In case where to one being within age, there discendeth inheritance of the fathers side, that held of one lorde, & of the mothers side that held of an other lorde, there hath bene hetherto great doubt for the mariage of such an heire, to which of them two lords it should belong: It is agreed, that the same lord shal from henceforth haue ỹ mariage, of whom the childs auncestour was first infeffed, not hauing respect to the sexe, nor to the quantitie of the lande, but onely to the more auncient feffement by knights seruice. W. 2. ca. 16.

Auncient feoffement

12 ¶ Concerning children, males or females (whose mariage belongeth to an other) taken and caried away, if the rauisshour haue no right in ỹ mariage, though afterward he restore the childe vnmaried, or els pay for the mariage, he shall neuertheles be punished for his offence by two yeres imprisonment, and if he doe not restore, or do mary the childe after the yeres of consent, and be not able to satisfie for the mariage, he shall abiure the realme, or haue perpetual imprisonment, and thereupon the plaintife shall haue such a writ, Si A. fecerit te securum de clamore suo &c. tunc pone per vadium &c. B. quod sit coram iusticiariis nostris &c. ostensurus, quare talem hæredem infra ætatem existentem, cuius maritagium ad ipsum pertinet, tali loco inuentum, rapuit & abduxit, contra voluntatem ipsius A. & contra pacem nostram &c.

Rauish

Imprison

Abiure

And if the heire be in the same Countie, then this clause must bee thereto added, Et diligenter inquiras, vbi ille hæres sit in ballina tua: Et ipsum (vbicunque inuentus fuerit) capias, & saluo & secure custodias, ita quod eum habeas coram præfatis iusticiariis nostris ad præfatum terminum, ad reddendum cui prædictorum A. & B. reddi debeat.

And suit shalbe made against the partie, on whome complaint is made, vntill he come in by distresse, if he haue whereof he may be distrained, or els for his contumacie, in case he be not iustifiable, he shalbe outlawed. And if perchase the heire be maried or caried into an other countie, then a writ shalbe directed to the shirife of the same shire in this forme.

Distreine

Outlawed

Questus est nobis A. quod B. nuper talem hæredem infra ætatem & in custodia sua existentem, tali loco in comitatu tali rapuit, & ab comitatu illo ad talem locum in comitatu tuo abduxit, contra voluntatem ipsius A. & contra pacẽ &c. Et ideo tibi præcipimus, quod prædictũ hæredem (vbicunque eum in ballina tua inuenire poteris) capias, & saluo & secure eum custodias, ita quod eum habeas coram iusticiariis nostris &c. tali die, quam idem A. habet versus prædictũ B. ad reddendum cui de iure reddi debeat. And if ỹ heire happẽ to die, (before he be restored, or afore he can be found) ỹ plea shall passe betweene them neuertheless, vntill it be tried who ought to haue had it, if he had bene liuing. Neither shall ỹ rauishour be excused or eased of the punishment afore said, by the death of the heire, whom he did withhold by wrong during his life. And if the plaintife die before ỹ plea tried, if the right belong to him by reason of his proper fee, the plea shal be resummoned at ỹ suit of the heire, of the plaintife, & the plea shal passe in due order, but if ỹ right belonged to him by an other title, as by a title of gift, sale, or other like, thẽ ỹ plea shalbe resummoned at ỹ suit of ỹ executors of ỹ

Die

plaintife, and the plea shall passe as before is said. In the same maner if the defendãt die before the plea be tried, or the plea be

Resummõs restored, the plea shall passe by resummõs betweene the plaintife, his heires or executors, and the executors of the defendant or his heires: if the executors be not sufficient to satisfie for the value of the mariage after, as it is contained in other statutes, but not as to the paine of imprisonment: for none ought to be punished for the offence of another. In the same maner when a plea hangeth betweene parties for the warde of land, or of an heire, or of both, by the common writ that beginneth, Præcipe tali &c. quod reddat &c. resummons shall be made betweene the heires and executors of the plaintife. And likewise the heires or executors of the defendant, if death preuent any of the parties afore the plea determined. And when they

Heires Executors

Daye haue passed vnto the great distresse, a day shalbe giuen within which three courtes may bee holden at the least: in euery of which, open proclamation shalbe made, that the defendour shall come into the bench at the day contained in the writ, to answere the plaintife: at which day if he come not, and the proclamation be so returned once, twise, or thrise, the iudgemẽt shall passe for the plaintife, sauing ỹ right of the defendant, if afterward hee will claime it, in the same maner it shalbe done in a writ of trespasse, when any complaineth him selfe to bee ejected from such wardships. W. 2. cap. 34.

King 13 ¶ Our soueraigne Lord the king shall haue the ward of al the lands of such as hold of him in chiefe by knightes seruice, whereof the tenants were seised in their demeine as of fee, at the day of their death (of whom soeuer they hold else by like seruice, so that they held of auncient time any land of the Crowne) vntill the heire come to his lawfull age, except the fees of the Archbishop of Caunterbury, the Bishop of Durham, betweene Tyne and Teese, fines of Earles & Barrons in the Marches, where the Kings writtes doe not lie, and whereof the sayd

Bishops Archbishops, Bishops, Earles, and Barons ought to haue such wardes, though they held of the king in some other place. Prærog. Regis. cap. 1. 17. E. 2.

King Mariage 14 ¶ Also the king shall haue the mariage of an heire being within age, and in his warde, whether the Landes of such heires haue appertained to the Crowne of auncient continuance, or that it come by reason of Escheate, being in the kings hands, or that he had the mariage by reason of the Warde of the Lordes of such heires, without any respect to the priority of feoffement, albeit they held of other. Prærogatiua regis capitulo secundo. Anno 17. Edwardi 2.

Woman 15 ¶ If any woman (before the death of her auncestour that held of the king in chiefe) be maried before she be mariageable, then the king shall haue the warde of the body of the same woman, vntill she bee of age able to consent, and then she

Choise may choose, whether she will haue him to whome she was first maried, or him that the king wil offer her. Prærogatiua regis. cap. 6. Anno 17. E. 2.

Reliefe 16 ¶ It is to wit, that where any relieſe is giuen, there wardeship is incident, and contrariwise. And such as hold by Sergeantie to goe with the king in his hoste their warde and relieſe are incident. And such as holde by petit sergeantie, as to beare shield or spere in the kings hoste, to beare or to carry, there lieth neither ward, mariage, nor relieſe. Also a free Sokeman shall not giue warde nor relieſe, but he shall double his rent after the death of his auncestour, according as he hath vsed to pay, and shall not be vnreasurably greeued. Nowe somewhat is to be said of the nature of hauing wardes. There be two maner of writtes to haue wardes, one is Writtes where landes be holden in knightes seruice, the other is where landes be holden in socage. The ward of land that is holden in knights seruice, belongeth to the chiefe Lord, and mariage, which ought to be without disparagement, as the great charteur limitteth, vntill he commeth to the age of xxi. yeeres. The warde of an heire that holdeth in socage, if the inheritance discend of his mothers side, then it

belongeth

belongeth to the next frend of the fathers side, and contrariwise. And a writte to recouer ward, may be brought in three maners, one is when a man demaundeth ward of the land and of the heire, and that is in case when a man holdeth land of an other by knightes seruice, and the tenant dieth, then may the chiefe lord (if he be deforced) demaund the warde of his lande and heire, and shall haue both warde and mariage. An other maner is when a man is enfeoffed of a rod of land by one man, and by an other, of an other rod, the secõd lord may not bring a writ of warde to recouer either the land or the heire, for the ward belõgeth to the lord, of whõ he was first infeffed. The third maner is where a man hath land in his hands by reason of a ward, and hath not the heire, then he may bring a writ to demaund the heire and not the land. Anno 28. E. 1. stat. of wardes.

17 ¶After the death of euery person which holdeth of the king in chiefe, that the eschetours shal do to be seised into the kings hãds the lands, as perteineth, without doing wast in houses, woods, parkes, pondes, and other extortions, which may fall to the dammage of the heire. And hastely after the diem clausit extremum, deliuered to him, to retourne the same by a good and true extent in the Chauncery: after which returne if it be found that the heire is within age, and the next frendes of the heire to whom the inheritance can not discend, shall come and offer them to take the said lands, yelding ỳ valure to ỳ King, till the age of the Heire, as farre forth as other wil yelde without fraud by accord betwixt the Chauncellour and the Treasourer, they shall haue commission to keepe the said lands by good and sufficient suertie, til the age of the said heires, and to answere the king of ỳ valure. And it is not the kings intent that by this statute he be forclosed to haue an action of waste against such gardeins and fermors, as he and his auncestours haue had before this time. And that the heires, when they came to their age, shall haue their action by writ of wast against such gardens and fermours. An. 14. E. 3. cap. 13.

Chiefe Eschetours

Wast

Next frends

18 ¶Women being of the age of xiiii. yeres at the time of the death of their auncestours, without any question or difficultie shall haue deliuered vnto them, their landes and tenements to them discended, for the law of the land will, that they shall haue the same. An. 39. H. 6. cap. 2.

14. yeres olde

19 ¶An. 14. E. 4. cap. 1. it was enacted that they that then should goe ouer with the king in his warres, might make feoffements & alienations of their lands, and might make their willes, and the feffees and executours to haue the ward and mariage of the heire &c.

Feoffements Willes

20 ¶Anno 4. H. 7. cap. 17. the statute of Marlebridge concerning collusion of wards is confirmed, & it is enacted that ỳ lord of cestui que vse, no wil declared &c. shall haue a writ of right of warde for the body and the land: and the heire of cestui que vse, being at full age at the death of his auncestour, shall pay relefe, and the heire of cestui que vse, shall haue like action of wast, as if the auncestor had died seised, as if the Lorde be barred in his writte of ward, the defendaunt shall recouer dammages.

Writte

Relefe

Wast

Dammages

21 ¶Anno 4. H. 7. cap. 4. it was enacted that they that were or should be in the kings wages in Bittain, might make feoffements and willes, and the feffees or executours to haue the warde and mariage of the heire &c.

Feoffement Willes

22 ¶Anno 7. H. 7. cap. 2. it was enacted that they that thẽ should go ouer with the king in his warres, might make feffementes and alienations of their landes, and might make there willes, and the feffees to receiue the profits of the lands for a certaine time, sauing to the king the mariage of their heires, and that their heires should sue no liuery but haue a licence &c. and couenants of mariage to be good, and sergeãts at armes to lose their fees that went not with the king.

Feoffements Alienations Willes

Mariage

Sergeants

23 ¶Anno 3. H. 8. cap. 4. & An. 14. H. 8. cap. 14. it was enacted that they that should goe with the king in his warres, might alien their lands, without paying fines for the alienation, and that their heires within age should be in warde to

Alien

the feoffees or executors &c.

24 ¶ The king &c. ordeineth, maketh, Court
establisheth and erecteth a certaine court, commonly to be called for euer the court of the kings wards, which Court by the authoritie aforesaid, continually and for euer shalbe a court of record, and shall Seale
haue one seale to be engrauen and made, after such forme, fashion and maner, as shalbe appointed by the kings highnesse, and shall remaine and be ordred as hereafter shalbe declared.

And also be it &c. that there shalbe one certaine person to be named and assigned by the kings highnesse, his heires and successours, which shalbe master of the same court, and shalbe chiefe and principall officer of the same court, and shalbe called Master
master of the wardes, & shal haue the keeping of the said seale, to be assigned for the saide Court. And also be it &c. that there shall be one person to bee learned in the lawes of this land, to be named and assigned by the kings highnesse, which shalbe K. attourney
called the Kings attourney of the saide court, and shalbe the second officer of the same court. Also be it &c. that there shalbe one person to be named and assigned by the kings highnesse, which shalbe called K. receiuor
the kings receiuour generall of the lands of his wards, and shalbe the thirde officer of ỳ same court. Also be it &c. that there shalbe two persons to be named by the kings highnesse, which shalbe called Auditours
the auditours of the lands of his graces wards, and shalbe called the fowerth officer of the same court.

Also be it &c. ỳ there shalbe two clerks Clerkes
to be named and assigned by the kings highnesse to be clerks of the saide court, which shal make al indentures, bargaines and leases, to be made and graunted of the kings wardes lands, record all appearances, and make all ordinary proces and entries, out and from the same court. Also be it &c. that there shalbe one other person to be named & assigned by the kings Messenger
highnesse, which shalbe the messenger of the sayd court, and one other person to be named and assigned by the kings high- Vsher
nesse, which shalbe called the vsher of the same court, which messenger and vsher, and either of them shal haue such like profites and aduauntages, as the messenger and vsher of the kings Duchy Chamber at Westminster haue and perceiue. Also the said master of the kings wardes which shalbe appointed by ỳ kings highnesse, shall take a corporall oth before the Oth
Lord Chauncellour of England for the time being after the tenour ensuing.

Ye shall sweare, that ye well and truely shall serue the king in the office of the master of the kings wards, and shall minister equall iustice to poore and riche, to the best of your cunning, wit and power, and that ye shall diligently procure all things which may honestly and iustly be to the kings aduantage and profit, and to the augmentation of the rightes and prerogatiues of his Crowne, and truely vse the kings seale apppointed to your office, and also to endeuour your selues to the vttermost of your power, to see the king truely and iustly answered yerely of al such rents, reuennes, issues and profits, which shal or may arise, growe, or be due to the king in your office, and from time to time deliuer with speede such as shall haue to do afore you. And that ye shal not take nor receiue of any person any gift or reward in any case or matter depending before you, or wherein the kings highnesse shalbe party, whereby any preiudice, losse, hinderance, or disherison shal growe or be to the kings highnesse, so helpe you God and al Saints: Also the said attour- Attourney
ney shall take a corporall oth before the Oth
said master of the wards according to the tenour ensuing. Ye shall swere that yee well and truely shal serue the king as his attourney, in all courts, for and concerning any matter or cause that shall concerne or touch the possessions and hereditaments limited to the suruey and gouernance of this court, and procure the kings profite thereof, and that ye shall truely counsaile the king and the master of this court in all things concerning the same, to the best of your cunning, wit & power, and that with all speede and diligence frō time to time, at the calling of the said master,

ster, yee shall endeuour your selfe for the hearing and determination indifferently of such matters and causes as shal depẽd before the said master. And that yee shall not take any gift or reward in any matter or cause depending in the same court, or els where, wherein the king shall bee party, whereby the kings Maiestie shalbe hurted, hindred, or disherited, and further ye shall do to your power, wit & cunning, al and euery thing, that shal appertaine to your office, so helpe you God & al saints. And the said receiuour general shal take a corporall othe before the saide master of the said court, according to the tenour ensuing. Yee shal sweare that ye shal wel and truely serue the kinge our souer aigne lord and his people in the office, of the general receiuour of his court. And yee shall reasonably and honestly procure the kings profit, and doe right to all maner of people, poore & rich, in those things which touch your office. And the kings receit of his money, you shal truly keepe, dispend, pay and deliuer, and true declaration and accompt thereof shall make from time to time, without any cõcealement, according to this act made for the stablishmẽt of this court. And further shal do euery thing that of right appertaineth to your office, so helpe you God and al Saintes.

Receiuour Othe

Also the sayde auditours shall take a corporall othe before the sayde master after the tenour ensuing. Yee shall sweare that ye truely shal serue the king in your office, and true allowance make to euery person, which shalbe accompteant before you, and you shall not take nor receiue of poore nor riche any gift or reward in any matter or cause depending or to be discussed in the same court, but such as shal bee ordinary appertaining to your office, whereby the king shalbe hurted, hindred, or disherited, and ye shal do al and euery thing, which shalbe appertaining to your office, so helpe you God and al Saintes.

Auditours Othe

Also all perticuler auditors, that shall belong and bee appointed to the sayde Court, shal take a lyke corporall othe before the saide Master of the wardes. Yee shal sweare as is before in ẏ next article.

Also al particuler receiuours appointed by the sayd master, attourney, receiuour general, and auditours, or three or two of them, whereof the master to bee one, to receiue any reuenues and profites within the surney of the same court, shall take a corporal othe before ẏ said master of the wardes after the tenour ensuing.

Receiuers Othe

Ye shal sweare ẏ ye truely shal serue the king in your office, and nothing conceale, but true accompt make of all such reuenues, rents, summes of money and other profites wherewith ye shalbe lawfully charged by reason of your office: ye shal make no petition nor aske allowance but such as shalbe good, iust, true & reasonable, & also truely content and pay to the king al such summes of money as shal come to your handes: and ye shall do all and euery thing and things, which ye ought to do by reason of your office, according to the fourme and effect of this act, so helpe you God and all Saintes.

Also the said clerkes of the counsaile of the said Court, & euery of them shall take a corporall oth before the said master after the tenour ensuing.

Clerks Oth

Ye shal sweare that yee shal well and truely serue the king in your offices of clerkes of the counsaile of his court, and truely doe and execute all & euery thing and things which ye ought to doe by reason of your office, according to ẏ fourme and effect of this act, so helpe you God & all Saintes.

Also that al sutureiours and feodaries that shalbe appointed by the said master, Attorney, Receiuour general, and auditours of the said Court, or iii. or ii. of the, whereof the master to bee one, shal take a corporall othe before the sayde master. Ye shal swere &c. vt in proximo articulo precedente.

Sutureiors Feodaries Othe

Also be it &c. that al wards, which the kinges highnesse nowe is, or hereafter shalbe intituled to haue, with their manours, landes, tenements, rents, remainders, reuersions, seruices, and all other hereditaments whatsoeuer they be, aswel in possession, as in reuersion, and al reue-

nues

nues, issues, profites of the same, and euery part thereof, for the time the same shalbe or ought to be in the kinges possession, shall bee in the order, suruey and gouernaunce of the saide court, and the ministers of the same, in maner and fourme as by this act is declared and limitted.

Also be it &c. that the saide master of the wardes, attourney, receiuour general, & auditours, or three of them, whereof the said master shalbe one, for the time being, shal haue aucthoritie to make sale & graunt of the kinges wardes, and of euery of them from time to time, and of such part and portion of the landes in possession and reuersion, or any of them, during the minoritie and wonage of the same warde that shal bee so solde and graunted, and as long as the same lands or reuersion shall remaine or be in the kinges handes, as they shal thinke most conuenient. The same sale and graunt to passe by the kings bil assigned, which bil assigned shalbe warrant sufficient to the Chauncellour of Englande for the time being, to make forth the kinges letters patents vnder the great seale of England, according to the tenour of the same bil, paying for the same all and singuler like fees for seales and writinges as heretofore hath bene vsed and accustomed to bee paied for the same in the Chauncerie, & to the signet and pryuie seale, and to euery of the. Also be it &c. that the saide master of the wardes for the time being, with the aduise of the said attourney & receiuour generall or one of them, shal haue aucthoritie without the kinges bill assigned to make woodsales to the kings vse, of all vnderwoods, vpon any of the kinges wards lands, being lawfully in ỹ kinges possession, and to take and appoint timber for the necessary reparations of all the cattelles, manours, lands, tenements, and parkes of the sayd wardes, and shall haue also like power and aucthoritie in the kinges name, to make leases during the minoritie of the sayde wardes: and further as is aboue written, by their discretions of al and singuler lordeshippes, mannours, landes, and tenements remayning in the kinges hands and possession, belonging to the sayde wardes and euery parcell thereof, yeelding to the kinges highnesse, his heires and successours, such rentes as by the saide master of the wardes, attourney, receiuour generall, and auditours or three of them, whereof the said master to be one, shalbe thought conuenient by their discretions and suruey. And be it &c. that the said master of the wardes for the time being, shall haue aucthoritie by this act, to make and appoynt all and singuler particular receyuours, feodaries, and surueyours in euery shire, and also fees for the executing of the same vnder the seale of the same office, in such wise as the same officers may be alwaies remouable at the discretion of the sayde Court. Also be it &c. that the sayd master of the wardes for the time beeing shall haue aucthoritie by this act, to make allowance likewise of ỹ costes of al commissioners, particuler receiuours, surueiours, auditours, counsailours and feodaries and euery of them by his bil assigned, which bil shalbe warrant sufficient to the auditours, belonging to the same office, to make due allowance of the same. Also be it &c. that the sayde master of the wardes in all places, and the said attourney, receiuour general, and auditoures, or two of them in the sayde Court, the sayde master beeing absent, shall haue power and aucthoritie to take obligations to the kinges vse of euery particuler receiuour, which shalbe assigned to the sayd court, and of his sureties for sure paiment of his receipts. And also to take obligations to ỹ kings vse as wel of euery fermour, bailifes, reeue, or other accomptaunts, for the true payment of their receiptes, and of euery person or persons which shal be indebted to the kings highnesse for any arrerages of his or their receipts, fermes or charges, as of any other person or persons for any other cause or matter concerning the premisses, determinable within the same Court. And that all such obligations and writings obligatory, of what summe soeuer they be, shalbe of the same strength,

Sale

Warrant

Fees

Maker

Woodsales vnder woodes

Repaire

Leases

Maker

Allowance

Warrant

Obligations

strength, vertue, force, qualitie, & effect, to al intentes and purposes, as writings obligatory heretofore made by any lay person by auctority of the statute of the staple, bene or ought to be. And that vpon certificate hereafter to bee made into the kings Chauncerie of any such writings obligatory to be taken for such payments like processe and executions shalbe thereupon had or made, against any person spiritual or temporall as hath ben accustomed to be made against any lay person, vpon certificat of writings obligatory of the sayd statute of the Staple. Also that the said master of the wardes for the time being, shal haue full power and auctority to awarde vnder the seale to be appointed to the sayde court in the kinges name such proces and preceptes with reasonable paines to bee therein limitted, as be now commonly vsed in the court of the kinges Duchy chamber of Lancaster, beeing at Westm. against euery person or persons whatsoeuer they be, for and concerning the interest, right and title of the kings maiestie, his heires, and successours, of, in, or for any wards lands, tenements, rents, accompt, receipt, seruices or other cause in any wise touching or concerning any thing appointed to the order of the said Court, or any part thereof, for and on the behalfe of our sayde soueraigne lorde the king, or of, or for any debt rising or growing by occasion of the same. Also be it &c. that the saide atturney, receiuour general & auditours, shall diligently from time to time attend vpon the master in the said Court, for the hearing & ordering of matters and causes in the same court, for the time of iiii. termes of the yeere vsually kept for the lawe at Westminster, and procure with all dyligence, that all rentes, fermes, profits, casualties, emprouements, and other emoluementes of the wardes mariages, ideottes, and of all mannours, landes, tenementes, and hereditamentes, being in the suruey and gouernaunce of the saide Court, shalbe truely and iustly paied and answered to the sayd receiuour generall of the said court, to the vse of the kinges highnesse, without concealing any part thereof. And also shal cause and procure proces to be made against such as shalbe indebted to the kinges highnesse, & their suerties, of and for any part thereof from time to time, as the time and case shal require without any delay. And bee it &c. that the sayde Clerkes, particuler Receiuours, Auditours, Surueiours, Messengers, and Vsher, and euery of them, shall vpon reasonable warning giue at all times and places from time to time attendance vpon the saide master for the time being, for the due execution and expedition of the premisses without delay, vpon such paines as shalbe assessed by the kinges maiestie, vpon information thereof giuen by the saide master to his highnes. Also bee it &c. that if any of the said officers appointed for the same court doe conceale and withdrawe willingly any rentes, reuennes, casualties, or other profits, falling, growing, or comming to the king by the minority of any of his graces wardes, or by reason of any other thing appointed by this acte of the saide court, that then the officers so offending, shall lose to the kinge our Soueraigne Lord the double value of the thing so concealed or withdrawen. Also be it &c. that the auditours generall of the wardes landes, and euery of them for the time being, shal haue auctority to examine the accomptes of al particular accomptants taken by any particular auditour or auditours vpon any part of the wardes lands, ideots lands, and of other thinges appointed by this acte to the order of the saide court, and to allowe & disallowe all that shalbe reasonable within the said accompts, as largely as to the saide master of the wardes, atturney, receiuour general & auditours, or three of them, whereof ỳ said master to be one, shal be thought expedient and necessary. And that euery of the said particuler accomptants for the yeere to be ended at the feast of saint Michael the archangel yeerely for euer, shal make and finish his accompt, and certifie the same into the saide court before the first day of February next after the same

feast

Statute Staple
Master
Proces
Atturney Receiuour Auditour
Ideots
Proces
Officers
Attend
Officers
Conceale
2. value
Auditours
Examine Accompts
Ideots
Accomptants

feast ensuing, & win three moneths next after the said accompt, to make full payment to the receiuour generall of the said court of al such summes of money as shal appeare to be due to the king by the said accompt. And be it &c. that the said receyuour generall for ẏ time being, shal haue auctho-
Acquitance rity by this act, to giue his acquitance of & for such money & obligations, as he shal receiue of thē to the kings vse, for the wardes landes, ideots lands, and other things appoynted to the said court.

And that his sayd acquitance shalbee from hence forth sufficient acquitaunce & discharge, aswel for the discharge of the parties against the kinges highnesse, his heires and successours for payment of so much money, as also to the auditour for the time being, for making due allowance of the same. Also bee it &c. that the
Receiuour sayde receiuour generall, before the twenty day of March next after the feast of Saynt Michael the archangell, shall
Accompt yeerely declare truely his whole accōpt to the sayd master of the wardes, attourney, and to one or both of the sayde auditours generall, of the wards lands, which master, atturney, & one or both of the said auditours, shall by this act haue auctho-
ritie to make and determine the same accompt, before the last day of July next ensuing, vpon which determinatiō of accompt, the said receiuour generall within one moneth next ensuing the determination of the same accompt, shall truely content & pay to the kinges vse all such summes of money as shal appeare to bee due to ẏ kings highnesse, & vnpaied vpon ẏ same accompt. And such determinatiō,
Ingrosse the said auditours shall ingrosse the same into parchment, & the same so ingrossed shal returne into the office of the wardes before the last day of Febuary next after the determination of the same accompt, there to remaine as the kinges recoydes. And be it &c. that ẏ particuler auditours
Officers & other officers, councellours, and ministers of the same court for the time being, shall yeerely perceiue and take by the hands of the said receiuour general, particuler receiuours & all other officers & ministers accomptant, al & singuler such diets, rewardes, profits, & commodities, Diet Rewardes aswel for their attendance vpon the sayde master for the time being, & for making of bookes, declarations, & values, as for other matters, counsels & causes, of, for, & concerning the said court, and also for expences, costes, and charges of the sayde auditours & particuler receiuours & euery of them, yeerely riding their seuerall circuits & limitation, in as large and ample maner & fourme, as to the said master of the wardes, attourney, receiuour generall, & auditours, or iii. of them, (whereof the said master to be one) shalbe thought conuenient to be appointed by their discretions. Also be it &c. that the sayde generall receiuour, from time to time vp- Receiuour
on his accompt, shal bee allowed as well Allowe of such fees as shalbe limitted vnto him for the exercise of his office, as of & for all such summes of money as he shal pay to any patentee or patēters of any office, fee or annuitie, that shalbe graunted or giuen vnder the seale of ẏ said court, & also of al such money as hee shall pay to any other person or persons by vertue of ẏ kinges warrant, or bill assigned, & also of al such summes of money as he shalbe commanded to pay by any bill assigned or subscribed by the hand of the sayd master for the time being, vpon such consideration as shalbe thought conueniēt by his discretion as wel for the finding and exhibition of the kings wards in his graces custody, as of, or for any other cause, thing, or matter concerning the sayd Court of wardes whatsoeuer it shalbe. And that the sayde auditours, taking accompts of the sayde Auditours
receyuours generall, and of any of the sayde particuler receiuours, shal haue power and auctho-
ritie to allowe to the sayd receiuour general the premisses and euery part of them.

And also to allowe to euery particuler receiuour and other accōptaunts aswell their fees, wages, & al other such summes of money, as they or any of them shall pay, of, for, in and about any buildinges or reparations of the wardes landes, to bee made vpon any warraunt to be direc-

ted

ted from the said court, as al other honest petitions, and allowances, in as large & ample maner as the saide master of the warde, attourney, and auditours, or two of them, wherof the said master to be one, shall thinke most expedient. And that al maner of proces that shal be made out of the kinges Eschequer, to or against any person or persons for any fermes, rents, issues, or profites concerning the premisses, or any part therof, or any other thing limitted in this act to bee in the suruey, order and gouernance of the saide court, and the ministers thereof, shalbe cleerly voyde and of none effect to al intents and purposes. Also be it &c. that the money, and obligations taken for money by the said master for the sale of ỳ kings wards, and other thinges appoynted by this act, to the order of the saide Court, and also the money and obligations taken for money, by the sayde receyuour generall for the kinges rentes, and for widowes fynes for their licence to mary, and other casualtyes of the wards landes, idiots landes, issues, profites, and debtes, yeerely growing to ỳ kinges highnesse, by reason of the premisses, shalbe yeerely payed and deliuered to the handes of the Treasourer of the kinges chamber for the tyme being or els where, to whome it shall please the kinges highnesse, his heires or successours, to giue authority by commissiō vnder his great seale to receiue the same. And that a bill subscribed with the hand of ỳ saide Treasourer or other commissioner, shall be a sufficient acquitance and discharge to the master and receyuour vpon all and euery paiment by them to be made, and also to the auditours there for ỳ allowance of the same. And that the same master & receiuour general, shal once in the yeere declare vnto ỳ kings maiestie the profits & estate of the sayd office. And bee it &c. that ỳ said master and officers of the sayd court shall take such and lyke fees for the Seales and writings to bee made and graunted out of the sayde Court at the suyt of the parties as they nowe vse to take, that is to say: For the fees of all proces at the suit of the partyes vnder the priuie seale of ỳ said court two shillings vi. d. And for the fees of all commissioners directed out of the suit of the parties two shillings vi. d. And for recording of all apparances foure pence and no more. Also bee it &c. that the said master by the aduise of the saide attourney, receyuour generall and auditours, or three of them, wher of the said master to be one of them, shal haue authority by this act to suruey all the kinges widowes, and to treate, common, and conclude, aswel with all & euery of the kings widowes that nowe be or that hereafter shalbe, and that haue maried themselues without the kings licence, or that hereafter shall happen to marie themselues without the kinges licence, for their reasonable fines to bee made to the kinges vse, and to taxe and assesse the same by their discretion according to the statute of prærogatiua regis (ca. 4. which is in women 2.) the same fines to be payed to the receiuour general of the wardes landes, as the same may appeare yeerely in his accompt. Also be it &c. that the said master, by the aduise of the sayd atturney, receiuour general, and auditours, or three of them, shall haue authority by this act, to suruey, gouerne & order all and singuler ideots and natural fooles, now being in the kinges handes, or that hereafter shal come and bee in the kings handes. And also to suruey and order al the manours, landes, tenementes, and other hereditamentes, whatsoeuer, now being in the kinges handes, or in the hands of any other person or persons to their vses, or to the vse of any of them ỳ hereafter shal come and bee in the kinges hands, his heires & successours in ỳ right of any of them by reason of his graces prerogatiue royal. And also by the aduise of the sayd atturney, receiuour general, & auditours, or three or two of them, to let and set the manours, landes, and tenements, to the kinges vse, for the time of the kings interest for such rent and fines, as by their discretion shalbe thought conuenient. The finding and keeping of the saide persons, their wiues and chil-

Proces

Voyde

Widowes licence

Treasorer

Acquitance

Master

Fees

Master

Suruey Widowes

Fines Taxe

Master

Suruey Ideots

Lease

dren,

men, and the reparations of their houses and landes alway to be considered in the doing thereof, the same rentes and fines reserued to the kings grace, to bee paied alwaies to the hands of the receiuour generall of the wardes landes for the time being, as the same may appeare in his accompt, and bee recorded in the court of the wardes. Also be it &c. that the master of the kings liuries shal passe no liuery with any person or persons, that bee or that haue ben, or hereafter shalbe ỳ kings wardes, vnto such time they shall receiue knowledge from the court of the kings wardes, what case the accomptauntes, tenaunts, and fermours of the wardes landes stand in with the kinges highnes, and what suerty and order is taken therefore, and for the rates to the kinges vse. And that euery ward hauing his liuerie, shall within vi. moneths next after the liuerie had, bring the same liuery to the auditours of the Wardes for the time being, or to one of them, to haue the same there inrolled for the discharge of the landes against the kings highnesse, according to the tenour of the sayd liuerie, and shall pay for the inrollement thereof, such reasonable summe of money, as shall be appoynted by the sayde master of the wardes, so that it exceede not the summe of tenne shillings. Also be it &c. that all and euery person and persons to whome the Kinges highnesse shall graunt the custody and wardeshippe of any of his graces wardes, shal vpon his bil assigned thereof sue forth his patent within foure moneths next after the assignement of the same bill, or else the same bil and the effect therof to be vtterly voyde and of no force.

Master liuery

6. moneths

4. moneths

Voyd

Also be it &c. that the generall receyuour and chiefe auditours of ỳ sayd court for the time being, shall yeerely perceiue & take, as wel by the hands of ỳ generall receiuour, as by the hands of all & singuler particuler receiuours, and all other officers and ministers accomptant within the suruey of the sayde Court for the time being, all & singuler such summes of money for such like diets, rewardes, profits and commodities aswel for their attendance vpon the sayd court, and for the making and writing of bookes, declarations, and values, as for other matter and causes of, for or concerning the sayde court, and also for their expences, costes and charges of the same generall receiuour, and auditour and auditours, & euery of them for the time being, yeerely riding their seuerall circuits and limittes, in as large and ample maner and fourme, as shalbe appoynted by the sayde master of the wardes & attourney of the sayd court by their discretions. And that the said auditours for the time being, shal haue power and authoritie yeerely from time to time to allowe the same. And also be it &c. that as many accomptes of the kings wardes lands, ideots landes, fines for mariages of widowes, and lycences for the same, as bene clerely accompted & not returned into the kinges Eschequer, and also as many other accomptes of the wardes landes, ideots landes, fines for marying of widowes, and lycences for the same, as bene not yet fully accompted and engrossed, shal bee engrossed and returned within thee yeeres next comming, into the office of the wardes, there to remaine as the kinges recordes. And that the kinges highnesse surueiours general of his graces lands, and auditours of his graces wardes landes, & euery of them shalbe thereof discharged against ỳ kinges maiestie, of and for the returne of the same accomptes into his graces eschequer: any acte, statute or ordinance heretofore made to the contrary in any wise notwithstanding. And it is &c. that the sayd master of the Wardes for the time being, shall haue authoritie by this act with the aduise of the attorney and receiuour general of the same court, or one of them, to call at al tymes before them into the office of the wardes by the proces of the same court, al & euery person and persons, which is or hath bene the kinges ward, intruding or entring in to, or vpon his or their landes, or vpon any part thereof after his or their ful age of one and twenty yeeres, and before that

Auditours

3. yeeres

Diet Rewardes

hee

Licence Duster le mayne

hee or they haue sued and obteyned liuery or Duster le mayne for the same, out of the kinges handes, vnder his great seale aswell to make answere for his or their intrusion vpon the kinges possession, as to make payment to the kings receiuour generall of the same office, as all such rentes, issues or profites by him or them taken at any time after his or their sayd full age of xxi. yeeres, and before liuery sued for the same out of the kinges handes in fourme aforesaide.

Intrusion

And be it &c. that if any person or persons, called by the kinges proces of the same court to appeare at Westm. in the same court within the terme at a certaine day to him prefixed in ỳ proces, to appeare and haue day giuen in court to make answere to the matters against him obiected in the same court on the kinges behalfe, depart the court before answere made, and atturney put into the court wt assent of the court for the prosecuting the matter with effect, shal forfeite to the kinges grace his heires and successours, such fine as shalbe set vpõ him for his cõtempt & offence in ỳ behalfe, as the saide master, atturney and receiuour generall or two of them shal thinke conuenient by their discretions, to be leuied of his lands & tenements, goods & cattels, to ỳ kings vse. Prouided alway, & be it enacted by ỳ auctheritie aforesaide, that Jhon Perin, which by the kinges letters patents, hath bene heretofore, and nowe is auditour to his graces wards landes, shal continue & be one of the two auditours in this act before mencioned, during the time of his natural life: any thing contained in this act to the contrary in any wise notwithstanding, An. 32. H. 8. ca. 46.

Depart

Forf.

Master of liuerie.

25 That the office of ỳ master or masters of the lyuery, with ỳ circumstances therof, shalbe united, annexed, & knit vnto the sayd Court of the kings wards. And the authoritie & office to compound for any liueries with ỳ proceedings therin, shalbe from henceforth in the rule, power and gouernance of ỳ saide court, in maner & fourme hereafter declared, any law, custõe, patent, graunt, or vsage heretofore had or vsed to the contrary notwithstanding. And that the master of the kings wardes for the time being, which is the chiefe & principal head officer of ỳ same court, shal from henceforth for euer be master of the kings wardes, & of ỳ lyueryes, & ỳ al other officers & ministers appointed or hereafter to be appointed in the same court of the kings wards by authority of ỳ statute made of ỳ executiõ of the same court (S. An. 32. H. 8. ca. 46. before 24.) shalbe called officers and ministers of the kings courts of his wardes & liueries. And be it &c. that ỳ kings saide highnes, his heires & successours frõtime to time, shal make, name & appoint one officer & minister of & in the saide court which shalbe called the surueiour of the kings liueries, & shalbe the second person of ỳ same court. And ỳ the atturney of ỳ kings wards for ỳ time being, which by the said former act of ỳ said court of the kings wards was appoynted to be the second person of ỳ said court, shal frõ henceforth for euer stand & bee the third person of the said court of the kings wards and liueries. And all other officers, & ministers of the sayd court to be placed as is limitted in the same former act.

Master

Officers

Surueiour

Atturney

3. Person

And further be it &c. that ỳ kings highnesse, his heires & successours may from time to time, make, name and appoint an apt person to be clerke of ỳ same said liueries, which shal make al indẽtures, ccdules, obligatiõs, & writigs of bargains, hereafter to be made and graunted for any liueries, & that one part of ỳ said indẽtures, & schedules, or other writings, indented, necessary for ỳ same, shal remaine with the party or parties, & shalbe sealed with ỳ seale of the said master of ỳ wards & liueries, & of the said surueiour of the said liueries. And that ỳ same indenture, obligations, & the accompts to be made vpon the same, & euery of them, from henceforth shalbe taken, ordered & vsed, & also be of the same force, strength & effect to al intents and purposes, as the obligations, indentures, & accompts bee and ought to be by the said former act. (S. An. 32. H. 8. ca. 46. before 24.)

King

Clerke

Indentures

And

Surueiour

And ꝑ euery perſon, which in fourme afoꝛeſaid ſhalbe appointed to be ſuruciour of the ſayd liueries, ſhall take a coꝛpoꝛall

Othe

othe afoꝛe the ſayde maſter of the kinges wardes and lyueries foꝛ the time being after the tenour enſuing.

Ye ſhal ſweare ꝑ ye ſhall wel & truely ſerue our ſoueraigne Loꝛd the king in ꝑ office of ſuruciour of his graces liueries, & ſhal miniſter equall iuſtice to riche and pooꝛe to the beſt of your powꝛer, wit, and knowledge, & ꝑ you ſhal diligently ꝓcure al things which may honeſtly & iuſtly be to the kinges aduantage & ꝓfit, & to the augmentation of the right & ꝓꝛogatiue of his graces crown, & frō time to time deliuer w̄ ſpeede ſuch as ſhall haue to do afoꝛe you, & ꝑ you ſhall not take ne receiue of any perſon oꝛ perſons, any gift oꝛ reward in any caſe oꝛ matter depēding oꝛ to depend in ꝑ ſaid court of the kinges wards, wherein ꝑ kinges highnes ſhalbe party, by reaſon where of any ꝓeiudice, loſſe, hinderance, oꝛ diſheriſon ſhal oꝛ may growe to the kings highnes, his heires oꝛ ſucceſſours, ſo helpe you God & al ſaints.

Clerke

Othe

And be it &c. that the ſaid clerke of ꝑ ſaid liueries, ſhal take a coꝛpoꝛal oth afoꝛe the ſayd maſter of the wards & liueries foꝛ ꝑ time being, after the tenour hereafter enſuing. Ye ſhal ſweare that you ſhal wel & truely ſerue ꝑ king our ſoueraigne loꝛd in your office of clerke of the liueries, & truely do & execute without delay, fraud, oꝛ couin, all and euery thing and things, which you ought to do by reaſon of your ſayde office, accoꝛding to the fourme and effect of this ꝓſēt act, ſo helpe you God and all Sainctes.

Lyueries

And that al liueries, which hereafter ſhalbe ſued out of the kings graces hāds, his heires & ſucceſſours, & out of ꝑ hands of any of them, of any caſtels, honours, manours, lands, tenemēts, rents, reuerſions, remainders, oꝛ other hereditaments whatſoeuer they be, ſhalbe in ꝑ ordeꝛ, ſuruey and gouernance of ꝑ ſaid court of ꝑ kings wards & liueries, & of the miniſter of ꝑ ſame. And be it &c. that no perſon oꝛ perſons, hauing lands oꝛ tenemēts aboue

Li. li. land

the yerely value of fiue pounds, ſhal haue oꝛ ſue any liuery befoꝛe inquiſition oꝛ office found befoꝛe eſchetoꝛ oꝛ other cōmiſſioner oꝛ commiſſioners, by vertue of the kings writ oꝛ commiſſion to bee directed out of ꝑ kings chauncery, oꝛ other courts hauing auctholity to make ſuch writs oꝛ cōmiſſions, foꝛ ſuing of liueries, which writs oꝛ cōmiſſions ſhall not paſſe out of the chauncery oꝛ any other courts, but a warrant oꝛ bil to be aſſigned & ſubſcribed with the handes and names of ꝑ ſaid maſter, ſuruciour, atturney, & receiuour, oꝛ thꝛee, two, oꝛ one of them, to be directed & deliuered to the chancellour of Englād, oꝛ to any other chancellour oꝛ offiꝛer hauing powꝛ to ward ſuch writs. And if ꝑ lands & tenemēts, whereof any inquiſitiō is to be had by vertue of any ſuch writ oꝛ cōmiſſion, exceede ꝑ yeerely value of fiue pound, that then ſuch as ſueth foꝛ writs of cōmiſſions, ſhal pay foꝛ ꝑ ſeale & writing thereof ſuch fees as hath ben accuſtomed.

Fees

And if the ſaid lands & tenemēts, whereof any ſuch inquiſitions & offices is to be found by vertue of any ſuch writ oꝛ commiſſion, exceede not ꝑ ſayd yeerely value of fiue pound, then ſuch as ſhall ſue foꝛ ſuch writs oꝛ cōmiſſions, ſhal pay foꝛ the ſeale of euery of them vi. pence, & foꝛ the writing vi. pence, and not aboue.

And it is alſo &c. that al inquiſitions & offices to be found by vertue of any ſuch writs of commiſſions, ſhalbe returned by the eꝛchetours oꝛ cōmiſſioners, to whōe ſuch writs oꝛ commiſſiōs ſhalbe directed, into the ſayd Chauncery, oꝛ into ſuch other courtes from whence ſuch writs oꝛ commiſſions were awarded, in ſuch maner and fourme, and vpon ſuch paines as is limitted by the lawes and ſtatutes of ꝑ realme in ſuch caſes. And that ꝑ clerke of the pety bag ſhal receiue ſuch offyces & make a tranſcript thereof from time to time to the ſaid maſter of the wardes and liueries, in like maner and fourme, as they are bounden and haue bene accuſtomed to doe into the kinges Eſchequer, & vpon ſuch paines as be limitted and appointed by the lawes and ſtatutes of this Realme in ſuch caſes.

Writs Returne Eſchetour

And it is &c. that the ſayde maſter of the

Maſter

the Wardes & liueries, & the ſurueiour, atturney, & generall receiuour of the ſaid court, or two of them, whereof the ſayde maſter or ſurueyour to be one, ſhall haue full power & auctho̅rity by vertue of this preſent act, after ſuch offices & inquiſitions found, as is afore ſayd, to couenaunt, and indent with euery perſon & perſons for his and their liuery of the caſtelles, manours, lo̅dſhips, lands, tenements, & hereditaments, compiſed or not cõpiſed in ſuch offices, & to make and ſet the rate & pꝛiſe for the ſame, & to appoynt & aſſalle the dayes of payment therof by obligatiõ or obligations, to be taken for the ſame to the king our ſouereigne lo̅d, which obligation & obligations ſo made, & euery of them ſhalbe good & effectual in the lawe, and ſhall be of like auctho̅ꝛity & ſtrength, as obligations to be taken by auctho̅ꝛitie of the ſame court of the kinges Wardes be of, by vertue of the ſayd former act.

Billes

And that all & ſinguler billes for any ſpecial or general liuery to be ſued, aſſigned by the handes of the ſayd maſter, ſurueyour, atturney, receyuour, or thee of them, whereof the ſayd maſter or ſurueyour to be one, ſhalbe a good and ſufficient warraunt, as well to the Chauncelour of

Warrant Chauncelor

England, as to the Chauncelour of the duchy of Lancaſter, & to all other chauncelours & officers hauing power to paſſe liueries vnder any of the kings ſeales, for the making out, ſealing, and deliuery of any liueries, accoꝛding to the tenour, purpoꝛt, and effect of ſuch billes, with other clauſes of cauſe neceſſary for ꝑ ſame, any law or cuſtome to the contrary hereof notwithſtanding.

Pꝛouided alway and be it &c. that the Lord pꝛiuy ſeale, the lo̅d great chamberlaine, the kinges chiefe and pꝛincipall ſecretaries, the maſter of the rolles, and the kings clarkes of the ſignet & pꝛiuy ſeale, the clarkes of the pety bagge, and all and

Officers

euery other officer & officers, & clerkes in the chaũcery, or els where in any other courts where ſuch liueries ſhal paſſe, ſhal haue and be payed all ſuch their fees, as hath bene accuſtomed, all which fees ſhal be receiued and payed by the hands of the clerkes of the pety bagge, if the liuery be ſued in the chauncery, or by other clerks, by whoſe hands liueries ſhalbe written in other courtes, any thing in this act to the contrary thereof notwithſtanding.

And it is &c. that euery perſon & perſons from hẽceforth, may ſue at their pleaſure, a generall liuery for any manours, lands, tenementes, rentes, reuerſions, remainders, or other hereditaments, whereof the cleere yerely value ſhal not exceede xx. li. after office thereof of writte or commiſſiõ found, returned, & certified as is afore ſaid.

Liuery

xx.li Land

Pꝛouided alwayes, ꝑ no ſuch liuery ſhall paſſe or be ſued without a bill or warrant to be firſt obtained for the ſame, from the ſayd maſter of the wards & liueries, & the ſaid ſurueiour, atturney, & generall receiuor, or three of them, & ſigned & ſubſcribed with the names & handes of the ſayd maſter, ſurueiour, atturney, and generall receiuor, or three of them, as is afore ſayd.

Liuery

Warrant

And it is &c. that if the manors, lands, tenements, or hereditamentes, whereof a generall liuery may be ſued by auctho̅ꝛity of this act, exceede the cleere yerely value of v. li. that then ſuch as ſhall ſue and haue ſuch general liuery of any manors, lands, tenementes, or hereditaments, exceeding the cleere yerely value of v. li. ſhall pay for the ſeale thereof xx. s. iiii. d. and all other ſuch fees, as heretofore in ſuch caſes hath bene accuſtomed in and vpon the ſuing of any generall liueries.

v. li. Land

Fees

And if the lands, tenements, and hereditaments, whereof any ſuch generall liueries ſhalbe ſued, exceede not the cleere value of v. li. that then euery perſon and perſons ſuing for any generall liuery for any lands, tenements, rents, reuerſions, remainders, or other hereditaments, not exceeding the cleere yerely value of v. li. ſhall pay ſuch fees as hereafter foloweth, & none other. That is to ſay, for the ſeale of euery ſuch liuery xii. pence. And to the clarkes of the pety bagge for the writing and enrolling thereof xx. d. And for reſpit of homage in the hanapar viii. d. And to the lord great chamberlaine xx. d. And to the clerke of the liueries for warrant and enrolling of the liuery xx. d. And be it &c.

Fees

that no person or persons shall pay in the kings eschequer, or any other courtes for the respite of homage, or for any manors, landes, tenementes, or hereditamentes, whereof the cleere yerely value exceedeth not fiue pounde, aboue eight pence. And for the entring thereof and warrant of attourney aboue foure pẽce. And that the value of such manours, landes, tenemences, & hereditaments, not exceeding the yerely value of xx. li. shall be taken as it is limitted in the offices foundẽ therof, except by the examination & certificat of the sayd master of the Wardes & liueries, and the sayd surueyour, attorney, & generall receyuour, or iii. of them, as is aforesaid, it shall otherwise appeare & be declared in any of the kings courts. And it is &c. that if the sayd surueyour of the liueries, or the clerke of the same, doe willingly withdrawe or conceale any record or profit, that should come or growe to the kings maiesty, his heires or successours, by reason of the same, that then he or they so offending, shal loose to the king our soueraigne Lord, his heires & successors, the double value of the thing so concealed or withdrawen, ẏ same to be leuied & recouered against such persons so offẽding, vpon an information thereof to bee made by ẏ party grieued, & the same duely proued in the same court of the wards & liueries. And also be it &c. that the sayd master for ẏ time being, shall haue power & auctority to take recognisances of all & euery person & persons, that shalbe called into the court of the wards & liueries, to aunswere to any matter alleadged against thẽ in the said court, to make their dayly apparance in the sayd court, to answere to such matter as to them then and there from time to time shall be alleaged. And that all such recognisances, of what summe soeuer they be, shalbe as good and effectual in the law to all intẽts & purposes, as recognisances taken in the kinges high court of Chauncery, or else where, before any Iudge of recorde within this realme. And that the sayde master for the time being, with the aduise of the court or of such number of the same, as then shall be present, so that they be ii. beside the master, shall haue full power & auctority to moderat such recognisances, as be or shal be there forfaited, & to set fines for ẏ same to the kings vse, vnder the summes contained in the sayd recognisaunces. The same fines to be leuied by like processe of Scire facias, as by the statute made in the xxvii. yere of our soueraigne lord ẏ kings raigne, is giuẽ to the chancelor of ẏ court of Augmentation of the reuenues of his graces crowne. And that the sayd master for the time being, with the aduise aforesaid, shal haue power & auctority to commit to ward, any person or persõs for his or their disobediẽce, cõtempt, or other offence made or to be made, triable within the kings said courtes of the wardes & liueries, & vpon the said matters ordered or decreed there, to deliuer them frõ pryson, & to cancel & make void al recognisances & obligations taken, or hereafter to be taken in the same court to ẏ kings vse, whẽ & as oftẽ as the said master with thaduise of the said court, or three of them, shall see & perceyue the matters & causes, for the which any such recognisance or obligatiõ hath or hereafter shal happen to be taken, to be finished & ended, & the kings grace, his heires or successors, or the party therupon satisfied, without any other warrãt for the same. And be it &c. that all & euery such heire & heires, which hereafter shall be in case to sue liuery, where the landes and tenements of the said heire or heires, exceede not the yerely value of v. li. that then euery such heire shall lawfully sue forth his general liuery, by warrant to be made and had from the sayde court of the kings wardes and liueries, as aforesayd, although there be none other inquisition or inquisitions thereof then had, ne certified, & that this act shalbe warrant sufficient as well to the Chauncelour of England, chauncelour of the Duchy of Lancaster, and to all other chauncelours and officers of the kings courts, hauing power to passe liueries vnder any the kinges seales, for the making out, sealing, and deliuery of any deliueries, according to the tenor, purport, & effect of such billes, with

Respite of homage

Fines

Proces

Master

Imprison

Surueiour

Clerke

Conceale

Forf.

2. Value

Informatiõ

Master Recog.

v. li. land

Liuery

Warrant

Chauncelor

with other clauses of course necessary for the same, taking for the fees of euery such liuery, as is before expressed for the fees of general liuery, not exceeding ỳ yerely value of v.li. as though ỳ same liuery were made and sued forth vpon an office found by vertue of the kings writ, any law heretofore made, or other thing in this present act to the contrary notwithstanding.

Fees

And also be it &c. that all & euery person & persons, to whome the kings highnesse shall graunt any liuery in forme aforesayd, to be sued vpon his bil, assigned thereof with the kinges most gracious hand, or with the handes of the officers of his graces court of the wardes and liueries, as before is expressed, sue forth his patent within iii. moneths next after the assignement of the said bil, or els the same bill & the effect thereof to be vtterly voyd & of none effect. Prouided alwayes & be it &c. that the clarks of the pety bagge in the chauncery, shal not be cõpelled to certifie any transcript of any office into the kings eschequer, but twise in ỳ yere, that is to say: They shal certifie the trãscripts of all offices founden & returned into the Chauncery, betweene Easter & S. Michael the archangell yerely in the terme of S. Michael. And the transcripts of all offices founden & returned into the sayd chauncery betweene Michaelmas & Easter, they shall certifie into the sayd eschequer yerely in the terme of Easter, & not otherwise, any thing cõtained in this statute, or in any other stat. heretofore made to the contrary thereof notwithstanding.

3. moneths

Voyd

Clerkes

Certifie

Eschequer

Prouided alwayes that this act nor any thing therein contained, shall in any wise extend to be preiudicial or hurtful to any royalties, liberties, or frãchises, priuiledges, preheminẽces, & iurisdictions of the county plantine & duchy of Lancaster, or of any of thẽ, but that the same royalties, franchises, priuiledges, preheminẽces, & iurisdictions, & euery of thẽ, shal still continue & remaine to the coũty palantine, & duchy of Lãcaster, as fully, plenerly, & as wholy as they did before ỳ making of this act, any thing in ỳ same act cõtayned to ỳ cõtrary notwithstãding. An. 33. H. 8. ca. 22.

Lancaster

¶ Wares.

BE it enacted &c. that no person or persons whatsoeuer, frõ or after the feast of the Natiuity of S. Iohn Baptist now next ensuing, shall bring or cause to bee brought into this realme of England frõ the parties beyond the seas, any girdels, harnesse for girdels, rapiers, daggers, knines, hiltes, pummels, lockets, chapes, daggers, blades, handels, scabberdes and sheathes for knines, saddels, horse harnesse, stirrops, bittes, gloues, poyntes, lether laces, or pinnes, being ready made or wrought in any parts of beyõd ỳ seas, to be solde, bartred, or exchanged within this realme of England or Wales, vpon payne to forfaite all such wares so to bee brought, contrary to the true meaning of this act, in whose hands so euer they or any of thẽ shalbe founde, or the very value thereof, the one halfe of the forfaiture to be to our soueraigne Lady the Queenes highnes, her heires & successors, & the other moity therof to him or them that wil seyse ỳ same, or sue therefore in any court of Record of the Queenes Maiesty, her heires and successours, by action of debt, bill, playnt, information, or otherwise, where no wager of lawe, essoyne, or protection shall bee to him or them allowed. This act to continue & endure to the end of the next parliament. An. 5. El. cap. 7. This statute was discontinued 8. El. and in 13. El. cap. 25. reuiued & continued vntil ỳ ende of the next parliamẽt, & after in the same statute is prouided as foloweth.

Bring

Foreins wares

Forf.

Partie

2 ¶ Prouided neuertheless, and be it enacted by the authoritie aforesayd, that the sayde act concerning the auoyding of forrayne wares made by handy craftes men beyond the seas, or any clause, article, or meaning therein contayned, shall not in any wise extend or bee preiudiciall to any entercourse, or treatise of any entercourse nowe standing in force had or made, betweene the progenitours of the Queenes Maiestie, or her highnesse, or any others: any thing heretofore, or now ordeyned, or enacted, to the contrary in any wise notwithstanding. Anno 13. Eli. cap. 25.

Forrayne wares

¶Warrauntie.

Alien

IF a man alien the land, that he holdeth by the lawe of England, his sonne shall

Warre

not bee barred by the deede of his father, (from whome no heritage to him descended) to demaund and recouer by writte of

Mortdauncestor

Mortdauncestor of the seysin of his mother, although it bee mentioned in the deede, that his father did binde him and his heires to warrauntie. And if any heritage discend to him of his fathers syde, thē

Warre

he shalbe barred for the value of the heritage, that is to him descended. And if in such case after the death of his father, any inheritance discend to him by the same father, then shall the tenant recouer against

Recouer

him of the seisin of his mother, by a iudicial writte, that shal issue out of the rolles to the Justicers, before whome the plea was pleaded, to resummon his warrauntie, as before hath bene done in like cases,

Heire

where the heire of the warrantour commeth into the court, saying, that nought discended from him, vpon whose deede he is vouched. And in like maner the issue of ꝑ sonne shal recouer by writ of cosinage, nel, and de saiel. Likewise and in like maner, the heire of the wife shall not be barred after the death of his father & mother, for to demaund by action the inheritance of his mother by writ of entrie, which his father did alien in the time of his mother, whereof no fine is leuyed in the kinges court. Glocest. cap. 3. An. 6. E. 1.

¶Warre.

Commission

WHereas commissions haue bene awarded to certayne people of shires, to prepare men of armes, and to conuey them to the king into Scotland, or Gascoine, or else where, at the charge of the shires: The king hath not before this time giuen no wages to the said preparers & conueiers, nor soldiours, whom they haue brought, whereby the cōmons of the counties haue bene at great charge and much empouerished: The king will that it shall be so done no more. Anno 1. Ed. 3. cap. 7.

2 ¶Men of armes, hoblers, & archers chosen to goe in the kings seruice out of England, shalbe at the kings wages, fro

Wages

the day that they depart out of the counties, where they were chosen, till their comming againe. An. 18. E. 3. cap. 8.

3 ¶No man shall be constrayned to find men of armes, hoblers, nor archers,

Seruice

other thē those which hold by such seruices, if it be not by cōmon assent & graunt made in the parliamēt. An. 25. E. 3. ca. 8.

4 ¶Raunsomes & forfaitures were set vpon certaine that were in battaile against the king, and that did iniuries in a commotion time, & diuers matters concerning them that were with the king. Dictum de Kenelworth. An. 51. Ed. 3.

5 ¶The statute (S. An. 1. E. 3. ca. 5. & An. 18. E. 3. cap. 8. & An. 25. E. 3. stat. 5. ca. 8.) shalbe firmely holden & kept in all points, so that alwaies by force or colour of the said supplication, nor of any statute thereupon to be made, the lordes nor noe other that haue lands & possessions, in the

Wales

countrey of Wales or in the marches thereof, shall in no wise be excused of their seruice & deuoires, due of their sayd lands & possessions, nor of any other deuoires or things, wherto they or any of thē be bound to our soueraigne lord ꝑ king, how much that the same lordes & other, haue of other landes & possessions within the realme of England. Nor that the lordes or other of what estate or cōditiō that they be, which

Estuage

holde by escuage, or other seruice due to the king, any landes or possession within the said realme, be no wise excused to doe the seruices & deuoires due of their sayde lands or possessions: Nor that the lordes,

Lordes

knightes, esquires, nor other persons, of what estate or condition they bee, which hold & haue of the grant, or confirmation of our soueraigne lord the king, landes, possessions, fees, annuities, pensions, or other yerely profites, be not excused to do their seruices to our soueraygne Lorde the king, in such maner as they are bounden, because of their landes, possessions, fees, annuities, pensions, or profits aforesayd. Anno 4. H. 4. cap. 13.

6 ¶An. 9. H. 5. ca. 3. an act was made concerning them that went ouer the sea

with

with the king in his warres, or did dwell beyond the sea in his seruice for protections for them, and for suites and actions against them, & after Anno 4. H. 6. cap. 2. And An. 8. H. 6. cap. 13. like actes were made to endure for certeine yeres for thē that went ouer in his warres, or did dwel beyonde the seas in his seruice. And after An. 14. E. 4. cap. 2. a like act was made for a certaine time. Protectiōs

7. ¶ Anno 14. Hen. 6. cap. 7. an act was made to endure for three yeeres, and after, as long as should please the king, concerning the taking of enemies goods vpon the sea.

8. ¶ Anno 11. H. 7. cap. 18. an acte was made that they that had graunted or giftes, or offices, fees, or annuities of the king, and doe not giue their attendaunce vpon him when he should go to warre in his person (except certaine persons there named) should forfaut & lose their offices, fees, & annuities. And An. 19. H. 7. cap. 1. was a like statute made against them that had landes, tenementes, or hereditaments of the kings gift or grant, for their attendaunce on him in his warres. But these two statutes were made but for the time of king H. 7. as I thinke, therefore I haue not put them here at large. Forf.

¶ Waste.

THe keeper of ỳ land, of such an heire being within age, shal not take of the lands of the heire, but reasonable issues, reasonable customes, & reasonable seruices, & that without destruction, & wast of his men & his goods. And if we commit the custody of any such land to the sherife, or to any other which is answerable vnto vs for thissues of the same lande, and hee make destruction or wast of those things that he hath in custody, wee shall take of him amendes and recompence therefore, the land shalbe committed to two lawfull and discreete men of that fee, which shall answere vnto vs for the issues of the same land, or vnto him whom we shall assigne. And if we giue or sell to any man the custody of any such lande, and he therein do make destruction or waste, he shall loose the same custody. And it shall be assigned to two lawefull and discrete men of that fee, as it is afore sayde, which also in like maner shall be answerable to vs, as afore is sayd. Mag. car. cap. 4. Gardian Sherife Waste Forf.

2 ¶ The keeper so long as he hath the custody of the lande of such an heire, shall keepe vp the houses, parkes, warrens, ponds, milles, & other things pertaining to the said land, with the issues of the sayd land, & he shal deliuer to the heire whē he cōmeth to his full age, all his land stored with ploughes & all other thinges, at the least as he receiued it. All these things shal be obserued in ỳ custodies of archbishopricks, bishappickes, abbeis, priories, churches, and dignities vacant, which appertayne to vs: Except this, that such keepings shall not be sold. Mag. cart. cap. 5. Anno 9. H. 3. Gardian Archbishoppickes

3 ¶ Fermers during their termes shal not make waste, sale, nor exile of houses, woods, and men, nor of any thing belonging to the tenements that they haue to ferme, without speciall licence had by writing of couenaunt, making mention that they may doe it, which thing if they do, and thereof be conuict, they shal yelde full dammage, and shall be punished by amerciament grieuously. Marlebridge cap. 23. Anno 52. H. 3. Fermers Licence Dammage Amerce

4 ¶ It is prouided also, that a man from henceforth shall haue a writ of wast in the Chauncery against him that holdeth by lawe of England, or otherwise, for terme of life, or of yeres, or a woman that holdeth by dower. And who that is attainted of wast, shall leese the thing wasted, and moreouer shal recompence thrise so much as the waste shalbe taxed at. And for wast made in the time of wardshippe, it shall be done as is contained in the sayd great charter, that is to say, that he, which did wast, during the custody, shal leese the wardshippe. It is agreed, that he shall recompence the heire his dammages for the waste, if so be that the wardshippe lost do not amount to the value of the dāmages of the heire of the same ward. Gloc. cap. 5. Anno 6. E. 1. Writte Chauncery Woman Forf. 3. Times Forf. Dammages

Wardians

5 ¶ Whereas for waste done in the inheritaunce of any person, by wardeins, tenaunts in dower, tenants by the curtesie, or otherwise for terme of life or yeres,

Writte

a writte of prohibition of waste hath bene vsed to be granted, by which writte many were decepued, thinking that such as had done þ waste should not nede to answer, but onely for waste done after the prohibitiõ to him directed: Our soueraigne lord the king, to put this case out of doubt, frõ this time forth hath ordayned, that of all maner of waste done to the damnage of any person, there shal from henceforth not onely a writte of prohibition, but also of

Summons

summons, so that he of whom cõplaint is, shall answere for waste done at any time.

Attach
Distreine
Sherife

And if he come not after the summons, he shalbe attached, & after the attachment he shall be distrayned, and if he come not after the distresse, the sherife shalbe commaunded, that in proper person hee shall take with him twelue &c. and shall go to the place wasted; and shall inquire of the

Enquest

waste done, and shall returne an inquest, and after the inquest returned, they shal passe vnto iudgement, like as it is contained in the statute of Glocester cap. 5. W. 2. cap. 14.

To in cõmon

6 ¶ Where two or moe do holde wood, turfeland, or fishing in common, wherein none knoweth his seuerall, and some of them do waste against the mindes

Action

of the other, an action may lye by a writte of waste. And when it is passed vnto the iudgement, the defendaunt shall chose eyther to take his part in a place certaine

Allignemẽt
Viewe
Othe

by allignement of the sherife, and by the viewe and othe of his neighbours sworne and tryed for the same intent, or else hee shall graunt to take nothing from henceforth in the same wood, turfelande, and such other, but as his fellowes will. And

Place

if he doe chose to take his part in a place certaine, the place wasted shalbe alligned for his part after, as it was before the waste done. And there is such a writte in this case, that is to say, Cum A. & B. teneant boscum pro indiuiso, B. fecit vastum &c. W. 2. cap. 22.

7 ¶ William Bucler, which is within age, and in warde of our soueraygne lord the king, hath shewed vnto his highnesse, that where Gawin Butler his brother, (whose heire he is) had impleded one Walter de Hapeton by the kings writte, for waste and destruction made by him in certaine his landes and tenements, which þ same Walter held for terme of his life, of the inheritance of the foresayd Gawin in wimme and Trike: And the aforesaid Gawin before he had obtained iudgement, died. After whose death the foresaid William by like writte impleaded the foresayd Walter, for the wast & destruction made by him of long time. The same Walter before Gilbert Thornton & his companions, alligned to heare the kings pleas, came in & said that he ought not to answere to the same William for the wast and destruction made in the time of another, before the right of the said inheritãce discended vnto him, & thereupon demanded iudgemẽt. And forasmuch as certaine Iusticers did not agree in giuing of the said iudgemẽt, because it seemeth to some that it should not be agreeable to þ lawe, that any person should obtaine aduantage and recompence by the foresayde writte, which is a writte of trespas done to a person certaine, but onely the same person to whom & in whose time the trespasse was done. Other Iustices with the more part of the kings counsell, were in the contrary opinion, alleaging by diuers reasons, that the sayd William ought to be heard and answered vnto, and all other whatsoeuer they be, in like cases, or in like trespasses. And for because like matters haue remayned not amended, and trespasses vnpunished, which was inconuenient: Our soueraigne Lord the king in his ful Parliament holden the day after the feast of the purification, in the xx. yeere of his raygne, by a generall counsaile hath ordayned, and from henceforth hath cõmanded to bee straitely obserued, that euery heire in whose warde soeuer he be, and as well within age, as of full age, shal haue his recouery by a writte of Waste in the foresayd case, and also in other where the same writte ought to holde place, and it shall

ſhal holde place as well for waſte and deſtruction made in landes and tenementes of his owne inheritaunce, and as well in the times of his auncestours, as at any other time that the fee and inheritance diſcendeth vnto him, & ſhalbe answered vnto therefore. And that he ſhall recouer the Recouer
landes waſted & dammages, as it is ordai- Dammages
ned in the ſtatute of Weſtminſter of dãmages to be recouered in a writ of waſt, if the tenaunt be conuict for the waſt.

And it is commanded by the king him ſelfe vnto the ſame Gilbert Thorneton and his companions, that they doe proceede in the foreſayd matter, and in other like from henceforth, & iudgement ſhalbe giuen according as the matter is founde. And likewiſe it was commaunded vnto the Iuſtices, that they ſhall cauſe all the foreſayd things to be ſtraightly obſerued before them from henceforth. Statute of Waſte. Anno 20. E. 1.

Waſt Eſchetors

8 ¶ For reuelle of waſtes & deſtructions done by Eſchetours, or ſubeſchetours in the landes of wardes, as of houſes, woods, parkes, warrens, and of all other things that fal into the kings hãds: The king will that he which hath ſuſtayned dammage, ſhal haue a writ of Waſte out of the Chauncery, againſt the Eſchetour for his act, and the ſubeſchetour for his act, (if he haue whereof) and if hee haue not, his maſter ſhall be anſwerable by like payne, concerning dammages, as is ordayned by the ſtatute for them that doe Waſte in wardeſhippes. Articuli ſuper cartas capitulo 18. Anno 28. Edwardi 1.

9 ¶ Item becauſe that diuers people in times paſt, haue let their lands and tenements to diuers perſons, that is to ſay, ſome for terme of life, or of an other mãs life, and ſome for terme of yeres, the ſayd tenants haue oftentimes let and granted their eſtate, which they had in the ſame landes and tenements to many perſons, to the intent that they in the reuerſion, that is to ſay, their leſſours, their heires, or their aſſignes, ought not to haue any knowledge of their names, & afterward the ſayd firſt tenants continually occupy the ſayd landes and tenements, and thereof take the profites to their proper vſe, and in the ſayd landes and tenements do waſte and deſtruction, to the diſheritance Waſte
of them in the reuerſion: It is ordayned and eſtabliſhed, that they in the reuerſion in ſuch caſe may haue and maintayne a writte of waſt againſt the ſayd tenants for terme of life, of an other life, or for yeres, and ſo recouer againſt them the place waſted, and their treble dammages for the 3. dammage
waſte ſo by them done, as they ought to haue done for the waſte done by them before the ſayd grant & leaſe of their eſtate. Prouided alwayes, that this ordinaunce hold not place, but where the firſt tenants before the leaſe and graunt of their ſayde eſtates in the maner and forme aboue ſaid, were puniſhable of waſte, and alſo where after the ſaid graunt & leaſe, the ſayd firſt tenants of the ſayd lands and tenements take the profites at the time of the waſte done to their owne proper vſe. And this ordinaunce to extend as well to waſte by ſuch tenantes done before this ordinance, as after. Anno 11. H. 6. cap. 5.

¶ Watches.

The watche to bee made vpon the ſea Sea coaſt
coaſt through the Realme, ſhall be made by the number of the people in the places, and in maner and fourme as they were wont to be made, & that in the ſame caſe the ſtatute of Wincheſter be holden and kept, and that in the commiſſions of the peace hereafter to be made, this article bee put in, that the Iuſtices of peace Iuſt. of p.
haue power thereof to make inquiſition Enquire
in their Seſſions from time to time, & to puniſh them which be found in default after the tenour of the ſayd ſtatute. Anno 5. Hen. 4. cap. 3.

¶ Waxe.

Becauſe ꝑ Waxechandlers haue vſed ℞
to decepue the common people in ſelling their wrought Waxe after two ſhillings the poũd, where as the waxe is but worth ſixe pence the pound: Be it &c. that no perſon ſell nor ſet forth to ſale any

Waxe

Forf.

Fine

Iuſt. of p.

Enquire Oyer & ter. Any Iuſt. of p.

Maior Bailife Stewards

Search

Puniſh

ſuch candels, images, figures, and other woꝛkes of waxe, at moꝛe higher ꝓice, but onely after the rate of the ꝓice of iiii. d. moꝛe in the weyght of a pound, ouer that the common ꝓice of a pounde of playne waxe is, betweene marchaunt and marchaunt, at the time of ſuch ſale oꝛ ſetting foꝛth to ſale, vpon payne to foꝛfaite ſuch candels, images, figures, & other woꝛkes of waxe ſo ſet foꝛth to ſale, & of the value of them that ſhalbe ſold againſt the foꝛme of this ſtatute, and to make a fine to the king, if they be thereof duely attainted, oꝛ ꝓ it is found by examination oꝛ due ſearch by weyghtes, oꝛ in other maner, that they haue ſold oꝛ ſet foꝛth to ſale any ſuch candels, images, figures, oꝛ other woꝛkes of waxe, againſt the fourme of this ſtatute. And that the Iuſtices of peace in euery county where they be Iuſtices, ſhall haue power to enquire, heare, & determine all things done againſt this ſtatute. And that aſwel euery Iuſtice of peace in the county where he is Iuſtice, as maiors and bailifes within cities, & burges, ſtewards of lords within the fr̃achiſes of their lords, ſhall haue power and aucthoꝛity to examine & ſearch as well by waighes of ſuch candels, images, figures, & other woꝛkes of waxe, as in other maner by their diſcretion, all them that any thing ſhal hereafter doe againſt this ſtatute, and to puniſh them that by ſuch examination and ſearche ſhalbe found guyltie, in the foꝛme aboueſaide. Pꝛouided that this ſtatute do not extende to herſes to be made foꝛ Nobles that doe dye. Anno 11. Hen. 6. capitulo 12.

2 ¶ Foꝛaſmuch as a great part of the waxe made and melted within this Realme, hath bene founde to be of late very coꝛrupt, by reaſon of the deceitfull mixture thereof, and the makers and ſellers of Honie alſo haue not onely vſed to put the ſayd Hony in caſke of deceytfull aſſize, but haue vſed alſo deceytful mixtures of the ſame: Bee it thereꝛoꝛe enacted by the aucthoꝛity of this preſent Parliament, that euery perſon within this Realme, oꝛ the dominions of the ſame, which ſhall after ꝓ feaſt of Pẽtecoſt next enſuing, in the making and melting of waxe, by any way oꝛ meanes vſe oꝛ practiſe, oꝛ cauſe to be vſed and practized any maner decepte by mixture, and mingling the ſame with Roſen, Tallowe, Turpentine, oꝛ any other deceytfull thing, to the intent to ſell and beter the ſame, oꝛ offer the ſame to be ſolde oꝛ betered foꝛ Waxe, to any perſon oꝛ perſons whatſoeuer, ſhal foꝛfaite and loſe the ſame mingled oꝛ coꝛrupted waxe. And if the ſame coꝛrupted waxe ſhall happen to be ſolde beꝛoꝛe ſuch fault and coꝛruption ſhall be founde, that then ꝓ ſaid melter, mingler, oꝛ coꝛrupter, cauſer oꝛ ꝓcurer thereof, ſhall foꝛfaite foꝛ euery pound ii s. Wherof ꝓ one halfe to the Queenes Maieſtie, the other halfe to the party decepued, if he will ſue foꝛ it, oꝛ any other perſon oꝛ perſons that will ſue foꝛ the ſame, in any the Quenes Maieſties Courtes of recoꝛde. And to the intent that the offenders in theſe kinde of deceptes, may bee the better and ſooner knowen and founde out: Bee it enacted by the aucthoꝛitie aboꝛeſayde, that euery melter & maker vp of vnwꝛought waxe, ſhal haue foꝛ himſelfe a ſtampe, oꝛ marke, of the breadth of fiue pence, wherein two letters ſhall be playnely grauen, ſignifieing his name and ſurname, and with the ſame ſhall ſtampe euery piece of Waxe, to be ꝓincted oꝛ ſtamped triangle, in three places vpon the outſide of the vpper part of euery piece ſo melted and caſt, vpõ the payne to foꝛfaite the value of euery piece oꝛ Cake ſolde, oꝛ offered to be ſolde, and not ſo ſtamped oꝛ marked.

Practiſe

Deceits Mingle

Forf.

Poins

Melter Marke

ii. Letters

Forf.

And bee it further enacted by the aucthoꝛitie aboꝛeſayde, that no maner of perſon ne perſons within this Realme oꝛ the dominions thereof, ſhall from the ſayde feaſt of Pentecoſte, melt, myxe, woꝛke, oꝛ ſell any maner of wꝛought waxe, ſtuffe, oꝛ wares wꝛought with waxe, as in Lightes, Staffetoꝛches, Redwaxe, oꝛ Sealing waxe, Booke-candle, Searing candle, Searing of dead coꝛpes, Lynckes, Greene ware, Red waxe, oꝛ any other woꝛke oꝛ thing whatſoeuer, to bee done oꝛ wꝛought with waxe to bee put to ſale, but with

Wꝛought waxe Mingle

goods

good, holsome, pure, and conuenient stuffe, meete in such wares or worke in conuenient quantity to be vsed. And that euery person or persons, that shall worke or sell such stuffe, or wares of waxe, haue a Marke, Stampe or Seale, to set on his or their worke, by him or thē wrought or solde, to the intent, that if any deceite be vsed or done, it may be knowen who were the workers thereof, and such persō or persons as shal be found or knowen to worke or sell, or to sale put, any such false waxe, or wares wrought with waxe to be put to sale, shall forfeyte and lose the same corrupted or deceitefull waxe and wares, the one halfe to be to ẏ Queenes maiestie, her heires and successours, and the other to the party deceiued, if he shall sue for the same, or otherwise to him or them that will sue for the same by action of debt, bill, playnt or information, in anẏ the Queenes Maiesties courtes of recorde, wherein no essoyne, protection or wager of lawe shall be allowed.

Marke

Forf.

Moytie

And bee it further enacted by ẏ authoritie aforesaid, that euery person and persons whosoeuer, which after the feast of Pentecost aforesaide, shall sell or offer to be solde, any corrupted and false mingled ware, shall lose and forfeit the said waxe, ẏ one moytie thereof to be to ẏ Queenes maiestie, and the other to the partie deceiued, if he shall sue for ẏ same, or otherwise, to him or them that will sue for the same, as is aforesaid. And that al barrels, kilderkens and firkens filled with hony, by the maker and filler, shall be marked with two letters standing for his name and surname, each letter of an inche and a halfe of length at the least, burnt vpon ẏ head of the caske, with a whote yron, vpon the payne to forfeite vi.s. viii.d. for euery barrell, kilderken, firken or caske, soulde, or offered to be solde, and not so marked, and that if any persō or persons do, or shall after the xxiiii. day of August next comming, after the ende of this session of Parliament till and sell, or cause to be filled or solde, or offered to be solde any barrell, kilderken or firken with hony, for or in the name of a barrell, kilderken, or Firken, conteyning lesse then thirtie two wine Gallons the Barrell, sixteene wine gallons the Kilderken, and eyght wine gallons the Firken: Euery person and persons so offending, shal forfaite & lose for euery halfe gallon so lacking, v.s. of English money: And euery person and persons, that shall corrupt the Hony so solde, or to be solde, with any deceitful mixture, shal forfaite the barrell or vessell, & hony therein cōteined, the one moity whereof to be to our soueraigne lady ẏ Queenes maiesty, & the other to him or thē that wil sue for ẏ same, as aforesaid.

Hell
False waxe
Forf.

Barrels
Hony
Marked

Forf.

Content
32. Gallons

Forf.

Corrupt

Forf.

Prouided alwayes, that this acte as touching the marking of waxe, shall not extend to any person or persons, selling the waxe of their own Bees in open markets, in small peeces, nor to any seruant or seruants, or other persons, mingling, or corrupting any waxe, by commaundement of their master or other person, hauing auctority ouer them, so as they wil confesse the same.

Pronisō

Ware

And be it further enacted by the auctority aforesayde, that if any person or persons, shall at any time hereafter counterfeite any the marks aboue mentioned, or shal set to the marke or markes of any other person or persons, without ẏ consent of ẏ same persō or persons, whose names the said markes shall signifie, that euery such offender in the premisses, shal forfait for euery such default v.li. The one moity thereof to be to the Queenes maiesty, her heires & successors, & the other moity to the party decepued, if he will sue for the same, or otherwise to any other person or persons, that shal sue for the same, by bil, action, or information, in anẏ Queenes Maiesties courtes of record, wherein no elloine, protectiō, or wager of law shalbe admitted or allowed for the defendaunt. And for non sufficiency of paymēt thereof, to be set on the pillory in ẏ next market towne to the place where such offēce shal be committed, & to suffer three moneths imprisonment without bayle or mainprise, for euery offence committed contrary to this article of this present acte. An. 23. El. cap. 8.

Counterfeits marke

Forf.

Penalty

Pillory

Mainpris

¶ Weightes

¶ Weightes and measures.

Wine

ONe measure of wine shalbe throughout our realme, and one measure of

Corne

Ale, and one measure of Corne, that is to

Cloth

say, according to the quarter of London, and one breadth of died cloth, russets and haberiectes, that is to say, two yards within the lystes. And as it is of measures, so shall it be of weightes. Magna car. ca. 25.

Bread

2 ¶ When a quarter of wheate is solde for xii. d. then wastell bread of a farthing shall weigh vi. li. & xvi. s. Bread cocket of a farthing of the same corne and bultel shall weigh more then wastell by two. s. Cocket bread made of Corne, that is of lesse price, shall weigh more then wastell by v. s. A simnel of a farthing, shal weigh ii. s. lesse then the wastell. Bread made of ỳ whole wheate, shall weigh a cocket and an halfe, that is to say, ỳ cocket that shal weigh more then a wastell by v. s. Bread of trete shall weigh ii. wastels. Bread of common wheate shal weigh ii. great cockets. When a Quarter of wheate is sold for xviii. d. a wastel lofe of a farthing shal weigh iiii. li. x. s viii. d. when a quarter of wheate is solde for ii. s. then a wastel lofe of a farthing, shall weigh iii. li. viii. s.

When it is sold for ii. s. vi. d. viii. s. iiii. d. ob. q.

when for iii. s	xlviii. s.
when for iii. s. vi. d.	xlii. s.
when for iiii. s.	xxxvi. s
when for iiii. s. vi. d.	xxx. s.
when for v. s.	xxviii. s. ii. d. ob.
when for v. s. vi. d.	xxiiii. s. viii. d. q.
when for vi. s.	xxii. s. viii. d.
when for vi. s. vi. d.	xix. s. xi. d
when for vii. s.	xix. s. i. d.
when for vii. s. vi. d.	xviii. s. i. d. ob.
when for viii. s.	xvii. s.
when for viii. s. vi. d.	xvi. s.
when for ix. s.	xv. s. q.
when for ix. s. vi. d.	xiiii. s. iiii. d. ob. q.
when for x. s.	xiii. s. vii. d. ob.
when for x. s. vi. d.	xii. s. xi. d. q.
when for xi. s.	xii. s. iiii. d. q.
when for xi. s. vi. d	xi. s. x. d.
when for xii. s.	xi. s. iiii. d.

And then a Baker of euery quarter of wheate (as it hath bene proued by ỳ kings bakers) may gaine iiii. d. & the hanne, & ii. loues for abuātage, for iii. seruants, i. d. ob. for ii. laddes, ob. in salt ob. in pesse. ob. for cāuel q. for wood ii. d. for his bultel ob. When a quarter of wheate is solde for iii. s. or iii. s. and foure pence. And a quarter of barley at ỳ price of xx. d. or ii. s. And a quarter of otes at xvi. d. then brewers in cities ought & may wel afoord & sel ii. gallons for i. d. And out of cities they may sel iii. for a peny. And whē in a borough there are iii. gallons sold for a peny, then without they shal sell iiii. & wel they may. And this assise shalbe holden through Englād. So whē a quarter of barly is sold for ii. s. then foure gallons of ale in the countrey shalbe solde for a peny. when for ii. s. vi. d. then vii. gallons for ii. d. when for iii. s. and vi. d. then v. gallons for ii. d. when for iiii. s. then two gallons for a peny. and so further it shall growe or diminish by vi. d. And if a Baker or Brewer be conuicted, that they haue not kept the foresayd assises: The first, second, and thirde time they shall be amerced, according to the quantitie of their offence. And that as often as a Baker shall offende in the weyght of a farthing loafe of breade not aboue ii. s. weyght, that then he be amerced as is aforesayde. But if hee exceede ii. s. then is he to be set vpon the pillory, without any redemption by money. In like maner shall it be done, if he offende oftentimes, and will not amende, then he shall suffer the iudgement of the body, that is to say, the pillory, if he offende in the weyght of a farthing lofe, vnder ii. s. weyght, as is aforesayde. Likewise the woman Brewer shall be punished by the Tumbrell, Trebuchet, or castigatory, if shee offend diuers times, and will not amende. The statute of assise of Bread & Ale. An. 51. H. 3. as it is cómonly taken.

Eayne

Brewers

Thassise of bread

3 ¶ Thassise of bread as it is cōteined in ỳ writing of ỳ kings marshalsey to thē deliuered, be holdē, according to ỳ sale of wheat, ỳ is to say, of ỳ best, second, & third, aswell the wastell as other bread of what kinde soeuer they be, be weyed as it hath bin said by ỳ sale of ỳ midle corne or weight of bread shal not be chāged, but by

Wastel

qwiddle corne Weight Changs

by the increase or decrease of vi.d. in the sale of a quarter. A Baker if his bread of a farthing be found wanting waighe but by ii.s.vi.d. or vnder, he shal be amerced, and if it want more weight then that, he shal be set on the Pillory, and shal not redeeme it for golde nor siluer. And that euery Baker haue his proper marke for his bread.

Want weight Amerced

Pillorie

Marke

That there be a pillorie or collistrige of a conuenient strength. So as offenders may suffer the iudgement without perill of their bodies.

Pillorie

Tolle at the mill shall be taken according to the custome of the countrey, and strength of the course of the water, either the xx. graine or the xxiiii. graine: And ỳ the measure by which the tolle is to be taken, be agreeing with ỳ kings measure: And that the tolle be taken by stricke, and not by heape or cantell: And if ỳ fermors do find vnto the millers their necessaries, they shall take nothing besides their due tolle, and if any doe otherwise, they shall be grieuously punished.

Tolle

Stricke Fermours

The assise of wine be kept according to the kings assise, S. a Gallon at xii.d. And if Tauerners exceede that assise, let their doores be shut vp by the Maior and Baylifes, and let them not sell wine, vntill they haue obteined the kings licence.

Wine

The assise of Ale shall be appointed, proclaimed and obserued according to ỳ sale of ỳ corne whereof the malt is made. And the Brewer shall not encrease more in a Gallon, except the quarter of malte increase by 6.d. And if he breake thassise, he shall be amerced the first, seconde and thirde time, but at the fourth time he shal be set on the pillory without redemptiõ.

Thassise of Ale

Amerced

Pillorie

A Butcher that selleth swines flesh meazeled or flesh dead of the murreine, after he shall be conuicte thereof, for the first time he shall be grieuously amerced, the seconde time he shall suffer iudgment of the pillorie, and the thirde time he shal be imprisoned and make fine, & the fourth time he shal abiure the towne: and in this maner be it done against all trãsgressors.

Butcher

The standard of busshell, Gallon and yard be signed with the kings yron seale diligently, and be safely kept vnder the payne of one hundred poundes. And that no measure be made in any towne, except it agree with the kings measure, and be signed with the signe of the comminaltie of ỳ towne. If any buy or sel by measures not signed nor examined by the Maior or baylifes, he shall be grieuously amerced: And that all the measures of euery towne both great and small bee examined diligently, and seene twice in the yeere. And if any be conuicted of a double measure, S. a greater to buy with, and a lesser to sell with, he shal be as a falsifier imprisoned and grieuously punished. The standerd of the busshell and yarde shall be in the custodie of the Maior and Baylifes, and of sixe lawefull sworne men of the towne, before whome all measures shall be signed. No kind of corne shall be solde by heape or cantell, except Otes, malte and meale. And if any presume to sell the meale of otes falsified by any deceiptfull meane, for the first he shal be grieuously punished, for the seconde he shall lose all his meale, the thirde time he shall be set on the pillorie, and the fourth time he shal abiure ỳ towne. (See also a clause of this statute concerning Forestallers in Forestallers. 1.) All the premisses shalbe firmely kept on the part of the king, so as if any, great or little shall presume in any thing agaynst the foresayde statutes, by worde, counsel, helpe or fauour, he shall bee apprehended as a contemner of the kings commandements, and shalbe imprisoned, and not deliuered but by the kings expresse commandement and writ. And be this present schedule deliuered to the Maior and baylifes, and vi. lawefull sworne men of the towne with the standerdes, busshelles, gallons, pardes and stones to bee obserued, that when neede shalbe, they may be directed by the same schedule. The stat. of Bakers & Brewers and other Vitaylers made An. 31. E. 1. as it seemeth by 14. E. 3. ca. 12. here 12. 4 ¶ First, sixe lawefull men shall bee sworne truely to gather all the measures of the towne, that is to witte, busshels, halfe & quarter busshels, gallons, pottels and

Measures

Signed

Seene

Standerd Remaine

Corne

Otes

Pillorie Abiure

vi. Men Measures

and quartes, as well of tauernes as of other places. Measures & weightes, that is to wit, poundes, halfe poundes, and other little weightes, wherewith bread of the towne or of the court is waied, that is to say, one lofe of euery sort of bread. And vpō euery measure, yeard, weight, & also vpon euery lofe, the name of the owner shalbe written. And likewise they shal gather the measures of milles, After which thing done, xii. lawfull men shall bee sworne to make true answere to all such things as shal be demanded of them in the kings behalfe vpon ỳ articles here folowing, and such thinges as be secret, they shal vtter secretly. And the Bailife, shalbe commanded to bring in all the Bakers and Bruers with their measures, and all things vnder written. First they shalbe asked of the price of wheat, that is to wit, how a quarter of the best wheat was solde the last market day, and howe the second wheat, and how the third: and how a quarter of Barly & Oates. Afterward howe the Bakers bread doth agree with the kinges Court that is to wit, the wastell and the other Bread after wheat of the best, or of the second, or of the third price. Also vpon howe much encrease or decrease in the price of wheat the baker ought to chaunge the assise and weight of his bread. Also howe much the wastel of a farthing ought to weigh, and all other maner of bread, after ỳ price of the quarter of wheat which they present. Also for what default in the weight of the bread, a Baker ought to bee amerced, or to bee iudged vnto the Pillory according to the law and custome of his Court. Also if any steward or bailife for any bribe, hath released the punishment of the Pillory & tumbrell, being already iudged, or to bee iudged of right.

Also if they haue in the towne a pillory of conuenient strength, as appertayneth to the liberty of their market, which they may vse (if neede be) wout bodily perill either of man or woman. Afterward they shalbe asked of the assise and sale of wine after ỳ departure of the Justices in eire, or of them that were last in seruice of the market of the towne, that is to say, of the tauerners names, and how they haue solde the galon of wine. And if any corrupted wine bee in the Towne, or such as is not holsome for mans body. Also of the assise of ale in the court of the towne how it is, and whether it be obserued, & if not, how many bruers haue solde contrary to the assise, and they shall present their names distinctly and openly, and they shall be amerced for euery default, or be iudged to the tumbrell, if they sell contrary to the assise. Also if there be any that sel by one measure, and buy by an other. Also if any do vse false yards, weights or measures. Also if any butcher doe sell contagious fleth or that died of the murren. Also of cookes that seeth or bake flesh or fishe in paste or water, or any otherwise, that is not holsome for mans body, or after that they haue kept it so long that it leeseth his naturall holsomnesse, and then heateth it agayne and sell it. Also of forestallers, that buy any thing afore ỳ due & accustomed hower against the good state and weale of the Towne and market, or that passe out of the towne to meete such things as come to the market, being out of the towne, to the intent that they may sell the same in the towne more deere vnto regrators that vtter it more deere then they woulde that brought it, in case they had come to ỳ towne or market. An. 51. H. 3. as it is commonly noted, but it seemeth not to be any statute, but certaine articles of enquiry vpon the statute of vittaylers, bakers and bruers and forestallers. 31. E. 1. before 3.

Tolle

Enquest Orde

Bailife

Enquire

Baker Pillorie

Wine

Ale

Tumbrell

False measures

Butcher

Cookes

Forestallers

5 ¶ It is ordayned, that three graines of Barly drie and rounde doe make an Inche, xii. Inches make a foote, iii. feete make a yarde, v. yardes & a halfe make a perche, and xl. perches & foure in breedth make an Acre. The Composition of yardes, perches and acres.

6 ¶ When an acre of lande containeth x. perches in length, then it shalbe in breedth xvi. perches, when it containeth xi. perches in length, then it shalbe in breedth xiiii. dim. qr. one foote, when it is xiii. then xiii. v. foote, one inche, when xiiii. then

Acre

then xi.vii.foote i.inche, when xv. then x. & dim. ii. foote and dim. when xvi. then x. when xvii. then x. iii. foote, iii. inches and dim. when xviii. then viii. dim. vi. foote & dim. v. inches, when xix. thē viii. vi. foote iiii. inches and dim. when xx. then eight perches, when xxi. then viii. perches, and dim. two foote one inche. when two and twenty then seuen i. qr. eight inches and dim. when xxiii. then vi. and dim. iii. inches, vi. foote & dim. when xxiiii. thē vi. & dim. ii. foote & dim iii. inches, whē xxv. then vi & i. qr. ii. foote & dim. inche, when xxvi. thē v. & dim. vi. foote ii. inches, when seuen & twenty then fiue and dim. three foote, when eight and twenty then fiue vii. foote and dim. when xxix. then v. vi. foote and dim. when xxx. then v. vi. foote, when xxxi. then v. ii. foote & dim. when xxxii. then v. when xxxiii. then iiii. dim. i. qr. i. foote & dim. i. inch, when xxxiiii. then iiii. and dim. iii. foote iiii. inches and dim. i. qr. when xxxv. then iiii. & dim. i. foote ii. inches & dim. when xxxvi. thē iiii. i. q. iii. foote & v. inches & dim. when xxxvii. then iiii. i. q. iii. foote & dim. when xxxviii. then iiii. iiii. foote and dim. when xxxix. then iiii. i. foote & dim. ii. inches. & dim. when xl. thē iiii. when xli. thē iii. i. qr. ii. foote & dim. whē xlii. then iii. i. qr. ii. foote, when xliii. then iii. i. foote & di. when xliiii. thē 3. & dim. foote, & v. inches, whē 45. thē 3. & di. An. 31. E. 1. Treatise of measuring lād.

7 ¶ By þ consent of the whole realme of England, þ kings measure was made S. That an English peny, which is called þ sterling, round wout clipping shall weigh. 32. graines of wheat dry in þ middest of þ eare. & 20. pēce make an owunce. And 12. owunces make a li. & 8. li. make a gallō of wine. & 8. gallons of wine make a bussthel of London, which is þ 8. part of a quarter. The ordinaunce of measures Anno 31. E. 1.

Loade
Leade
Foymel
Stone
Pounde

8 ¶ The loade of leade doth consist of xxx. foymelles, & euery foymell containeth vi. stone, except ii. li. and euery stone doth consist of xii. li. & euery li. consisteth of þ waight of xvi. s. whereby the summe in the foymel is 70. li. But the summe of the stones in þ loade is 8. times 20. & 15. & it is proued by 6. times 30. which is 9. times 20. But of euery foymell there are abated ii. poūd in the foresaid multiplication, which are 60. which make 5. stone. And so there are in the loade 8. times 20. & 15. as is aboue sayd. According to some other it consisteth of xii. waights, and this is after Troy waight. And the summe of stones in the loade is 8. times 20. & eyght stone, and it is proued by 12. times 14. There is a wayght aswell of leade, as of wooll, tallowe, and Cheese, and wayeth 14. stone. And ii. waights of wooll make a sacke, and xii. sackes make a Last. But a last of herrings containeth ten thousand, & euery thousand containeth x. hundred, and euery hundred sixe score. A last of leather doeth consist of xx. diker, and euery diker consisteth of tenne skinnes. And a dyker of Gloues consisteth of x. paire of Gloues. Item a dyker of horseshoes doth consist of tenne shooes. Item a dosen of Gloues, parchement, and vellam in their kindes containe xii. skinnes, & xii. paire of Gloues. Item a hundred of waxe, Sugger, Pepper, Cynamum, Nutmegges, and allume, containeth xiii. stone, & halfe, and euery stone viii. pound. The summe of poundes in a hundred, C. viii. pounde. And the hundred is contayned of v. times twentie, and euery pound of xx. s. Item it is to bee knowen, that the pounde of pence, spices, confections, as of electuaries, consisteth in waight of xx. s. But the pound of all other things, wayeth xvi. s. Item of electuaries and confections, the pound containeth xii. ounces, & an ounce hereof is of the wayght of xx. d. Item a hundred of Canuas and linnen cloth consisteth of C. elles, & euery C. contayneth sixe score. But the hundred of Iron, and shillings consisteth but of fiue score. The dosen of Iron consisteth of sixe pieces. The seem of glasse cōtaineth xxiiii. stone, & euery stone v. pound. And so the Seem containeth vi. score poūd. A bind of eeles cōsisteth of x. strikes, & euery stricke xxv. Eeles. But the binne of Skinnes consisteth of xxxiii. skinnes. A timber of Conyskins & Grayes consisteth of xl. skins. A chest of fustiā cōsisteth of xiiii. elles, a chest of

Waight
Wooll
Tallow
Cheese
Herrings
Leather
Gloues
Ware
Spice
Pound
Ounce
Cannas
Elles
Seem
Binde
Eeles
Skinnes
Chest

Hindon Garlicke

of Hindon containeth x. Elles, a hundred of Garlicke consisteth of xv. Ropes, and euery rope contayneth xv. heades, a hunyred of hard fishe is viii. score. Compositio de ponderibus.

The 9 & 11. number in the old print be left owt here as needelesse, the same being contayned in the 2. And the 10. is placed here in the 5. place.

12 ¶ Where it is conteyned in ẏ great Charter (before 1.) that one measue and one weight be throughout England, and also in a statute made in the time of king Ed. grandfather to the king that nowe is (before 3.) that none shall sell by the bus-shell, if it be not marked with the kinges seale, and be according to ẏ standerd: And that he which shal be attainted for hauing double measure, &c. one great to buy with, and a lesser to sell with, shall be impysoned as a falsifier. and grieuously punished, which things haue not bene kept, to the great griefe of the people: It is accorded, that from henceforth one weight shalbe throughout the realme of Englād. And that the treasorer do to be made certaine standerdes of bus-shels, gallons, of weightes of brasse, and send the same into euerie countie, where such standerdes be not sent before this time.

Weight

Treasorer Standerd

And thereupon shall be assigned two good and sufficient persons in euery cōtie, and more according as the countie in greatnes requireth, to survey aswell within franchise as without, that the measures & the weights be according to the standerd. And ẏ they haue power to enquire, heare and determine, and to punish al those that shall be found therof guiltie. And that ẏ shirifes at their commandements receiue and retaine them in prison till they haue made fine to the king. And euery persō ẏ will complaine of such as doe offende in buying or selling, shalbe heard aswell for the king as for themselfe.

Survey

Oier & ter. Punish

Shirifes

And that the said assignes shall deliuer their estretes euery yeere in ẏ morowe of Sainte Michael at The schequer, & take for their expenses ẏ fourth part of that ẏ they may leuie, & answere to the king of the three parts. And of that ẏ may not be leuied before their proper, ẏ iiii. part shall be allowed to thē at the Eschequer, & the iii. parces leuied to ẏ kings vse. And it is not ẏ kings mind, but that the clarke of ẏ market shall doe his office where he will, according as he was wont to do in times past. Nor the lords of franchises shall not be out of their franchises, by the occasion of this ordinance. An. 14. E. 3. cap. 12.

Estretes

Eschequer

Clerke of the market

13 ¶ To auoid the deceite of ẏ weight called Auncell; Be it &c. that this weight called auncell, betwixt buyers & sellers, shalbe wholy taken away. And that euery sale & buying be by the balasce, so that the balance be euen, & the wools & other marchandises euenly weyed by right weight, so that the sacke of wool wey no more but xxvi. stones, & euery stone to wey xiiii. li. And that the beame of the balance do not bow more to ẏ one part then to the other. And that the weyght be according to the standard of ẏ eschequer. And if any buyer do the contrary, he shalbe greeuously punished as well at the suite of the party, as at the kings suite. An. 25. E. 3. cap. 9.

Auncel

Balance

Wooll Stone

Punish

14 ¶ Whereas Mag. carta (before 1.) conteyning that one measure should bee throughout the whole Realme, hath not bin wel kept in that point: It is accorded, that all ẏ measures, that is to say, bushels, halfe bushels, pecke, gallon, pottell, and quart throughout England, within franchises & without, shalbe according to the kings standerd. And the quarter shal containe viii. bushels by the standerd, and no more. And euery measure of corne shalbe striked without hepe, sauing the rentes & fermes of lordes, which shalbe measured by such measures as they were wont in times past. And the purueiours of ẏ king, of the Queene, & al other, shal make their purueiances by ẏ same measures, striked in the same maner. And at al times ẏ shal be needeful, our soueraigne lord the king shall assigne certaine Justices in euery cōtie to enquire, heare & determine, vpō ẏ points aforesaid, & vpō ẏ same to do punishmēt according to ẏ trespas, as well at ẏ parties suit, as at ẏ kings. So alwayes that al maner of frāchises be saued to the lords in all pointes without blemish to be made

Bushel

Gallon

Quarter

Purueiors

Justices Oyer & ter.

made in any maner. An.25.E.3.cap.10.

15 ¶ Because that some merchants do buy by one weight, & doe sell by an other, & do vse deceitfull draughts vpon ẏ weights, & doe also vse false measures & yardes: Bee it &c. that one weight, one measure, & one yarde, be through all the land, as wel out of the staple as within. And that woolles, & all maner of goodes Ballance of weight, bee weighed by the ballaunce, so that the tongue of the ballance be euen without bowing to the one side or to the other, or without putting hand or foote, or other touchinge of the same. And that he that doth agaynst this, to the dãmage Forf. of the seller, shall forfaye to vs the valour of the merchandise so weyed and measured, & the party that will complaine hym, shal haue the quatreble of that that he shal be endãmaged, & the trespasser shal haue Imprison one yeres imprisonment, & be ransomed Fine at the kinges will, & thereupon Justices Justices shall bee assigned to enquire of such trespasses at al times that shalbe needefull, & to do right as well at our suit, as at ẏ suit of other that thereof wil complayne. An. 27.E.3.cap. 10. Statute of the staple

16 ¶ The said statute (videz. 27.E.3. ca.8. after wines 8.) shalbe holden & kept in all poyntes. And moreouer if any sell Wine tonne or pipe of wine not gauged, that ẏ Gauge saide seller shall forfait the same wine or Forf. the valour, to the king. Anno 31.Ed.3. cap.5.

☞ 17 ¶ They which shall bee assigned Just. of ẏ. to keepe the peace, shall haue power to Enquire enquire of measures, and also of weights according to the statute thereof made the fiue and twentyeth yere of the raigne of our soueraigne lord ẏ king ẏ now is (c.9. &10. before 13. & 14.) which things the Proclama- king will that they shalbe cryed in euery tion County within fraunchise and without, betwixt this and the feast of Easter next comming, to the intent that they bee holden and kept in all poyntes. And that the sayde keepers of the peace enquire and punishe all those whome they shall finde to haue done agaynst the sayde statute after the sayde proclamation made. And also the sayde proclamation shal be made in Cities, Boroughes, and Townes enfraunchised, that the sayde articles bee holden and kept in all poyntes, vpon the paynes contayned in the Statute made the eight and twentieth yere of the raigne of our soueraigne Lorde the king that now is, touching the Citie of Lon- London don, and other Cities and Boroughes of the Realme. And if they keepe not the the sayde articles, the King in their defaulte shall doe the same statute (made of the same paynes) to bee put in execution agaynst them. Anno 34. Edwardi tertii capitulo 6.

19 ¶ One measure and one weighe be through all ẏ realme of Englãd, as in ẏ great charter, & all other good statutes & ordinãces thereof made, is more plainely contayned. And euery man that shalbe conuict ẏ he hath or vseth any other measure or weight, shall haue imprisonment Measure of halfe a yere, & make gree to the party Imprison greeued to the double of his losse, except it be in ẏ cõtty of Lancaster, because that Lancaster in that cõtty it hath alwaies bene vsed to haue greater measure then in any other party of the realme. An.13.R.2.cap.9.

20 ¶ Where as it is ordained by di- Measure uers statutes, that one measure of corne, wine, and ale, should be throughout the realme, & that viii. bushels striked make ẏ quarter of corne: Neuertheles because that no payne is thereupon ordayned in the sayd statutes, diuers people of diuers cities, boroughes, townes, and markets, will not take neither buy in the saide Cities, boroughes, townes, markets, ne in none other place, but after ix. bushels for the quarter: And if they can not buy in that maner, they arrest it as forfait, to the great dammages and oppression of al the people, and manyfestly agaynst the statutes aforesayde: It is ordayned and assented, that ẏ said statutes shalbe firmely kept & holden, as wel in the citie of Lon- London don, as in any other place throughout the Realme, and that as well by water as by lande, notwithstanding any vsage or custome in times past vsed to the contrary. And that none from henceforth doe bupe in the Citie of London, ne

in

Quarter

in no other place, no maner corne nor malt, but after viii. bussheis the quarter, according to the purport of ỳ said statuts,

Fort.

vpon payne of forfeiture of all the Corne or malt so bought, sauing to the king the said forfeiture, except franchises royal, to whom the king of his especial grace hath graunted the same fort. and that aswell ỳ maior and shirifes of London, as ỳ maiors & bailifes of other cities, boroughs, townes & markets (if they doe not thereof full & due execution) shall incurre like payne as well at the suite of the king, as of the partie or any other person that wil sue for the king. An. 15. R. 2. cap. 4.

Maiors Shirifes Bayliffes

21 ¶ All the weightes and measures throughout the realme, shalbe according to the standerde of the Eschequer, after the forme of the statutes thereof made. And also the king will, that the clarke of the market shall haue all his measures and weightes ready, according to ỳ standerd of the Eschequer, and signes & markes of the signe of the eschequer to that ordeined, and the same weights and measures so signed and marked, to carry and bring with him at all times that he shall make the assay of weightes and measures in any part within the realme, and that he nor none other of the kings liege people shal vse none other measure nor weight, vpō the paines conteined in ỳ statutes thereof made before this time. An. 16. R. 2. ca. 3.

Standerd

Clerke of the market

22 ¶ Whereas in ỳ time of ỳ kings progenitors, it hath beene ordeyned, that one measure of corne shoulde be throughout all the realme, &c. eight bushels for ỳ quarter, & that euery busshell should conteine 8. gallons: by force of which ordinances such measure hath bene vsed, with one busshell of the quarter heaped. And notwithstanding the said good ordinances & vsages, the puruepours of corne for the kings houshold haue taken 9. busshels for the quarter, and that by measure not sealed nor stricked, and without due price set downe according to the law, against the sellers will, and also haue caused them to make cariage thereof without paying for it. And the Citizens of London also doe the like by a measure called the fate, and do also take money for measuring, whereby the buiers of corne in ỳ countrey will haue the like measure, to ỳ great destruction of the comminaltie: Be it &c. That all the saide good ordinaunces be firmely holden & kept after the effect of the same. And that no purueior of our soueraigne Lorde the king, nor none other, shall vse hereafter to buy nor to take any corne by other measure, but viii. bussheis stricked for ỳ quarter, and that none be otherwise holden to deliuer for the quarter but viii. bussheis stricked, as it is aforesaid, and also that the payment be made in hand for the cariage. And that if any purueiour of our soueraigne Lorde the king or any other persō, buy or take any corne otherwise, or by other measure but viii. bushels striked for the quarter, as in the said ordinances is conteined, & thereof be attainted, he shall haue one yeeres imprisonment, and pay to the king an C. s. and to the partie that feeleth himselfe greeued, an other C. s. and that as often as any of them be thereof attainted, and that the partie which wil sue, haue an actiō grounded vpon the case: and that the iustices of the peace haue power to enquire and hold plea of all these things aforesaid, and vpon that make punishments as aforesaid, aswell at the suite of the King, as of the party, and that from henceforth nothing bee taken for the measuring of such corne in any wise. An. 1. H. 5. cap. 10.

Purueiors

Quarter

Measurs

Imprisonm

Fine

Action Iust. of p.

*

23 ¶ The king do to be ordeyned good and iust weight of noble, halfe noble and farthing of golde, with the rates necessarie to the same, for euery citie, borough and market towne of the realme, to be deliuered by the chauncelour of Englande to them that will haue them, to the intent that they be not deceiued by false counterfaitours, and them that vse false weight in deceipt of ỳ people. An. 9. H. 5. cap. 7.

Weight Gold

Chancelor

24 ¶ For asmuch as by craft and subtiltie now of late vessels of wine, herring, eeles and salmon, be of much lesse measure then heretofore they haue bene: Be it &c. that no man after the end of xii. moneths of the feast of Easter next cōming, shall bring into ỳ realme of England, of what

Tonne Wine Measure

what countrey soeuer it bee, nor make within the same Realme tonne of wine, except it containe of English measure CC.lii.gallons, ꝑ pipe C.xxvi.gallons, and so after the rate, the Tercian and the Hoghed of Gascoyne wine, vpon paine

Forf. Fulhe

of forfaiture of the same wine, nor Barrell of herring nor of Eeles, vnlesse they containe xxx. gallons fully packed, nor But of Salmon, vnlesse he containe 84. gallons fully packed, nor Kinderkins, Tercians and Firkens of herring, nor of Eeles, nor of Salmon, but after the rate fully packed, after the feast of the natiuitie of S. Iohn the Baptist next cõming,

Forf.

vpon paine of forfaiture of the said Herring, Eeles and Salmon, so brought or made contrarie to this ordinance, in what citie, borough and towne of the realme, or in any partie of England, that such defaultes be found, to the Lord of the same towne. And that he that wil sue and prone the sayd defaultes, shall haue the fowerth

Iust. of p.

part of the same forfaiture. And the Iustices of peace in all the counties of England, and Maiors and Bailifes, hauing

Maior Bailife Diuers.

power to enquire of the peace, shall enquire, heare and determine all the same defaultes. And that this ordinance extend & haue strength, aswel within the Cõtie of Chester, as elsewhere. 2.H.6.cap.11.

Iust. of p. Shirifes Escheators

25 ¶ The Iustices of peace, Shirifes, Escheatours, and other persons to be assigned by the king, shall haue power by Commission to enquire of all fallifiers and counterfaiters of falsse weightes, and

Imprison Mainprise

to take them and imprison, and in prison to hold them without mainepryse, till they be acquite or attainted, and if they be attainted, their body shall abyde in prison, till they haue made fines and raunsomes after the discretion of the said Iustices. And that the same Iustices haue power

Enquire Diuers

thereof to enquire, heare & determine, as often as to them shall seeme necessarie. Anno 9.H.5.cap.8.parl.2.

26 ¶ Whereas by the great charter of the liberties of the realme of England (before.1.) and by a statute made ꝑ xxvii. yere of king Edwarde the third, (before 15.) it was ordained, & by a statute made the xiii. yere of king Richard the second (before.19.) confirmed, that one weight and one measure should bee through all the Realme of England aswell out of the staple as within. And in the same statutes of ꝑ said noble king Edward (before.13.) it is contained, that the weight called auncell for the great dammage and subtil deceipts done by the same measure to the common people, shalbe vtterly left and seperate, and the woolles, and all other maner of marchandise, & all other things lying in weight, bought or sold, shalbe weyed by the ballance, so that the tongue of the ballance do not incline more to the one partie thẽ to the other, with weights sealed, and according to the standerd of the Eschequer. And he that doth contrarie to the dammage of the seller, shall forfait to the king the valour of the goods so weyed or measured: And that the partie complaynant haue the quatreble dammages. And by the said statute of the said noble king Richard, it was added, that the offender shalbe imprisoned by two yeres, and make fine and ransome at the kinges wil. And that the Iustices of peace should haue power to enquire of the saide defaultes, aswel at the kings suit as the parties: (But note that the preable reciteth these Statutes otherwise then wee haue them.) Our Soueraigne Lord the king, by authoritie of this parliament, hath ordayned and stablished, that the Statutes and ordinances aforesaid, shalbe firmely kept & holden, and straitly executed. And moreouer, for to eschewe diuers great mischieues, which haue happened within the realme of Englande by the saide auncell, and specially for to distroy the fallitie of the Regrators of yarne, called yarne choppers: It is ordayned by our said Soueraigne lord the king, by authoritie aforesaid, that in euery Citie, Borough and towne of the Realme of England, common ballance shalbe, with common weights sealed, and according to the standerd of the Eschequer, vpon the common costes of the said Citie, Borough or Towne, in the keeping of the Maior or Constable of the same, to which ballance

Auncell

Forf.

4. dammages

Iust. of p.

Regrators

Ballance

Maior Constable

and common weight, all the inhabitants of the same citie, borough, or towne, that haue not such weightes, and other that haue, if they wil, may freely weigh, without any thing paying, taking neuer the lesse of forein for euery draught within the weight of xi. pound a farthing, and for euery draught betwixt xl. pound and a hundred an halfpeny, & for euery draught betwixt C. li. and a thousand pound, a peny at the most, whereof the weights shalbe maintayned, and the officers lawfully weying, rewarded by the discretion of the chiefe of the citie, borough or towne, according to his attendance to the said occupation bee it more or lesse. And that no man buy yarne of wooll called woollen yarne, vnles he will make cloth thereof, nor vse weight nor measure, nor other thing in the place of weight or measure, that is not sealed according to the saide standerd, nor put any thing to the same by the way of hanging or couering, or in any other maner that may encrease the measure or weight, or let the ballance to haue his owne course, vpon the forfaiture and paine aforesaid.

Fees

Yarne

Weight Measure

And that the Iustices of peace, Maiors, bailifes, and stewards of fraunchises, haue power by authoritie aforesaid to examine the trespassours in this case, and for to enquire in especial of offenders against this ordinance, and to doe execution against them that be found defective, by enquests, or by examination to be made by the sayd iudges or officers in this case, in the maner as afore is saide. And that this ordinance be holden and obserued, from the feast of Easter next ensuing for euer. And that euery citie vpon paine of ten pound, euery borough vpon paine of an C. s. and euery towne, where a constable is, vpon paine of xl. s. haue a common ballance with weights according to the said standerd, within two monethes after proclamation made of this ordinance, which paine shalbe leuied to the vse of our soueraigne lord the king, as often as they shalbe defective against the said proclamation. Anno 8. H. 6. cap. 5.

Iust. of p. Maior Bailife Steward

Enquestes Examinatiō

Officers

Citie Borough

Ballance

King

27 ¶ By force of the statute made in the last parliament (S. An. 8. H. 6. cap. 5. before 26.) of weights, according to the standerd of the eschequer to be had in euery citie, borough, and towne, within the realme, the burgelles of the borough of Dorcester shall not be disturbed of their right, to vse their weying by xii. mile about the same borough, vsing alwaies such weightes as in the said statute be expressed. And that no right nor title of weying grow to any by force of the same last statute in disturbance of the right of the said burgelles of the said borough of Dorcester. Anno 9. H. 6. cap. 6.

Dorcester

28 ¶ Whereas it hath bene of old time vsed in al Counties, that all the Cheeses, which were to be sould by the waie, were weighed by the auncell, which now is taken away in the last parliament (before 26.) and other touching weightes there ordeyned: And nowe the poore people be deceiued, not knowing how many pounds the waye of Cheese doth containe by the saide touching weights: Therefore bee it &c. That the weight of a way of cheese shall containe xxvii. cloues, that is to say, euery cloue vii. li. by the said touching weights. An. 9. H. 6. cap. 8.

Way of cheese

29 ¶ Forasmuch as notwithstanding all the statutes made for weight and measure of corne, & the ordinance made An. no 1. H. 5. (before 22.) aswell Bakers, Merchants and common byers of corne, as also the kings purueiours do still take nine bushels for the quarter: Our soueraigne lord the king willeth, that as well the said statutes, as ỳ statutes of weights and measures made at the Parliament of our soueraigne Lord the king that nowe is, the viii. yere of his raigne (before 26.) be proclaimed aswell in the citie of London, as in all other cities, boroughes and counties of England, and put in due execution after the forme and effect of the same. Ioyning to the said statute, made the said viii yere, that in euery citie, borough and towne of the realme, there shal be a common bushel sealed, and according to the Standerd in the Eschequer in the same maner & forme, and vpon the same paine, as in the same statute is specified of a com-

Proclamation London

Cities

Bushel

Ballance Maior a cõmon ballãce to be in euery such citie, borough and towne. And that the Maior of the citie of London, and all other Maiors of all other cities and boroughes of England, where there is a Maior, and all Bailifes Iust. of p. Bailifes of Cities and boroughes where there is no Maior, & all Iustices of peace in euery countie of England for the time being, shal haue ful power to put al ỳ statutes and ordinances afore said in due execution, and to heare and determine all the Diet & tret. defaultes, misprisions, offences and tresspasses against the forme and effect of the said statutes and ordinances, done or to be done, or committed aswell at the suit of the king, as of the party that in such case feeleth himselfe greeued, and of any other of the kings liege people, which in this behalfe will sue for the king our Soue- Examinatiõ raigne lord, and that as well by examination of the parties or any of them after the discretion of the sayd Maiors, Bailife and Iustices of peace, as by illues to bee tried by inquisitions duely to be taken, and other pleas and processe of the lawe of the land. And that aswell the party greeued, as an other liege man of our soueraigne lord the king, that will sue for the king, shall haue the suit in that case at his wil. And that he that is so attainted of any default, misprision, offence or tresspasse done against the saide statute made the saide first yere, shall pay to him, at Foyl. Costes whose suit he is thereof attainted, an hundred shillings, and his reasonable costes of the said suit, and to the king an other Maior C.s. And that as well the Maior of London for the time being after that he is chosen Maior, and swoine within the said Citie at his first comming to the Eschequer before the Treasorer of England, and the Barrons of the kings eschequer, as euery of the saide other Maiors and Othe bailifes in their othes to be made for their said offices, shalbe charged and swoine to doe, keepe and execute, all the statutes abouesayd. And that all the Maiors and bailifes of Cities and Boroughes of the Realme accomptable in the saide Eschequer, doe yerely accompt in the said Eschequer of the profits and forfaitures that Accompt may or ought to pertaine to our Soueraigne lord the king by the forme of the said estatutes. Sauing alwaies to lords, Cities and boroughes, their liberties and fraunchise graunted to them by our sayde Soueraigne Lord the king, or any of his progenitoures, not reuoked, repealed, or annulled. And sauing alwaies that ỳ said statute made the first yere of king Henry the fifte, and all other Statutes of measures and weights afore made, stand in their force. Anno 11. H. 6. cap. 8. *

30 ¶ For asmuch as all the Tunnes, Tunne Pype Hoggeshed Pypes, Tercians and Hoggesheades of Wine, Oyle and Hony, vendable within the Realme of England, ought and were wont after the auncient assise of the same Realme to containe a certaine measure, that is to say, euery Tunne twelue score and twelue gallons, euery pype sixe score and sixe gallons, euery tercian iiii. score and iiii. gallons, and euery hoggeshede three score & three gallons, and by diuers Statutes it hath bene ordeined, that the tunnes and pypes of wine should be gauged, but for ỳ gauging of tunnes & pipes of oyle and hony, or of tercians and hoggesheds of wine, no ordinances haue bene made in certaine before this time, to the great dãmage of the king & of his people:

The King willing against this dammage to prouide a remedy in this behalfe, hath graunted and ordained by authoritie afore said, that from henceforth all maner of Tunnes, pipes, Tercians and hoggesheds, as wel of wine, as of oyle and hony, to be solde within the saide realme, shalbe well & lawfully gauged by the kinges Gauger gaugeour, or by his deputie before that they be sold, vpon paine to forfaite to the Foyl. king all the wine, Oyle and Hony contrary sold, or the value of the same. And in case that any person of what Countrey that he bee, from henceforth sell to any of the kings liege people for any price in certaine any tunne, pype, tercian, hoggeshed of wine, oyle and hony, which wanteth in any wise of the assise and measure afore saide, that he allowe, and rebate of Allowe the same price to the buyer of such wine, Oyle and Hony, as much as such default

after the rate shall amount, vpon paine to forfait to the king the value of all the wine, oyle, and hony, contrary sold, any prime couenant made, or to be made betwixt the seller and the buyer contrary to this ordinance notwithstanding. Forf.

And euery person that espieth any of the forfaitures aforesaid, and thereof enforme the Treasorer of England, or the Barons of the Eschequer, shal haue of the halfe of the same forfaitures for his labour. Prouided alwaies that ỳ saide gaugeour take ȳ haue for his labour towards the gauging of euery tunne and ppe of oyle and hony, as he taketh, any hath of euery tunne and ppe of wine, and for euery tertian and hoggeshed after the rate. Anno 18.H.6.cap.17. Moitie

31 ¶ Upon complaint of the defaults of Buttes of Maluesie and other vessels of wine and oyle, Be it &c. That no maner merchant nor other person from the feast of Saint Michaell the archangell next comming, shall bring nor cause to be brought into this Realme any Butte of Maluesie to be sold, vnlesse it do containe in measure at the least C. xxvi. gallons, nor no maner of vessels with any maner wines, of whose soeuer they be, or of what countrey they be, nor no maner of vessels of oyle, vnlesse the same vessels of wine or oyle, doe containe and hold the measure and assise following, that is to say, euery tunne to containe, xii. score gallons & xii. And euery ppe to containe vi. score and vi. gallons. Euery tertian to containe 4. score and 4. gallõs, and euery hoggeshed to containe lxiii. gallons, and euery barrel to containe xxxi. gallons, and an halfe, and euery rundlet to containe xviii. gallons and an halfe, according to the old assise and measure of the same vessels vsed in this realme. And that all the vessels of wine and oyle, brought into this realme after the said feast to be sold, shall not bee put to sell after the same feast till they be wel and truely gauged by the kings gaugeour, or his sufficient deputie, vpon pain to forfait to the king al the said wines and oyle solde contrary to this present ordinance, or els the value of the same. And in case that any maner person, of what countrey he be, from henceforth do sell to any of the kings liege people for any certaine price assigned, any butte, tunne, pipe, tercian, hoggeshed, barell or rundlet, of any maner wine or oyle, lacking any thing of the said assise or measure, that the seller shall allowe or rebate at the same price to the buyer of such Wine or Oyle asmuch money as such lacking after the rate shal amount to, vpon paine to forfait to our soueraigne lorde the king the value of all the wine and oyle so sold contrary to this present ordinance: Any prime couenant or contract made or to be made betwixt the buyer and the seller, contrarie to this ordinance in any maner notwithstanding. An. 1. R. 3. cap. 13. This act is confirmed by 28. H. 8. cap. 14. here after 35. Merchant Butte Tunne Pipe Tercian Hoggeshed Barell Gauged Forf. Sell Allowe Forf.

32 ¶ Whereas by diuers statutes it hath bene ordeined, that one measure and one weight should be throughout all the Realme, and that the same shoulde be according to the standerd of the Eschequer, which as yet hath not bene duely obserued, and the king considering the cause to be, for that the true measure of the sayd standerd is not to all men well knowen, hath at his owne charge caused both weights & measures of brasse to be newly made according to the saide standerd: Be it &c. that the saide measures and weights of brasse be deliuered to the Citizens and Burgesses of the chiefe Cities or shire Townes, or Boroughes of euery shire of this Realme in this present Parliament now being, or to the chiefe officers of euery such cities, shire townes or boroughs, where such like citizens and burgesses be by indentures thereof to be made, betweene ỳ Treasorer of England or vnder treasorer for the time being, and the said citizens, burgesses, & other chiefe officers aforesaid so them receyuing, safely to be conueied to the Citie, Towne or Borough, that they be of, at the cost and charge of ỳ said citie, towne or borough, and to be deliuered to the Maior, shirife, baillife or other ỳ chiefe officer of ỳ same, there to rest as your treasure in ỳ custody of ỳ said chief officer of ỳ said city, towne Weightes Measures Citie Towne

or

or borough for the time being, and of his successours for euer, to the intent that aswell al weights and measures within the sayd citie, towne or borough, as the measures and weightes within the said shire may be corrected, reformed, amended and made according, and after the measure of the said standerd, before the feast of Saint Michael the archangell next comming.

Marke And that the sayd chiefe officer for the time being, in euery such citie, towne or borough, haue for ỳ cause a special marke or seale, to marke euery such weight and measure so made, to bee reformed and brought vnto him without fault or delay.

Fee And that he take for his labour for sealing of euery bushell i.d. of euery other measure ob. of euery C. weight i.d. of euery halfe C. ob. And of euery weight vnder .q. and not aboue, vpon paine to forfait for euery time that he refuseth or doth the

Moyetie contrary xl. shillings, the one halfe thereof to our Soueraigne lord, and the other halfe to him that is greeued and will sue in that behalfe, by action of debt, to be recouered after the course of the common Lawe. And the defendant in any such action be not receiued to wage his Lawe,

Iust. of. y. and that the Iustices of peace in euery shire in England, haue full authority and

Oier & ter. power to enquire, heare and determine the said defaultes, and ouer that, that open

Proclamation Proclamation be made in euery shire of this pour sayd Realme, that no man buy nor sell after the sayd feast of Saint Michaell, by any other weight or measure

Standerd then is according to the said standerd, vpon such paines and forfaitures as is limited in the said statute. An. 7. H. 7. cap. 4.

33 ¶ Forasmuch as notwithstanding all the former Statutes for one measure and one weight, to be vsed throughout all the realme, and the seuerall paynes of all ỳ said statutes, the same hath not yet bene duely obserued: Be it &c. That vnto the knightes and citizens of euery shire and Citie assembled in this present Parliament, Barons of the fiue portes, and certaine Burgesses of borough townes, eare they depart from this present parliamẽt, be deliuered one of euery weight & measure which now our soueraigne lord hath caused to be made of Brasse for the common weale of all his subiectes and lieges within this his realme of Englãd, according to the king our Soueraigne Lords Standerd standerd of his eschequer of weight and measure, as they haue bene in the Eschequer of our said Soueraigne Lorde, and that the said knightes, Citizens and burgesses, to whom the sayd weights & measures shall be deliuered as is aforesayd, surely cõuey or cause the same to be conueyed on this side the feast of Easter next comming, by the said citizens to their Cities, and by the said knightes vnto such Borough or towne corporate, or market towne within the shire, for the which they bene elected, as is specified and contained in a schedule vnto this present bill annexed, there to remaine for euer in the keeping of the Maior, Bailiffe, or other head Maior Bailyfe officer for the time being of the same Citie, borough or towne, as the kings standerd of weight and measure. And that the inhabitants of all Cities, Boroughs, and market townes within euery of the said Shires, shall on this syde the feast of the Natiuitie of S. Iohn Baptist next comming, make or cause to be made common Common measures measures and weights, according to the weights and measures aboue said, to remaine within the same cities, boroughes and market townes, and euery of them, and the same weights and measures to be viewed, examined, pinted, signed and marked by the Maior, Bailiffe, or other head officer, in whose possession the foresaid standerd shall remaine, and that euery of the aforesayd Maior, baylife, or head officer, hauing the said weights and measures signed and pinted, vnder the signe and pint for the same with a Letter H. Marke crowned to be pinted, to assigne & pint like weights and measures vnto euery the kings liege and subiects duely requiring the same, taking for marking of euery bushell i.d. And from the sayd Natiui- Fee tie of S. Iohn Baptist, no marchant ne Merchant other person ne persons within any Citie, borough or market towne, buy ne sell with any weight or measure, except it be

marked, signed or printed, in maner and
forme aforesaid, ne any other person or
persons out of the said Cities, boroughes
and market townes, except it be like and
equall with the sayde standard, and that
euery person aswell without Cities, bo-
roughes and market townes as within,
Bushel buy and sell with a bushell sealed, signed
or marked after the forme aforesaid, and
none otherwise, and that all the Maiors,
Bailiffes and other head officers of euery
Citie, borough, or market towne, shall
cause twise in the yere or oftener as they
shall thinke necessarie, all waightes and
measures within the said cities, boroughs
and market townes to be brought afore
Search them, to be duely viewed and examined,
and such as they shall vpon the said exa-
mination find defective, immediatly to be
broken and brent, and the partie and par-
ties which in that behalfe hath offended,
Forf. and be found defective, shall forfait for the
first time vi.s.viii.d. The forfaiture ther-
Maior Bailife of to be to the said Maior, Bailife, or any
other hauing iurisdiction and correction
in that behalfe. And at the second time the
Forf. saide offendour likewise to forfait xiii.s.
iiii.d. and at the third time likewise to for-
fait.xx.s. and for farther punishment, to
Pillorie be set vpon the pillorie to the example of
ii. Iust. of p. Quorum other. And that two Iustices of Peace,
whereof one shal be of the Quorum, haue
Diet & ter. authoritie as well by examination as by
enquirie, to heare and determine the de-
faults of the said Maiors, Bailifes, and al
other head officers in that behalfe, and al-
so of al buyers and sellers doing contrary
to this present act and ordinances, and to
Fine set fine & amercement vpon the offendors
Discretion by their discretion. And the said weightes
& measures so found defective, to be forfai-
ted & brēt. Be it also enacted that there be
but only viii. bushels rased and striked to
Quarter the quarter of corne, and xiiii.li. to ỳ stone
Stone of wooll, and xxvi. stone to the sacke. Be
it also &c. that ỳ Iustices of peace aboue-
Iust. of p. Proces said, haue authoritie to make like proces
against all persons founden as is aboue-
said defective, and such fines and amer-
ciaments as vpon them shalbe setted, as
if they were indicted afore them for brea-
king of ỳ kings peace. And that where by
other statutes and ordinances afore limit-
ted, it is ordained that euery Citie, bo-
rough, and towne that hath a Constable, Constable
should haue common weightes and mea-
sures sealed, vpon penaltie in the same li-
mitted, that those penalties in that behalf
extend not to any towne which is no Ci-
tie, borough nor market towne. Prouid-
ed alwaies that this act shall not extend
nor be preiudiciall vnto any person sel-
ling or buying by water measure, within Water mea-
sure
the shyborde. And that it be &c. the premis-
ses or any other ordinance afore made
notwithstanding, that the said water mea-
sure within the shipborde, shall onely con-
taine fiue peckes after the said standerd
rased and striken. Prouided also that the
examination of the faults aboueaid, and
punishment to the offenders of euery of-
fence committed hereafter within any of
the sayd fiue portes, shalbe had, done, and v. Portes
administred by the Lord Wardein of the I. Warden
said fiue portes, or by his Lieutenant of
the same for the time being, and by none
other, the premisses notwithstanding.
Prouided alway that this act of weights
and measures extend not nor be in any
wise hurtfull or preiudiciall to the prince
within the Duchy of Cornewall, or any Cornewall
weightes appertaining and belonging to
the cunage of Tinne within the counties Tynne
of Cornewall and Deuonshire, but that
all such weightes be vsed, ordered, demea-
ned and corrected, as it hath bene vsed and
accustomed before this time, the said act
and ordinance notwithstanding.

The names of Townes limitted for Townes
the saufe custodie of weights and mea-
sures, according to the kinges Estandero
for the Shires following, as particuler-
ly appeareth.

Westmerl. The towne of Apulby.
Northumb. The towne of New castel.
Cumberl. The citie of Carleol.
Lanc. The towne of Lancaster.
Eborum The citie of Yorke
Lincolne. The citie of Lincolne.
Derb. The towne of Derby.
Noting. The towne of Notingham.
Leicest. The towne of Leicester.

Marr.

Warr. The towne of Couentrie.
Rosel. The towne of Uppingh̃.
Nouth. The towne of Nozthamp.
Bed. The towne of Bedfozd.
Buck. The towne of Bucking.
Cantab. The towne of Cambr.
Hunt. The towne of Huntingd.
Norff. The citie of Nozwich.
Suff. The towne of Saint (Edmundes bury.
Eſſex. The towne of Chemeſ.
Hertf. The towne of Hertf.
Midd. In Weſtminſter.
Kanc. The towne of Maidſton.
Surr. The towne of Guilfozd.
Suſſex The towne of Lewes.
Oxon. The towne of Oxenfozd.
Berk. The towne of Reding.
Salop. The towne of Shꝛewſ.
Staff. The towne of Staffozd.
Heref. The towne of Heref.
Glouc. The towne of Glouc.
Wigor. The citie of Wozceſter.
Wilteſh. The citie of Newe Sa- (liſbury.
South. The citie of Wincheſter.
Som. The towne of Ilcheſter.
Doſſ. The towne of Dozcheſter
Deuon. The citie of Exceſter.
Cornub. The towne of Leſtwiel.
London. The ſame citie.
Brſtol. The ſame towne.
Quinq.port. The caſtell of Douer.
Ciuit.Coucr. The ſame citie.
Southampt. The ſame towne.
Ciui.Cheſtr. The ſame citie.

Anno 11. H. 7. cap. 4.

34 Wheras the King for the common weale of his people hath of late cauſed weightes and meaſures to bee made of braſſe according to the old Standerds of his treaſozy, and in this laſt Parliament Anno 11. (before 33.) ozdeined that the ſame ſhould be deliuered out to be conueied to certaine burroughs and townes, which weights and meaſures vpon moze diligent examination made according to the olde lawes and ſtatutes be found defectiue, wherefoze ꝓ king &c. ozdeineth &c. That the meaſure of the bushell containe eight gallons of wheat, and euery gallon contain viii. li. of wheat of troy weight, & euery pound containe xii. ounces of troy weight, and euery ounce containe xx. ſterlings, and euery ſterling be of the weight of xxxii. cornes of wheat that grewe in the middeſt of the eare of the Wheate, according to the old lawes of this land. Bushell Gallon Pound Ounce Sterling

And that it pleaſeth the kings highneſſe to make a ſtanderd of a buſhell and a gallon after the ſaid aſſiſe to remaine in his ſaid treaſozy foz euer. And fromhenceforth the ſaid newe buſhels and gallons lately ſet forth, be not vſed noz occupied foz no meaſures, but that they be ſent againe vnto the kings receipt by the feaſt of Whitſontide next cõming at ꝓ coſtes and charges of the ſaid Cities, bozoughs, and Townes hauing the ſaid buſhels and gallons in keeping, vpon paine of twenty pound to be foꝛfaited to the king, the ſame buſhels and gallons ſo ſent againe into the kings receipt, to be broken, and with the ſtuffe and mettall of the ſame buſhels and gallons, other newe buſhels and gallons by the aduiſe of the Treaſozer and vnder Treaſozer of Englande foz the time being before the feaſt of all Saints next comming, to be made and ſeyſed according to the ſayde buſhell and gallon, which by this preſent act is ozdained to be newe made, and to remaine in the ſaid treaſozy at the coſtes and charges of the ſame cities, bozoughes and townes. Foꝛf. Treaſozie

And that euery citie, bozough and towne within this realme, which nowe haue oꝛ ſhould haue had by reaſon of the ſayd act made in the ſaid xi. yere, any of ꝓ ſaid newe buſhell oꝛ gallon, do conueye carry before the feaſt of S. Andrew next cõming into euery of the ſame citie, bozough & towne a buſhell and gallon newely to be made as is afozeſaid, at the coſtes and charges of the ſame Citie, Bozough and Towne there to remaine. Citie Towne

And all other buſhels, gallons and meaſures which be to be made after the foꝛme by this act ozdained, be marked and ozdered after the foꝛme and effect of the ſayde acte made in the ſayd xi. yere, and in the meane ſeaſon to vſe ſuch buſhels and gallons as hath bene vſed, laſt afoze the com-

ming downe of the said newe bushels and gallons before the making of the said statute in the said xi. yere. And ỳ al penalties in ỳ firſt act expreſſed be of none effect vnto the feaſt of Candelmas, which ſhalbe in the yere of our lord God M.CCCC. xvii. and after the ſame feaſt, the ſame act made in the ſame xi. yere to ſtand in full ſtrength with his penalties vpon the ſayd bushell and gallons newe to be made, as it ſhould haue done vpon the ſaid new bushels and gallons made afore the making of this preſent act, if this act had not bene made. And that it be ordained by the ſaide authoritie, that after the ſaid new bushels and gallons be made according to this preſent act, that all other bushels and gallons of Braſſe remaining as well in the ſayd Treaſorie, as in all other places of England, before the feaſt of Chriſtmas next comming, damned and broken, vpon paine of twentie pound to be leuied vpon euery Citie, Borough and towne, or any other place hauing the keeping of ỳ common meaſures, that keepe ſtill any other bushel or gallon vnbroken and not damned of braſſe, then is ordained to be made by this preſent act. Anno 12. H. 7. cap. 5.

Meaſures

*

35 ¶ The King our Soueraigne Lord by the aſſent of his Lords and commons in this preſent Parliament aſſembled, and by authoritie of the ſame, ordayneth, eſtabliſheth and enacteth, that the before named eſtatute made in the firſt yere of King Richard the thirde (capitulo 13. before 31.) and al other Eſtatutes heretofore made for the trewe gauging and meaſuring of Wines, Oyles, Hony, or any other licoures, which Eſtatutes afore this time be not repealed, nor expired, ſhall ſtand in their ſtrength and vertue, and be put in due execution, according to their tenours and effectes in euery behalfe. And ouer that bee it ꝛc. that euery gaugeour within this realme, ſhal truely and effectually, within the limits of his office gauge all the ſaide Tonnes, Buttes, Pipes, Terſes, poncheons, Tercians, Barrels, Hoggeſheds and Rundletts, and ſhal plainely and truely marke vpon the head of euery ſuch Veſſell the content of the ſame, vpon paine to forfait to the partie, to whoſe vſe the wine, oyle, or other thing therein being ſhalbe ſolde, fower times the value of that, that the veſſell ſo marked, ſhall lacke of his lawfull content aboue written, the ſame forfaiture to be recouered ouer and beſides the coſtes of the ſuit, by the kings originall writte, or by bill in any of the kinges courtes of his common Lawes, or in any competent Court, hauing iuriſdiction in the place where that offence ſhalbe committed, by action or bill of debt, in which action or ſuit none eſſoine, protection, nor wager of Lawe ſhalbe accepted, admitted or allowed to the defendant or defendants. And that euery merchant or other perſon ſelling the ſaid wine, oyle, or other thing contayned in the ſaid veſſell marked, ſhall allowe of the price thereof to the buyer of the ſame for euery quantitie of Wyne, Oyle, or other thing contayned in the ſaid marked veſſell, the full value of the lacke thereof, being by reaſon of default of full gauge of ỳ veſſell marked, or of defaults of filling of the ſame veſſel, or by reaſon or default of any of them, after the rate of the whole price of the Wine, Oyle, or other thing ſo being ſold by that veſſell marked, and that vpon payne of forfaiture to the ſame buyer the double value of the ſame veſſell and wine, Oyle, or other thing therein being ſo ſold, the ſame forfaiture to be recouered together with the coſtes of the ſuit, in maner and forme as the forfaiture laſt before written is limitted to bee recouered. Anno 23. Hen. 8. capitulo 14.

Forf.

Allowe

Forf.

Ganging

Ganger

¶ Weares.

ALL weares from henceforth ſhalbe vterly put downe by Thames, & midway, and though all England, but onely by the ſea coſtes, Mag. car. cap. 23.

Thames midway

2 ¶ All ſuch milles, weares, ſtankes, ſtakes and kidels, which be leuied and ſet vp in the time of king Edward the kings graundfather, and after, whereby the ſaid Ships and Boates be diſtourbed, that they may not paſſe in ſuch riuers as they were

were wont, shal be cut and pulled downe without beeing releuied. And thereupon writs shalbe sẽt to the sheriffes of the places where neede shalbe, to suruey and enquire, and to doe thereof execution. And also the Justices shalbe thereupon assigned at all times that shall bee needefull. An. 25. E. 3. cap. 4. stat. de pannis.

Sheriffes Suruey

3 ¶ The said statute (S. An. 25. E. 3. ca. 4.) in this point be holden and kept after the effect of the same. Joyning thereto, that if any such anoyances be done, it shall be pulled downe by due proces contained in the sayd statute, and he that shal releuie such anoyance, and therof be duely attainted, he shall incurre the paine of an C. markes to the king, to bee leuied by estreates of the eschequer. And such law shal holde of the anoyance made by enhansing of such weares, milles, stãkes, stakes and kydels, as by the new leuying. An. 45. E. 3. ca. 2.

Anoyance

Fork.

4 ¶ An 21. R. 2. ca. 19. a like statute of this that next followeth, was made, but the parliament of An. 21. R. 2. was repealed by 1. H. 4. ca. 3.

5 ¶ The said statutes (S. An. 25. E. 3. ca. 4 & An. 45. E. 3. ca. 2. before 2. & 3.) be in al their articles holden and firmely kept, & duely executed with all ẏ paines, & after ẏ effect of the same, ioyned therto that comissions be made in due forme to sufficient persons to be iustices in euery county of England, where neede shalbe, to suruey & keepe ẏ waters and great riuers there, & to correct and amend the defaults, & to make due execution of the said statutes after the effect of the same, aswel by their suruey, aduise & discretion, as by enquest thereof to bee taken within fraunches & without, so, and when neede shalbe, and to heare & determine ẏ things aforesaid, & moreouer to suruey ẏ wears, mylles, stankes, stakes & kidelles, in old time made and leuied before the said time of king Edward sonne of king Henry. And them that they finde to much enhaliced or straited, to correct, pul downe, and amende in the maner and forme aforesaid: Sauing alwaies a reasonable substance of weares, milles, stankes, stakes, & kidels aforesayd, so in old times made and leuied. And if any such noisances of weares, milles, stankes, stakes, and kydels, of passages & straytinges, in old time made & leuied, be iudged and awarded by the said Justices to be pulled downe and amended, hee that hath the freehold of the same shal make therof execution at his owne costes within halfe a yeere after notification to him therof to bee made vpon paine of an hundreth markes to be paied to ẏ king by estreats in the eschequer, and hee that doeth them to be releuied, or enhaunced, or straited against the said iudgement, and thereof be duely conuict, shal incurre the paine of an hundred markes to be payed to ẏ king by estreates in ẏ eschequer aforesaid. And in case that any feeleth himselfe greeued by execution or otherway in this behalfe against right and reason, shal pursue and haue right and reason. An. 1. H. 4. ca. 12.

Sayance

Pul downe

Comissiõs

Noysance

Fork.

6 ¶ Bycause that by weares, stakes, & kidels, being in the water of Thames and of other great ryuers through the realme, the common passage of ships, and boates is disturbed, & much people perished, & also the pong frie of fish destroyed, and against reason watted and giuen to swine to eate, against ẏ pleasure of God, & great dãmage of the king and his people: The sãe our soueraigne lord ẏ king, minding to prouide a due remedy for the said mischieues, by the aduise and assent of ẏ lords aforesaide, & at the prayer of the sayd commons, will and graunteth, that ẏ statutes therof made, be holden & kept and put in due execution: ioyned to the same, that commissions bee made to certaine Justices and other, in euery county of the Realme, where shalbe needefull to enquire of all that, that is contained in ẏ said statute, and to punish the offendours of the same statute by fine, according to their discretion, saued alwayes and reserued to the king our soueraigne lord, the paines compriſed in especiall in the saide statutes, & that the estretes of such fines, be deliuered by the said iustices, to ẏ sherife of euery county by indenture, and that the said sherife pay the issues and profits

Thames

Fish

Commissions

Indenture

rysing

ryſing of the ſaid eſtreates, to euery of the ſaid Iuſtices for euery day that hee ſhall trauaile, to exerciſe the ſaide commiſſion fower ſhillings, and that the ſayde ſheriffes haue thereof due allowance from time to time in the Eſchequer. Anno 4. H.4.ca.11.

¶ An.1.Henri.5.cap.2. It was enacted that al ſtatutes againſt weares &c. ſhal be kept and put in execution.

¶ The ſaide ſtatute of the great charter, and al other ſtatutes concerning the premiſſes ſhalbe duely obſerued and kept. Adioyned thereto, that if after the feaſt of Saint Michael, which ſhalbe in the yeere of our lord God. M CCCC. lxxv. by awarde, rule or iudgement of any of the ſaid commiſſioners aſſigned, according to the ſayd ſtatute made in ꝑ ſaid firſt yeere of Henry the iiii. it be found, that any ſuch weares, fiſhgarthes, milles, mildammes, milſtankes, lockes, ebbing weares, ſtakes, kedels, heckes, or floodgates, be made, leuied, enhaunſed, ſtreited, or enlarged againſt the ſame ſtatute, the offendours in this behalfe contrary to the aforeſaide award, rule, and iudgement, being duely warned by the ſherife or vndерſherife by ſcire facias directed to the ſherife or ſheriffes of ſuch countie or counties, where ſuch weares, fiſhgarthes, milles, mildammes, mylſtankes, & other noiſances, diſturbances or impedimentes be. And within three moneths next after the ſayd garniſement made, they doe not duely and wholy amend, breake downe & auoyd the ſaid making, leuying, enhauncing, ſtreiting or enlarging, being defectiue as afore is ſaid in the ſayde ſtatute made in the ſaid firſt yeere, that then hee or they beeing defectiue in this behalfe, ſhall forfeite to our Soueraigne Lorde the king C. markes to bee payed by eſtreces in ꝑ eſchequer, in maner & fourme as in the ſame ſtatute more fully is contained. Moreouer if the ſaide offender or his heire or heires, aſſigne or aſſignes, or any of them doe differre or continue the ſame default, contrary to the awarde, rule and iudgement of the Commiſſioners aforeſayde, that he or they ſo doing, differring or continuing the ſaid default, being not correct nor amended, ſhal forfeite C. markes, the one halfe thereof to our ſoueraigne lord the king, & the other halfe to any of his liege people which in this behalfe wil ſue for the ſame by action of debt, to be conceiued by originall writ, without fine to be made or taken for the ſame in the chaunerry. In which action, like proceſſe, rule, iudgement & execution ſhalbe allowed, had and made, as is vſed in other actiõs of debt purſued at the common lawe by writte, and that the defendaunt in any ſuch action bee not admitted to do or wage his law, nor that no protection or eſſoine in the kings ſeruice bee allowed for the defendant in the ſame writ. Moreouer it is ordained and eſtabliſhed by the ſame auctho*r*itie, that if any perſon or perſons, other thẽ ſuch againſt whom ſuch awarde, rule or iudgement were made & had, being heire or aſſigne to them or any of them, do preſume to occupy or cõtinue any weares, fiſhgarths, milles, mildãmes, milſtankes, lockes, ebbing weares, ſtakes, kedels, heckes, floodgates, or other diſturbances or impediments as before is ſaide, he or they ſo preſuming to occupy or continue, ſhall forfeite at euery default for euery moneth as is aforeſaide C. markes, the one halfe to our ſoueraigne lord the king, and the other halfe to him of the kinges liege people, that will in this behalfe ſue by action of debt, thereupon to be conceiued, without paying any fine for the ſame, as is aforeſaid, in which action lyke proceſſe, rule, iudgement, and execution ſhalbe vſed, & made, as in al other actions of debt, purſued at the common law by writ.

And that the defendant in any ſuch action ſhal not be admitted, nor in any wiſe receiued to wage or do his lawe, nor no maner protection nor eſſoin in the kings ſeruice before ſuch defendant in any wiſe allowed. An.12.H.4.ca.7.

¶ White aſhes.

NO perſon or perſons, after the firſt day of Aprill next comming ſhall ſhippe

Commiſſioners

Scire fac.

Warning

Forf.

Forf.

Forf.

Forf.

Forf.

Shipping

ſhippe, lade, carie or conuey any white aſhes, towardes the partyes beyond the Seas, vpon payne of forfeiture ſixe ſhillings eyght pẽce for euery buſhel of ſuch aſhes ſo to bee ſhipped or laden to be caried or conueyed into the parties beyond the Seas. The moytie of which forfeiture ſhall be to the king, and the other moitie to him or them that will ſue for the ſame, in any of the kinges courtes of record, by action, bill, plaint, or information, in the which action, bill, playnt, or information, no wager of law, eſſoine, or protection ſhall bee admitted or allowed. Anno 2. Ed. 6. cap. 26.

Forf.

Moitie

¶White gate.

AN. 33. H. 8. ca. 32. it is enacted ẏ the Church of White gate in the county of Cheſter, ſhalbe a Pariſh Church, and be no parcell of the Pariſh of Duet.

Paroch Church

¶Wildefoule.

FRom the firſt day of March which ſhalbe in the yeere of our Lorde God 1534. vnto the laſt day of June then next enſuing, and ſo yeerely from thẽceforth, no maner of perſon or perſons ſhal preſume by day or by night willingly to withdrawe, purloine, take, deſtroy or conuey any maner egges of any kinde of wildefowle, from or in any neſt, place or places, where they ſhal chaunce to be laied by any kind of the ſame wildefowle, vpon paine of impriſonment for one yeere, and to looſe and forfeite for euery egge of any Crane or Buſtarde ſo deſtroyed, purloyned, withdrawen, conueyed or taken from any neſt or place xx. d. and for euery egge of euery byttour, herron, or ſhouelade viii. pence, and for euery egge of euery mallard, tele, or other wildfoule one peny. The moity thereof to be to the king our Soueraigne lord, and the other halfe to him that wil ſue for the ſame in fourme aforeſaid, wherein &c.

Egges

Impriſon

Forf.

Moitie

And that al Juſtices of peace within the limittes of their commiſſion ſhal haue full power and aucthoritie, to enquire, heare & determine the ſame in forme before rehearſed.

Juſt. of p.

Enquire

Dier 3 tit.

Prouided alwaies, that this act extend not, nor be hurtful at any time heretofore, to any perſon or perſons that wil deſtroy any crowes, choughes, rauens, and buſſards, or their egges, or to any other foule or their egges not conſtible, or vſed to be eaten. An. 25. H. 8. ca. 11.

And by this act it was enacted that betweene May, and the laſt day of Auguſt, none ſhould take any wildefowle with nets or other engines. But this article is repealed by. 3. Ed. 6. ca. 7. and the foreſaid article for the egges is confirmed.

¶Willes.

FRom henceforth all Widowes may bequeath the crop of their grounde as well of their dowers as of other their lands & tenements. Sauing to the lords of the fee all ſuch ſeruices as are due for their dowers, and other tenements. Merton capitulo. 2. Anno 20. H. 3.

Widowes

Dower

2 ¶ Al and euery perſon and perſons hauing, or which hereafter ſhal haue any manours, lands, tenements, or hereditaments holde in ſocage or of the nature of ſocage tenure, and not hauing any manours, lands, tenemẽts, or hereditamẽts, holden of ẏ king our ſoueraigne lord by knights ſeruice, or by ſocage tenure in chiefe or of the nature of ſocage tenure in chiefe, nor of any other perſon or perſons by knights ſeruice, from the xx. day of July in the yeere of our lord God M. D. xl. ſhal haue ful and free libertie, power and auctority to giue, diſpoſe, wil & deuiſe aſwel by his laſt wil and teſtament in writing or otherwiſe by any act or acts lawfully executed in his life, al his ſayde manours, landes, tenements, or hereditaments, or any of them at his free will and pleaſure, any lawe, ſtatute, or other thing heretofore had, made or vſed to the contrary notwithſtanding.

Socage

Aſwil

Lands

And that al and euery perſon and perſons, hauing manours, landes, tenements, or hereditaments, holden of the king our Soueraigne Lord his heires or ſucceſſours

Socage in chiefe

successours in socage, or of the nature of socage, tenure in chiefe, hauing any other manours, landes, tenements or hereditaments, holden of any other person or persons in socage, or of ỳ nature of socage tenure, & not hauing any manours, lands, tenements, or herediteamentes, holden of the king our soueraigne lord by knights seruice, nor of any other lord or person by like seruice from the xx. day of July, in ỳ saide yeere of our lorde God 1540. shall haue full and free libertie, power & auctoritie, to giue, will, and dispose and deuise, aswel by his last will or testament in writing or otherwise by any act or actes lawfully executed in his life, all his sayde manours, landes, tenements, and hereditamentes, or any of them, at his free will and pleasure, any law, statute, custome or other thing heretofore had, made, or vsed to the cõtrary notwithstanding. Sauing alwaies and reseruing to the king our soueraigne Lorde his heires and successours, all his right, title and interest of

Last will

Primer seison Reliefe

primer seyson and reliefes, and also all other rightes and dueties for tenure in socage, or of the nature of socage, tenure in chiefe, as heretofore hath bene vsed & accustomed, the same manours, lands, tenements, or hereditamentes to be taken, had, and sued out of, and from the hands of his highnesse, his heires and successours by the person or persons, to whom any such manours, landes, tenements, or hereditaments, shalbe disposed, willed or deuised, in such and like maner and fourme as hath bene vsed by any heire or heires before the making of this statute.

Fines

And sauing and reseruing also fines for alienations of such manours, landes, tenements or hereditaments holden of ỳ king our soueraigne Lord in socage, or of the nature of socage, tenure in chiefe, whereof there shalbe any alteration of freehold or inheritance, made by wil or otherwise, as is afore saide.

Knightes seruice

And it is &c. that al and singuler person and persons, hauing any manours, landes, tenements, or hereditaments, of estate of inheritance, holden of the kings highnesse in chiefe by knights seruice, or of the nature of knights seruice in chiefe, from ỳ said twenty day of July shal haue ful power and auctoritie, by his last wil, by writing or otherwise, by any act or acts lawfully executed in his life, to giue, dispose, wil, or assigne two partes of the same manours, landes, tenements, or hereditaments, in three partes to bee deuided, or els as much of the sayd manours, landes, tenements, or hereditaments, as shal extend or amount to the yeerely value of two parts of ỳ same in three parts, to be deuided in certeintie and by special diuisions, as it may bee knowen in seueraltie, to and for the aduancement of his wife, preferment of his children, & payment of his debtes, or otherwise at his will & pleasure, any law, statute, custome or other thing to the contrary therof notwithstanding.

Last will

ii. Parts

Wife Children Debts

Sauing and reseruing to the king our Soueraigne Lorde, the Custody, wardship, and primer seison of any of them, as the case shall require, of almuch of ỳ same manours, landes, tenements, or hereditaments, as shal amount and extend to ỳ ful and cleere yeerely value of the third part thereof, without any diminution, power, fraud, couin, charge or abridgement of any of the same third part, or of the full profits thereof. Sauing also and reseruing to the king our sayde Soueraigne Lorde all fines for alienations of all such manours, lands, tenements and hereditaments holden of the King by knights seruice in chiefe, whereof there shall be any alteration of freeholde or inheritance, made by will or otherwise as is aboue sayde.

Wardship Primer seison

Fines

Knights seruice

And be it &c. that al and singuler person and persons, hauing manours, lãds, tenements, or hereditaments of estate of inheritaunce holden of the king in chiefe by knights seruice, and hauing other manours, landes, tenementes, or hereditamentes holden of the kinge, or of any other person or persõs by knights seruice, or otherwise, euery such person and persons from the sayd xx. day of July, shall haue full power and auctoritie to giue, dispose, wil or assigne by his last will in writing

Last wil.

writing or otherwise by any act or acts lawfully executed in his life, two partes of the same manors, lands, tenements, & hereditamentes, in three partes to be deuided, or else as much of the same manours, lands, tenements, and hereditaments, as shall extend or amount to the yeerely value of two parts of the same in three parts to be deuided in certeintie, & by special deuisions, as it may be knowē in seueraltie, to and for the aduancement of his wife, preferment of his children, & paiment of his debts, or otherwise, at his wil & pleasure: any law, statute, custome or other thing to the contrary therof notwithstanding.

ii. Parts

Sauing alway and reseruing to the king our soueraigne lorde the custodie, wardship, & primer seison of any of them, as the case shall require, of as much of ỹ same manours, lands, tenements, or hereditaments, as shal amount and extend to the full and cleere yeerely value of the third part thereof without any maner diminutiō, dower, fraud, couin, charge or subtractiō of ỹ same third part, or of the full profits thereof. Sauing also and reseruing to our said soueraigne lorde the king al fines for alienation for any such manors, lads, tenements, or hereditaments, holden of ỹ king by knights seruice in chiefe, whereof there shalbe any alteration of freehold or inheritaunce, made by will or otherwise as is aboue said.

Lands

Knights seruice

Socage

Last will

ii. Parts

Socage

Wee it &c. that if any persons or persōs hold any manours, landes, tenements or hereditaments only of any other lord or person then of the king our sayde soueraigne lord by knights seruice, and other landes and tenements in socage, as of the nature of socage tenure, that then euery such person shall or may giue, dispose, or assure by his last will or otherwise, by any acte or actes lawfully executed in his life two partes of the said manors, lands, and tenements, holden by knights seruice, or of as much thereof as shall amount to ỹ ful yeerely value of the parts, in maner & fourme as is aboue declared. And also all the landes and tenementes holden by socage, or of ỹ nature of socage tenure at his wil & pleasure, as is aboue written. Sauing & reseruing to ỹ lord of ỹ landes & tenements holden by knights seruice for his custody and wardship, as much of ỹ same landes and tenements, as shall extend or amount to the ful & cleere yeerely value of the third part of ỹ same landes and tenements holden by knights seruice, without any diminution, dower, fraud, couin, charge or subtraction of any porcion of the third part, or of the cleere yeerely value thereof in maner & forme aforesaid.

Lands
Knights seruice

And be it &c. that if any person or persons hold any manours, lands, tenemēts or hereditaments, only of the king our Soueraigne Lorde by knightes seruice, and not in chiefe, or holde any manours, landes, tenements or hereditaments, of our said soueraigne lord by knights seruice, & not in chiefe, & also hold other manours, landes, tenements, and hereditaments, of any other person or persons by knights seruice, and also hold other manours, landes, tenemēntes or hereditaments of any other person or persons in socage or of the nature of socage tenure: that then all and euery such person or persons shall and may giue, dispose, wil, deuise and assure, by his last wil or other- Last wil
wise, by any act or actes lawfully done or executed in his life, two parts of the ii. Parts
same manours, landes, tenementes and hereditaments, holden of our sayde soueraigne Lorde the king by knightes seruice, and two partes of the manours, landes, tenementes and hereditamentes, holden of any other person or persons by knightes seruice or as much of either of them as shal amount to the ful yeerely value of two partes in maner and forme as is aboue declared: and also of all his landes and tenemēts so holden in socage, or of the nature of socage tenure at his free wil and pleasure. Sauing and reseruing to the kings highnes ỹ custody and wardship of asmuch of the same manors, Wardship
lands, tenements, or other hereditamēts, as shal extend and amount to the full and cleere yeerely value of the third part of the saide manours, landes, tenements,

and

and hereditaments so holden of his highnesse by knightes seruice without any diminution, dower, fraud, couine, charge or subtraction of any portion of that third part, or of the full profittes thereof.

And also sauing and reseruing to the lordes, of whome any of the sayd manors, landes, tenements or other hereditamēts bene holden by knightes seruice for custody and wardshippe, as much of the same manours, landes, tenements, or hereditaments holden of them or any of them by knightes seruice, as shal extend & amount to the cleere yeerely value of the third part of the same, without any diminution, charge & fraud, couin or subtraction of any portion of that third part, or of the cleere yerely value of ỳ third part thereof in maner and fourme aboue declared.

Prouided alway, and it is &c. that if that third part of the manors, lands, tenements, or hereditamentes, of any of the kings subiects, which in any of the cases aboue saide, shal hereafter come to the kings highnesse his heires or successours by vertue of this act, as is aboue saide, be not or do not amount to the cleere yeerely value of the ful third part of the said manours, lands, tenements, or other hereditaments whereof the said kings highnes is or shalbe intituled to haue the custody or primer seyson, as is aboue said: that thē our said soueraigne lord & his heires shal and may at his or their free lybertie and pleasure, take into his or their handes and possession, as much of the other two parts of the said manours, lands, tenements, or other hereditaments, as with that of the same manors, lands, tenements or hereditaments, holdē or remaining in ỳ kinges handes, shall make vp the cleere yeerely value of the ful third part of the said manors, lands, & tenements, so to be had of ỳ kings highnesse, in tytle of wardship and primer seison, or any of them, as the case shall require, and like benefit and aduantage to be giuen to euery lord and lords, of whome any such manours, landes, tenements, or hereditaments bene or shalbe holden by knightes seruice as is aboue said, concerning onely his third part of or for tytle of wardship.

Prouided alway and bee it &c. that euery person and persons shal sue their liueries for possessions, reuersions, or remainders, and also pay reliefes and herios after such maner and fourme, as they shulde or ought to haue done before the making of this act, and as if this act had neuer bene made. And that fines for alienations shalbe paied in the kings Chancery for and vpon writtes of entrie in the post, to bee obtained in the same court of Chauncery, after the sayd xx. day of July, for common recoueries to bee had or suffered of any manors, lands, tenemēts or hereditamentes, holden of ỳ king in chiefe, in like maner and forme as is vsed vpon alienations of such manoures, landes, tenements, or hereditaments, so holden in chiefe by fine or feoffement.

Lyuerie

Relefe
Herior

Fines
Chauncery
Writs

Prouided also and bee it &c. that in such cases, where fines for alienations shalbe paied in the kinges Chauncery for writs of entrie in the post, as is aforesaid, that then none other fine shal be paied in the same court for any such writs, any vsage or custome to the contrary notwithstanding.

Fines

And be it &c, that where two or more persons now holden or hereafter shal hold any manours, lands, tenements or hereditaments, of the king our soueraigne lord by knightes seruice, iointly to thē & to the heirs of one of thē, & he ỳ hath the inheritance thereof dieth his heire being within age, that in euery such case ỳ king shal haue the ward and mariage of ỳ body of such heire so being within age, the life of the freeholder or freeholders of the said manours, landes, tenementes, or hereditaments, so holden by knightes seruice notwithstanding. Sauing & reseruing to al and euery woman & women all & euery such right, title, & interest of dower, as they or any of them ought to haue, and bee or shall bee iustly intituled to haue, claime or demaund, of any manors, lands, tenementes, or hereditamentes, by the lawes of this realme, to be taken and assigned vnto them, or any of them, out of ỳ two parts of the said manors, lands, tenements

Lands
H. seruice
Joyntenants

Ward
Mariage

Dower

nements or hereditaments, seuered and deuided from the third part, as is aboue-said, and not otherwise. And saying also to the king our Soueraigne lorde his heires and successours the reuersions of all such tenauntes in toyntenure and dower, immediatly after ẏ death of such tenaunts, if they shal happen to die, during the minoritie of the kings Wards. An. 32. H. 8. ca. 1.

Reuersion

3 ¶ The meaning of the letter of the same estatute (S. of 32. H. 8. ca. ẏ. before 2.) concerning such matters hereafter rehearsed, may be by ẏ authority of this present parliament enacted, takē, expounded, iudged, declared and explaned, in maner & forme following. First where it is cōtained in ẏ same former estatute with diuers articles, & braunches of the same, ẏ al and singuler person and persons hauing any manours, lands, tenements, or hereditaments of the estate of inheritāce should haue ful and free libertie, power and aucthoritie to giue, wil, dispose or assigne, aswel by his last wil & testament in writing or otherwise by any act or actes lawfully executed in his life, his manours, landes, tenementes or hereditaments, or any of them in such maner and fourme, as in the same former acte more at large it doeth appeare, which wordes of estate of inheritaunce by the aucthoritie of this present parliament, is and shalbe declared, expounded, taken, and iudged of estates in fee simple only. And also that al and singuler person and persons hauing a sole estate or interest in fee simple, or seysed in fee simple in coparcenary, or in common in fee simple of and in any manours, landes, tenementes, rentes, or other hereditaments in possession, reuersion, or remainder, or of rents, or seruices incident to any reuersion or remaynder, and hauing no manours, landes, tenementes, or hereditamentes holden of the Kinge his heires or successours, or of any other person or persons by knightes seruice, shall haue full and free libertie, power and aucthoritie, to giue, will, dispose or deuise, to any person or persons (except bodyes politike and corporate) by his last will and testament in writing, or otherwise by any act or acts lawfully executed in his life by himselfe soly, or by himselfe and other ioyntly, seuerally, or particularly, or by al those waies or any of them, as much as in him of right is or shalbe, all his sayde mannours, landes, tenementes and hereditaments or any of them, or any rents, commons, or other profits or commodities, out of or to be perceiued of the same, or out of any parcel thereof at his owne free wil & pleasure: any clause in the said former act notwithstanding.

Landes

Last will

Estates

Bodies politike

Last will

And further be it &c. that al and singuler person and personnes hauing a sole estate of interest in fee simple, or seised in fee simple in coparcenary or in common in fee simple, of or in any manours, lāds, tenements, rents, or other hereditamēts in possession, reuersion or remainder, of & in any rentes or seruices, incident to any reuersiō or remainder holden of the king by knightes seruice in chiefe, or of the nature of knightes seruice in chiefe, hath and by the aucthoritie of this present parliament, shal haue ful and free libertie, power & authority, to giue, dispose, wil, or assigne to any persō or persons (except bodies politike and corporate) by his last wil & testament in writing, or otherwise by any other act or actes lawfully executed in his life by himself & other, ioyntly, seuerally, or particularly, or by all those waies, or any of them, as much as in him of right is or shalbe, two partes as well of al the said manours, lands, tenements, rentes, and hereditaments, as of all and singuler his other rentes and hereditamentes, or of any of them, or any rentes, commons, or other profits, or commodities of or to bee perceiued of the same two parts, or out of any parcel thereof, in three partes to bee deuided, or as much thereof as shall amount to the full and cleere yerely value of two parts thereof, in iii. parts to be deuided, of what person or persōs soeuer they bee holden, at his free wil & pleasure. And that by the aucthoritie aforesayd, the sayd will so declared shalbe good and effectual for two

Fee simple

Knightes seruice

Last will

ii. Parts

partes

partes of the said manours, landes, tenements, and hereditamentes, as though the wil so declared bee made of the whole or of more then of two partes of the same.

Diuision

The same diuision to bee made and set forth by the deuisour or owner of ꝑ same manours, landes, tenements, & hereditamẽts, by his last wil in writing, or otherwise in writing. And in default thereof by a commission to be graunted out of ꝑ kings court of Wardes and liueries, vpon the inquirie of the true value thereof, by the othes of twelue men, and returne or certificat thereof had in ꝑ same court, of the said manours, landes, tenements, and hereditaments, diuision to be made, by the master of the wardes and liueries, if the master of the wardes and liueries for the time being, and the parties thereunto cannot otherwise agree vpon the same diuision. And that the issues and profittes of the two partes of the same manours, landes, tenements, and hereditaments, vpon euery such diuision to be restored to them that shal haue right or title to the same from the death of the owner or deuisour thereof.

Last will

Commission Court of wardes

Master of the wardes

Issues

And further bee it &c. that all and singuler person and persons hauing a sole estate or interest in fee simple, or seised in fee simple in copercenary, or in common in fee simple, of & in any manours, lands, tenements, rentes, or other hereditamẽts, in possession, reuersion or remainder, or of and in any rentes, or seruices incident to any reuersion or remainder, holden of the king, his heires or successours by knightes seruice, and not in chiefe, or holden of any other person or persons by knights seruice, shall haue full and free libertie, power and auctho͂itie to giue, dispose, wil or deuise to any pers̃ or persons (except bodies politike and corporate) by his last wil and testament in writing or otherwise by any act or acts lawfully executed in his life by himselfe solye, or by himself and other ioyntly, seuerally or particularly, or by all those waies or any of them, as much as in him of right is or shalbe, two partes of all the said manours, landes, tenements, and hereditaments, or any of thẽ, so holdẽ by knights seruice, or any rents, commons or other profits or cõmodities out of, or to be perceiued of the same two parts, or out of any parcel thereof, in three parts to be deuyded, or as much thereof as shal amoũt to the full and clere yeerely value of two parts thereof, in three parts to be deuided at his free will and pleasure. And that the said will so declared by auctho͂itie aforesaide, shalbe good and effectuall for two parts of the sayd manours, landes, tenements or hereditamẽts, although the wil so declared be or shalbe made of ꝑ whole lands & tenements, so holden by knights seruice, or of more then of two partes of ꝑ same. And also for the whole of all other such manours, lands, tenements and hereditaments or any of them, not holdẽ of the king by knights seruice in chiefe or otherwise by knights seruice, nor of any other persons of knights seruice. And of any rents, commons, or other profits or commodities, out of or to be perceiued of the same, or out of any parcel thereof, at his free wil and pleasure: the same diuision to bee made & set forth by the owner of the said manours, landes, tenements, & hereditaments, by his last will & testament in writing, or otherwise in writing. And in default thereof, forasmuch of the same manours, landes, tenementes, and hereditaments, as shall concerne ꝑ kings interest, by commission to be directed out of the kings court of the Wardes and liueries, in maner & forme as is aforesaid, if the master of the wardes & liueries for the time being, & the parties thereunto cannot otherwise agree vpon the same diuision: And that restitution of the issues & profits of the two parts thereof, shall bee had and made, in maner and fourme abouesayd. And for such of the same manors, lands, tenements, & hereditamẽts, as shal concerne the interest of any other lord or lords, by commission to be graunted out of the kings court of the chauncery, to enquire thereof by the othes of xii. men, if the same lord or lords, and the parties thereunto cannot otherwise agree vpon the same diuision.

ii. Parts

Diuision

Master of the wardes

Commission

Jurie

Fee simple Copercenars

Knights seruice

Last will

And

And bee it &c. that the ſauings, reſeruatings, and prouiſions, cõcerning ſauing of the cuſtody, wardſhip, relieff, and primer ſeiſon to the king, of ſuch manours, landes, tenementes, and hereditaments, or aſmuch thereof as ſhall appertaine vnto him by vertue of the ſayd former act, & by the declaration and expoſition thereof, declared by this preſent act, during the kings intereſt therein: And alſo of the cuſtody and wardſhip to other lords of as much of ſuch manours, lands, tenemẽts, and hereditamentes holden of them, as ſhal amount and extend to the clere perely value of the thirde part thereof, ouer & aboue all charges, without any diminution or abridgement of the iii. part, or of the full profites thereof, compriſed and mentioned in diuers articles in the ſayde former act contained by the auctho͂ritie afore ſayd, be and ſhalbe intended, expounded, & taken, as hereafter enſueth: that is to ſay, that the king ſhall haue & take for his full third part, of all ſuch manours, landes, tenementes, and hereditamentes, whereunto he is or ſhalbe intituled by the ſayd former act, and by this preſent act, ſuch manours, landes, and tenements, as ſhal by any meanes deſcẽd or come by diſcent, as wel of eſtate of inheritance in fee taile, as in fee ſimple, or in fee taile onely to ỹ heire of any ſuch perſon, ỹ ſhal make any will, gift, diſpoſition, or deuiſe by his laſt will in writing, or by any act or actes lawfully executed in his life, immediatly after the death of the ſame diuiſor or owner thereof. And that the wil, gift, and deuiſe of euery ſuch deuiſour or owner, of and for the two parts of the ſayd manors, landes, tenements & hereditaments reſidue, ſhal by the auctho͂ritie afore ſaid, be & ſtand good & effectuall in the lawe, albeit the ſame wil, gift, or deuiſe be had & made of all his fee ſimple landes, tenementes, and hereditamentes, or of the more part thereof. And in caſe the ſame manours, landes, tenements, and hereditamentes, which after the death of any ſuch owner or deuiſour (which ſhall make any ſuch gift, diſpoſition, or deuiſe by his laſt will in writing, or otherwiſe by any act or acts lawfully executed in his life, to his wife, children, or otherwiſe, as is afore ſayde) which ſhall immediately after his death diſcend, reuert, remayne, or come to his heire or heires, aſwell of eſtate of inheritance in fee taile, as of eſtate in fee ſimple or fee taile only, be not or ſhal not amoũt or extend to the full clere perely value of the ful iii. part with the ful profits therof, of all the ſaid manours, lands, tenemẽts, or other hereditaments, of the ſaid diuiſor or owner, according to the true intent & meaning of the ſayd former act, & of this preſent act: That then the king ſhall and may haue & take into his hands & poſſeſſion, to make vp his ful third part, with ỹ ful profits thereof, according to his intereſt therein, as much of the other manors, lands, tenements, or hereditaments, willed, giuẽ, diſpoſed or aſſigned by any ſuch perſon, to his wife, children, or otherwiſe as is afore ſaid, as with ſuch of ỹ ſame manours, lands, tenements, & hereditamẽts, deſcended, or by any meanes come vnto ỹ heire, as heires of any ſuch diuiſor or owner, ſhall make vp the cleere perely value of the ſaid ful third part with the ful profits thereof, of all the ſaid manors, lands, tenements, & hereditamẽts of euery ſuch owner or deuiſour ſo to be had to ỹ king, in title of wardſhippe or primer ſeaſon, as the caſe ſhal require. And ỹ deuiſion thereof to be had & made, & with the reſtitution of the profits of the two partes of the ſayd manours, landes, tenementes & hereditamentes, in ſuch maner and forme as is aboue rehearſed. And like benefite and aduantage to be giuen, had and taken by the ſaid auctho͂rity, to euery lord and lords, of whome any ſuch manours, landes, tenements, or hereditaments, bene or ſhall be holden by knightes ſeruice, in maner and forme as is aboueſayd, concerning onely his or their third parts thereof, according to their ſaid intereſt therein. And be it &c. that if it happẽ the ſame third part, or any part thereof left, willed, or aſſigned to the king, or other Lorde of any time during their intereſt therein, to be lawfully euicted or determined, that thẽ the king, & the other lorde ſhall haue as much of the two

Wardſhip

King

Fee tayle
Fee ſimple

Deuiſion

2. Partes

Lordes

partes residue, as shal accomplish & make vp a full third part in cleere yerely value after the rate and portion of such manors, lands, tenements, & hereditamēts, as shal then happen to remaine of the same third part, not deducted or determined. And of the other ti. parts of such manors, landes, tenements, & hereditaments, as the king or other lord should or ought to haue had, by vertue of ỳ said former act, & this present act, and the same to be deuided in maner & forme aboue rehearsed, any clause in the said former act notwithstanding.

And be it &c. that the sauing and reseruing for fines for alienation, by any such last wil & testament of such manors, lāds, tenements, or hereditaments, holden of ỳ king by knights seruice in chiefe, or of ỳ nature of knights seruice in chiefe, or by socage in chiefe, or of the nature of socage tenure in chiefe, or for fines for alienation of such manours, landes, tenementes, or hereditamentes, whereof there shall be any alteration of freeholde, or of inheritance, made by any such last will, compriſed in diuers and sundry articles mentioned in the sayd former act, be and shall be intended, expounded, taken, deemed, and adiudged by the auctoritie aforesayde, that all such person or persons, to whome the sayd manours, landes, tenements, or hereditaments, or any of them be or shall be giuen, disposed, willed, or deuised by any such last wil, shalbe exonerated, acquited, and discharged for euer against the king, his heires & successours, for al such fines for alienations by any such last will or testament, without licence by suing forth of the kinges pardon, for alienation out of the kings court of chauncery, paying to the king, his heires or successours, for ỳ fine of euery such alienation ỳ third part of the yerely value of the same manors, lands, tenements, or other hereditamentes to him or them willed or deuised, & this act from time to time shall be a sufficient warrant to the lord Chauncelour of Englād, or keeper of the great seale for the time being, for the graunting out of the said pardon or pardons, vnder the kinges great seale, as heretofore hath bene vsed for pardōs & alienatiōs, without any further suit to be made to ỳ king for ỳ same.

Chiefe

Fines

3. Part

Warrant
L. chāncelor

And it is &c. that willes or testaments made of any manors, landes, tenements, or other hereditamentes, by any woman couert, or person within thage of xxi. yeres, ideot, or by any person De non sanæ memoriæ, shall not be taken to bee good or effectuall in the lawe.

Woman couert
Within age
Ideot
Non sane memorie

And be it &c. that if any person or persons hauing estate of inheritance of or in any manors, lands, tenements, or hereditaments, holden of the king by knightes seruice in chiefe, or otherwise of the king by knights seruice, or of any other perſō or persons by knights seruice, haue giuē at any time sithen the xx. day of ỳ said moneth of July, or hereafter shal giue, will, deuise, or assigne by wil, or other act executed in his life, his manors, landes, tenements or hereditaments, or any of thē, by fraud or couin to any other person or persons for terme of yeres, life or liues, with one remainder ouer in fee, or with diuers remainders ouer for terme of yeres, life, or in taile, with a remainder ouer in fee simple to any person or persons, or to his or their right heires, or at any time sithe in ỳ said xx. day of July, hath conueied or made, or hereafter shall cōuey or make by fraud or couin, cōtrary to ỳ true intent of this act, any estates, cōditions, menalties, tenures, or cōueiances, to the intent to defraude or deceiue the king of his prerogatiue, primer seasen, liuery, relefe, wardship, mariages or rights: or any other lord of their wardships, relefes, heriots, or other profits, which should or ought to accrue, growe, or come vnto them or any of thē, by or after the death of his or their tenant, by force & according to ỳ former statute, & of this present act & declaration: & the same estates & other cōueyāces being found by office to be so made or contriued by couin, fraude, or deceit, as is aboue said, contrary to ỳ true intent & meaning of ỳ said former act and of this act: That then the king shal haue as wel the wardship of the body, and custody of the landes, tenementes, and hereditamentes, as liuerie, primer seasen, relefe, and other profites, which

Kemainder

Defraude

Wardship

Liuery

which should or ought to appertaine to ỹ king, according to the true intent & meaning of the sayde former act, and of this present act, as though no such estates or conueyaunces by couine had neuer bene had or made, vntill the sayd office be lawfully vnsone by trauerse, or otherwise.

Lords

And that the other lords & Lords of whom any such manours, landes, tenements, or hereditaments, shalbe holden by knightes seruice, law is aforesaid, shal haue their remedy in such cases for his or their wardshippes or bodies and landes, by waie of rights of ward, and shall distrayne & make auowrie or conisaunce by themselues or their bailifes, for their reliefes, herisettes, and other profits, which should haue bene to them due, by or after the death of their tenaunt, as if no such estate or conueyaunce had bene had or made. Sauing and reserching alwayes, by the authoritie aforesayd, the right and title of the bonerey, fraunches and deuilees thereof, against the sayd willour and his heires, other then the intent and title of the king, or other lordes therin ended and determined.

Prouided alwaies, that this act, explanation and determination, or any of them, or any thing in this sayd act, explanation, or declaration contayned, shal not extend to the will or deuise of Sir John Gainsford late of Crowherst, in the countie of Surrey knight deceased: Nor to the will or deuise of Sir Peter Filpote knight deceased: Nor to the will or deuise of Richard Cecil well late of Wattingerly, in the colity of South, gentleman deceased. Nor to the will or deuise of Thomas Anton, late of the County of Berk. Gentleman deceased, sonne of Sir Thomas Anton knight also deceased, or shalbe in any wise prejudiciall or hurtfull to any person or persons, for or concerning any manours, landes, tenements, or herreitaments, contained or especified in the sayd willes or deuises, or in any of them, but that the said last willes & deuises, & euery of them, shall stande, abide, remayne, and be in the same case, force, and effect in the lawe, to all intentes, purposes, and constructions, as the sayd last willes and deuises, and euery of them were before the making of this act, declaration, & explanation, and of none other effect or force, this act, declaration, and explanation, or any of them, or of any thing therein contained to the contrary thereof in any wise notwithstanding.

Prouided alway and be it &c. that all and euery person & persons, from whom the king, or other lord or lordes shall take any manours, landes, tenements, or hereditaments, for ons or their full third part, or to make vp his or their full third part, shall & may by authoritie of this present act in any of the cases aforesaid, vpon his or their bill, exhibited in the kings court of Chauncery, against all and euery such person & persons, which shalbe inricted, by or vnder any such will, gift, disposition, or deuise to the other two parts haue such contribution, or recompence for the same, as by the Chauncelour of England, or by the keeper of the great seale of England for the time being, shall be thought good and conuenient. Anno 34. H. 8. cap. 5.

Chauncelor

¶ Windfore.

ANno 17. H. 3. cap. 18. is a statute concerning the honour of Windsore.

¶ Wines.

IT is prouided also, that the Maior, and Baylifes before the comming of those Barons, shall enquire of wines solde against the assise, and shall present it before them at their comming, and then shall be amerced, where before they were wont to tarry, vnto the comming of the Iustices in eire. Giuen at Glouceſter, the iiii. day of October, the first yere of the raigne of king Edward, the sonne of king Henry, Glouceſter cap. 15. An. 6. E. 1.

Maior Baylifes

2 ¶ The Assise of Wine shall be obserued after the kings assise, that is to say, a sextern at xii. d. And if the Tauerners exceede that assyse, their doores shall be shut vp by the Maior and Baylifes, and they shall not be suffered to sell without the kings licence. Statut. de priſtonibus. 31. Ed. 1.

assise

Price

3 A cry shalbe made, that none be so hardy to sell wines, but at a reasonable price, regarding the price that is at the portes from whence the wines came, and the expences, and carriage of the same frō the said portes, to the places where they be solde. And that allay be made of such wines ii. times every yere, once at Calice, & an other time at Michaelmas, and made often if nede be, by the lords of the townes & their baillifes, & also by the maior and baillifes of the same townes. And all the wines that shall be found corrupt, shalbe powred out, and the belle is broke. And the Chaunceloure, and Treasourer, Justices of the one Bench and the other, and Justices of assise, shal have power to enquire upon the Maiors, Baillifes, and ministers of townes, if they do not according to this Statute. And helpes that to punish as reason shal require. Anno 4. E. 3. cap. 4.

Allay

Royd Maior Baillifs

Chaunceloy Justices

Defence and proclamation shall be made, that no English merchaunt shall engrosse nor forestall wines in Gascoine, nor take them by waye of buying of no Gascoine, nor of other, for to pay in England, for any greater summe then wines be commonly sold in Gascoine, because of perill of the sea, or by any other colour, upon paine of life and member, and of forfaiture of the wines, and of all their other goods & catelles to the king, and of forfaiture of all their lands & tenementes to the chiefe lordes. And the chiefe lordes shal have a writte of escheate in such case. An. 27. E. 3. cap. 5.

Engrosse

Price

Felony Forf.

Merchantes

5 All merchantes Gascoines and other straungers, may safely bring their wines into Englande, to what port that shal please them, and to doe thereof their profits. So alwayes that the kinges butler may make purueiance of wines of aliens when nede shalbe, making payment for the same wines within xl. dayes, in the maner as hath bene vsed in old time. An. 27. E. 3. cap. 6.

Port

K. butler

Merchant

6 No English merchant, nor none of his seruantes, nor other for them, shall go into Gascoine there to abide, nor shal haue none other there dwelling, to make bargayne or buying of wines, by any colour, before the time of the vintage, that is to say, before that common passage hee made to seeke wines there. And that none buy nor bargayne by himselfe, nor by other, any wines, but onely in the portes of Burdeaux and Bayon, vpō the paynes and forfaitures next aforesayde. And if any be there found doing against the same, he shall be taken and arrested by the Steward and of Gascoyne, or the Constable of Burdeaux, and the boye sent into England to the Towen of London. And that the same Steward certifie the king in his Chauncery, of the names of such arrested, and of their maisters and fellawes also, with all the deede. Anno 27. Edw. 3. capitulo 7.

Vintage

Adjust

Arrest

Steward

All wines red and white, which shal come into the said realme, & into the lands of Wales, and Ireland to sel, shalbe well and lawfully gauged by the kinges gaugeours, or their deputies. And if any do sell their wines or bere, & will not suffer the same to be gauged, he shal forfeite the said wines, and shalbe punished by imprisonment, & raunsomed at y kinges will. And if default be found in the gaugeour, that he or his deputy be not redy to do his office, when he shalbe required, or that he do fraude or deceite in doing his office, to the damage of the buyer, or of the seller, he shal pay to the party grieued his treble dammages, & lose his office, and be punished by imprisonment, & raunsomed at the kings will. And in case that lesse be found in the tunne or pype, then ought to bee of right, after the assise of the tunne, the valour of as much as shal lacke of such tunne or pype, shall be allowed and deducted in the payment. Anno 27. E. 3. cap. 8.

Wales Ireland

Gaugeour

Forf. Imprison

3. damages Office

Allow

8 The statute made of wines y said xviii. yere be holde & kept in all poynts, except the punishment of lands and tenements, & of life & member, which punishment is repealed in this present parliament, as well of time past as of time to come. Moreouer it is ordained, that euery yere it shall be sent to the maior & constable of Burdeaux, to Rochell, and to all other townes & portes in Gascoine & elsewhere, which

Repealed

Maior Constable

which be of ꝑ legeance of our soueraigne lord the king, out of the which the wines come into England, to be certified of the Price price of the wines and in other coastes, & of the couchers English against ꝑ forme of the statute. And by this certification of the couchers against the statute, they shal be put to answere, if the body be sent, as is contayned in the statute. And if he de- Triall nie the certification, it shall be tryed by merchants vsing those parties, and other people which best haue thereof knowledge. And if the body be not sent, the certification shalbe sent into the kings bēch, or before other Iustices, according as shal Proces neede, And there processe be made by Capias and exigend, or tried by mise, as afore is said. An. 37. E. 3. cap. 16.

9 ¶ As to the merchants of wines & of those that passe the seas to fetch wines in Gascoine, for the diuersitie of opiniōs of diuers: It is assented, that the statutes & ordinances thereupon made shall stand in their force. An. 38. E. 3. cap. 10.

Denizens 10 ¶ Al merchants denizens, that be not artificers, shal passe into Gascoyne to fetche wines there, to the intent that by this general licence, greater plenty may come, & greater market may be of wines within ꝑ realme. And that the Gascoines Aliens & other aliens may come into the realme with their wynes, and freely sell them without any disturbance or impeachmēt, alwayes saued to the king, that it may be lawfull to him, whensoeuer it is aduised to him or his counsaile, to ordaine of this article, in maner as best shal seeme to him for the profite of him and his commons. An. 38. E. 3. cap. 11.

11 ¶ It is assented & accorded, for the profit of the realme, that no Englishman shall passe into Gascoine, to fetche wines there, but they shalbe brought into Eng- Aliens land by the Gascoines and other aliens, & thereupon defence shall be made through the realme. And that no Englishman put in the handes of the said Gascoines or aliens, nor thither send golde nor siluer, nor other merchandises, thereof to buy wines Fait. to the vse of Englishmen, vpon forfaiture of the gold and siluer, or marchandises, so put in their hands or sent. And that all the shippes of England and of Gascoine that Shippes cōmeth into Gascoine, shalbe first fraighted to bring wines into England before all other, and that no Englishman bargayne or buy such wines comming into England, before that they be put to land, according to the forme of the said statutes thereof made. And this ordinaunce shall hold place from the guile of August next ensuing forward. And that no warrant be made to any Englishman to the contrary. An. 42. E. 3. cap. 8.

12 ¶ All Englishmen, Irishmen, and Welshmen, that bee not artificers, may freely passe into Gascoine, to fetche wine there, finding sufficient suertie before his Suertie passage before ꝑ maior or baylifes, where no maior is, of the towne or port, where he shal passe, that he shal buy in Gascoine an hundred tunnes of wines, and not lesse of his owne proper goods & of others, and bring the same into Englande, Wales, or Ireland, and to no place else where. And if it bee otherwise done by any English man, Welshman, or Irishman, the wines, and shippes bringing the same wines shalbe forfaite to the king, & euery Forf. of them shal haue one yeres imprisonmēt, Imprison and moreouer be raunsomed at the kings will. And if any Englishman passe into Gascoine, without finding such suerty, he shal incurre the forfaiture of al his goods to the king. And the sayd suerties shall be certified and retourned into the kinges chauncery, by the said maior and bailifes, or by the bailifes where no maior is, two times by yere, that is to say, at the vtas of Candlemas, and at the guile of August. And if any maior or bailife suffer any En- Maior Bailife glishman to passe till he hath founde such suertie, or they do not certifie in the chancery in the maner as is afore sayde, they shall haue one yeeres imprisonment of Imprison their body, and moreouer be raunsomed at the kings will. And it is not the minde of the king, the great men, nor of the cōmons, that the ordinance made of the said wines, the sayd xlii. yeere be repealed or annulled, but shall abide in suspence, till a man may see what profite or dammage

this preſent graunt hereafter ſhall doe in the Realme.

And the king will that the Gaſcoines and their ſeruants, and all other, whenſoeuer pleaſe them, may come with their wines into England, Wales, and Ireland as freely and in the maner as it was ordayned in the ſayd xlii. peere, or in any time before. An. 43. E. 3. cap. 2.

13 ¶ An. 5. R. 2. cap. 4. & An. 6. R. 2. cap. 7. two actes were made concerning wines & the price thereof, but both thoſe actes were repealed by 7. R. 2. cap. 11. tamen quære & vide ſtatuta.

Diſtreine

14 ¶ Item that none of the kinges liege people be diſtrained frō henceforth, impeached, moleſted, nor grieued in ỳ eſ-

Eſchequer

chequer, nor els where for nō gauging of

Rine

wines of Rine, nor for any forfaiture of ỳ ſame for ỳ cauſe, otherwiſe then hath bin done of olde times. An. 14. R. 2. cap. 8.

Merchantes

15 ¶ All the ſaid marchāts repairing to the ſaid parties of Gaſcoine & Gupen, may freely hereafter buy the wines there of the hye countrey, in all ſuch times & in al ſuch liberties, as they haue vſed to buy them xx. or xxx. peere paſſed, without any other new impoſition or charge to be put vpon them. And that if any of the kinges officers in the ſayde parties, or any other perſon, diſturbe, vexe, or grieue, or do to be diſturbed, vexed, or grieued any of the ſaid marchants or liege people of our ſoueraigne lord the king, or do to be leuied of any of them any new impoſitions, con-

Forf.

trary to this ordinance: he to forfait as oftētimes as he offendeth, to the party grie-

3. dāmages

Point

ued xx. li. ouer his treble dammages to be payed to him, the one halfe of the ſame forfaiture of xx. li. to be payed to the vſe of our ſoueraigne lord the king, & the other part to the party ſo grieued, or to him, which in his default and negligence will ſue for our ſoueraigne Lorde the king in this behalfe. An. 23. H. 6. cap. 18.

Gauge

16 ¶ From henceforth the Malueſeis that ſhalbe brought into this your realme of England, by any perſon, ſhalbe of full gauge, containing ſixe ſcore and ſixe gallons at ỳ leaſt in meaſure. And if it lacke of the ſayde gauge, that then the ſeller to abate ſo much of the price, after the rate of the ſayd content. And euery merchaunt ſtranger bringing ſuch Malueſeys into this realme, ſhall pay to your grace ỳ cuſtome of eighteene ſhillings for a Butte of Malueſey, ouer & aboue the cuſtom afore time to your grace vſed to be payed, likewiſe as they of Uenice haue ſet in Candy vpō your aforeſaid ſubiectes. And moreouer that it be &c. frō henceforth ỳ no But or Buts of Malueſeis in veſſel or veſſels that ſhall be brought into this your ſayde realme, ſhalbe ſolde aboue iiii. li. ſterling. Prouided alway, that this act extend not to any Engliſh man borne, touching the newe cuſtome rehearſed of xviii. s. And that this preſent act endure no longer thē they of Uenice ſhal ſet aſide the impoſition of the payment of the foure Ducades aforeſayd. An. 7. H. 7. cap. 7.

Abate

Cuſtome

17 ¶ An. 7. H. 8. ca. 2. it is enacted that all licences made for bringing in of Gaſ-

Licences

coine wine & Tholos woade, contrary to the ſtatute of An. 4. H. 7. cap. 10. (which is in ſhippes 8.) were voyde.

18 ¶ An. 23. H. 8. cap. 7. an act was made to endure to the laſt day of the next Parliament, concerning bringing in of wines into England, & ſelling wines by

Retaile

retaile, & of what prices, and who ſhoulde

Prices

ſet the prices, & concerning the contents

Gauging

and gauging of wines and other licours.

Merchant

19 ¶ That euery marchant and other perſon nowe hauing, or which hereafter

Refuſe

ſhall haue wines to be ſolde, and refuſing to ſell or deliuer, or not ſelling any of the ſame wines for ready money therefore to be payed, according to the price or prices there of then being ſet, ſhal forfaite & loſe

Forf.

the value of the wine ſo required to bee bought. And furthermore be it &c. that it

Juſt. of ỳ Maids Baillies

ſhalbe lawfull to all & ſinguler Juſtices of peace, maiors, bailifes, & other head officers and gouernors in ſhires, cities, boroughs, & townes, and in other places of this realme, within the precinctes and limittes of their offices, from the laſt day of Aprill, in ỳ yere of our Lord God M. D. xxxiii. at the deſire & requeſt of any of the kings ſubiectes, to whom any denyall of ſale, or frō whome any reſtraint of ſale of

any

any such wines shall be made, & full payment therefore without delay offered to be made, according to the prices which at the time of such denial or restraynt of sale be or shalbe set by the lords & Justices, or hereafter to be set, according to ỳ said statute heretofore made, to enter into the houses and sellers, & other places, where any such wines shal lye and be, and to sell and deliuer the same wine or wines desired to be bought, to the person or persons requiring or desiring to buy the same: Taking of the buyer of the same wine or wines so to be solde, to the vse of satisfaction of the forfaiture aforesayde, after the rate of the prices thereof nowe being set, or hereafter to be set, as is aforesayd.

Sell

Prouided alwayes, that if at the time of any such sale of wyne purposed to bee made, the merchant vintner, or other owner or owners thereof, do truely, fully, & manifestly declare and shewe to the sayd Justice of peace, maior, bailife, or other head officer, purposing to make the sayd sale by vertue of this act, what and howe much quantitie & sortes of wines he then shal haue, & affirme, & depose vpon his bodily othe, to be made and giuen by the discretion of the same Justice of the peace, maior, bailife, or other head officer, that he keepeth & detaineth the same wines, to the intent onely to drawe and expend the same in his owne house by retayle, or otherwise, & not to sel the same wines, nor any of them in grosse, that then the same merchant Vintner, or other owner, shall keepe & retaine the same wines, without any sale thereof to be made, in fourme aboue written, and without any forfaiture for refusal or restraint of sale therof to be made in grosse. And in case ỳ after such othe so made, the same merchãt vintner, or other owner or owners, do sel the same wines, or any of thẽ in grosse, ỳ is to say, by ỳ tunne, but, tierce, pipe, hoggeshed, barrel, or rundelet, he shal forfait & lose ỳ double value of all such wines so solde in grosse. The one halfe thereof, & of ỳ other forfaiture aboue writtẽ, to be to the king our soueraigne lord, & the other halfe to ỳ party or parties ỳ shall sue &c. Prouided alwaies that this act extẽd not to take effect in any shire of this realme, other then in the city of London, & within iii. miles compasse of the same before the last day of July, in the yere of our Lord God aboue writtẽ, vnles that in the meane time this statute be openly proclaimed in some open faire or market win the same shire where before ỳ said last day of July, it shal happẽ to be put in execution. An. 24. H. 8. ca. 6.

Othe Just. of ỳ Maior Bailife

Retaile

Vintner

Forf.

Bottle

London

20 ¶ No person or persons shal sel any Gascoine, Guion, or Frenche wines, aboue viii. d. the gallon, that is to say, i. d. the pinte, ii. d. the quart, iiii. d. the pottell, & viii. d. the gallon, vpon paine of forfaiture for euery pint to be solde aboue the sayd price iiii. pence, and for euery quart sold aboue the sayd price viii. d. and for euery pottell so solde aboue the sayd price, xii. d. and for euery gallon so solde aboue the said price afore limitted ii. s. And that no Maluesies, Romneys, Bestes, or other sweete wines, shalbe sold by retayle aboue xii. d. the gallon, vi. d. the pottel, iii. d. the quart, & iii. halfe pẽce the pint, vpon paine to loose & forfait iii. s. iiii. d. for euery gallon, xx. d. for euery pottel, xii. d. for euery quart, and vi. d. for euery pint, that shalbe solde contrary to this act.

Prices

Forf.

Sweete wines Retails Price

Prouided alway that the lord Chauncelour, lord Treasorer, lord President of the kings most honorable counsaile, lord priuy seale, and the two chiefe Justices of either benche, or v. iiii. or iii. of them shall haue power & authoritie by their discretiõs, to set the prices of all kind of wines, that is to say, of the prices of the butte, tunne, pipe, hoggeshed, poncheon, tierce, barrell, or rundelet, when it shalbe sold in grosse, so that they or any of them cause the prices by thẽ set to be written, & open proclamation thereof to bee made in the kings court of Chauncery openly in the terme time, or els in the city, borough, or towne where any such wines shalbe solde in grosse, any thing cõtained in this act to the cõtrary hereof notwithstãding. And it is &c. that if any person or persons, after such prices be set & put in writing by the said lord Chaficelor, lord Treasorer, lord President of the kinges most honorable

L. chaūcelor

Prices in grosse

counsaile, Lord priuy seale, and the two chiefe Justices, or by fiue, foure, or three of them, y proclamation thereof had (as is aforesaid) doe sell any wines in grosse by any fraude or couin, contrary to the sayd prices so set & proclaimed: that then euery offender in that behalfe, shal lose & forfaite for euery vessel by thē sold in grosse, contrary to the sayd prices, xl. s. the one halfe of all which forfaitures to be to the king our souereigne lord, & y other halfe thereof, if it be within any city, borough, or towne corporat, to be to the maiors, sherifes, bailifes, or other head rulers of such cities, boroughs or townes corporat. And if it be whout city, borough, or towne corporat, thē to be to such of y kings subiects as wil sue for the same. And y euery such forfaiture shall be recouered by originall writ of debt, bil, plaint, or informatiō. In which suit no wager of law shalbe admitted, nor any protectiō or essoine allowed.

Dell

Forf.

Portie

Maior Sherifes Bailifes

Recouery

And it is &c. that the Justices of peace in euery shire of this present realme, and all maiors, sherifes, bailifes, & other head officers in cities, boroughes, and townes corporat, that is to say, euery of thē within the limits of their commissions & auctorities, aswel within frāchises as without, shall haue power & auctority to examine, heare, enquire, & determine the defaultes of such as shall attempt to sell any wines in grosse, or by retaile, contrary to this act, & to punish the offenders by imprisonment, or otherwise by their discretiōs. An. 28. H. 8. ca. 14. See here 21. 23.

Just. of p.

Enquire Oyer & ter.

Imprison

21 ¶ Such lordes as by the sayd former act (S. An. 28. H. 8. ca. 14. before 20.) haue auctority & power to set prices of wine in grosse, shal by vertue and force of this act, haue the same auctorities to mitigate & enhalce the price of wines hereafter to be sold by retaile, as often as time & occasion shal require, any thing in y sayd former act cōteined to the cōtrary thereof notwithstanding. And their sayde prices, & ordinances, after proclamation thereof made, to be obserued & kept vpon paine & penaltie in the same proclamations cōteined. The moity of all which penalties to be to the king our souerayne lord, & the other moity to the party that will sue for the same in any of the kings courts of record, by bill, plaint or information, in the which no wager of law, essoine, or protection shall be allowed. This act to endure to the end of the next parliament. An. 34. H. 8. cap. 7. See here 22. & 23.

Price Retaile

Portie

22 ¶ An. 37. H. 8. cap. 23. This last act of An. 34. H. 8. cap. 7. is continued to endure to the end of the next parliament. And it is there further enacted, that the said lord Chauncelour, lord Treasourer, lord Presidēt, lord priuy Seale, and the two chiefe Justices, or fiue, foure, or three of them, shall yeerely set the prices of all kindes of the said wines mentioned in the sayd former act, betweene the twenty day of Nouember, and the last of December, and at no other time or times, and that all & euery person selling in grosse or by retaile, any of the said wines mentioned in the same act, shall not sell any of the same wines aboue the prices so by them set, vpon such payne and forfaiture as bee made and prouided in the same statute made at Westminster, the eight and twenty yere of the raigne of our said most dread souereigne lord the king. (before 20.) And be it &c. that if any person or persons, that now haue, or hereafter shal haue any maner of wines to sell in grosse, within any citie, borough, or towne corporate, or any other hauen, corporate towne, or townes within this Realme, or within any the kinges dominions, or territories of the same, and do at any time hereof refuse to sell any kinde of the same wines, according to the price, as nowe, or at any time hereafter shalbe limitted & appoynted by the said lord Chaūcelour, lord Treasorer, lord Presidēt, lord priuy seale, & other the said chiefe Justices, or by any v. iiii. or iii. of them: that then it shalbe lawfull to the Maior of the citie of Lōdon, Recorder of the same citie, & ii. of the ancient Aldermē of the same citie, being no Vintners, for the time being, & to the Maior, Bailifes, Aldermen, and other the head officers, or to any two of them, whereof the Maior, or chiefe Aldermen, or Baylife to be one, within all and euery citie, borough, and

Prices

Refuse

Maior Recorder Aldermen London

port

port towne, within this realme, wherein any wines now be or hereafter shall be to sell, to enter into the houses, sellers, and places, of al and euery such owner & owners of the same wines, in any of the said cities, boroughs, and port towne, and the same wines lawfully to sell to the vse of the owners of the same wines to any person or persons willing to buy ỳ same, according to such prices & rate as by the sayde Lorde Chauncellour, Lorde Treasourer, Lorde president, Lorde Priuie seale, and the sayde two chiefe Justices, or by any fiue, fower or three of them is or hereafter shall be set, limitted, and assigned, according to the tenour of the sayde acte made in the sayde eight and twenty yere of the kinges maiesties raigne. An. 37. H. 8. cap. 23. And after An. 5. Ed. 6. cap. 17. that foresaid act of An. 34. H. 8. cap. 7. & the articles aforesaid in Anno 37. H. 8. cap. 23. be continued vnto the last day of the next parliament, and so discontinued.

Sell

23 ☞ ¶ For auoyding of many inconueniences, much euill rule, and resort of disordered persons to many tauernes newely set vp in very great number in backe lanes and suspitious places within London and other wherer Be it &c. That no person or persons whatsoeuer inhabiting within any of the kinges Maiesties Dominions of England and Wales, shall after the feast of saynt Michaell the archangell next cõming, vtter by retayle by small measure, ỳ is to say, by gallon, or any other measure of greater or lesse quantity, any wines called Gascoigne, Guion, or French wines, but after the rate of eight pence the gallon at ỳ most by any maner of meanes, colour, engine or craft, nor any Rochel wines, at greater prices or valuation then after the rate of iiii. d. the gallon at ỳ most, nor any other wine or wines, at greater price or valuation then after the rate of xii. d. the gallon at the most, vpon payne that euery person doing the contrary shall forfait for euery such offence v. li. of lawfull money of England. (But See this clause altered to the fourme of the statutes of 28. H. 8. cap. 14. & 34. H. 8. cap. 7. (before 20. & 21.) which see in Shippes 13)

Retayle

Price

Forf.

And be it &c. that it shal not be lawfull to any person or persons within any the dominions aforesayd, except he or they shal and may dispend in landes, tenementes, hereditamentes, or other yerely profites certaine, the summe of a hundred markes of lawfull money of England, or else bee worth of his owne proper goodes and catels one M. markes, or shall be the sonne of a Duke, Marques, Earle, Viscount, or Barron of this Realme, to haue or keepe after the sayde feast of Saint Michael the Archangell, in his house or custody any peece or vessel of any of the said wynes of Gascoine, Guion, Frenche or Rochell wines, contayning aboue the quantitie of tenne gallons, to thintent to spende or drinke the same in his or their house or houses by any colour or meanes, vpon payne to forfaite for euery such offence x. li. of lawfull money of England.

100. markes land

Goods

Forf.

And also be it &c. that it shall not bee lawfull to any person or persons within any of the sayd dominions, after the sayde feast of Saint Michael, to keepe any tauerne, or to sell or vtter by retaile, by the gallon, or lesse or greater measure in any place, any of the said wine or wines within any of the sayd dominions, except it be in cities, townes corporate, boroughes, port townes, or market townes, or in the townes of Graueselende, Sittingborne, Turford, and Bagshot, vpon payne that euery person or persons, that shall so offend, contrary to the fourme of this act, shall lose and forfaite for euery day so offending, the summe of ten pound of lawfull money of England. Nor that it shall be lawfull to any person or persons, after the said feast of S. Michael, to keepe any Tauerne, or sell, or vtter by retaile by the gallon, or lesse or greater measure, in any citie, borough, or towne corporat, any maner of wines, but only such person & persons as shall be thereunto nominated, appoynted, & alligned by the head officers & the most part of the common counsaile, Aldermen, Burgesses, Iurates, or comminaltie, for the time being, of such citie, borough,

Tauerne

Sell

Cities Townes

Forf.

x. pound

Retaile

Licenced

borough, or towne corporat, where such person or persons shall tauerne, sell, or vtter wine by retayle as is aforesaid: the sayde nomination and assignement to be made by writing, vnder the cõmon seale of such Citie, Borough, or Towne corporat, as is aforesayd, and the said nomination, appoyntment & assignement, shal continue in their force, or be chaunged at the election and pleasure of the head officer or officers, and the most part of the common counsayle, Aldermen, Burgesses, Jurates, or comminalty, for the time being, of such Citie, Borough, or Towne corporat, by writing, and vnder such common seale as is aforesayde. Nor that it shalbe lawfull to any person or persons, to keepe any Tauerne, or to sell or vtter any wine by retaile, as is aforesaid, in any citie, borough, port towne or market towne not corporat, win the Realme of Englande or Wales, or in the sayde townes of Graueſende, Sittingborne, or Bagshotte, but onely such person or persons as thereunto shalbe assigned, nominated, & appointed by al or the most part of the Justices of peace for ỳ time being, of such Shire or county where such Tauernes, or selling of Wine by retayle, shalbe had or allowed, as shall be present at the generall Sellion for the time being to be holden within euery of ỳ said shires or counties, ỳ said assignement, nomination & appointment to be had, & made in full sellion by writing vnder the seuerall seale of euery of ỳ sayd Justices, & to be cõtinued, altered or chãged in like forme, & by like aucthoritie as is aforesaid, vpon payne ỳ euery person ỳ shal after ỳ saide feast, sell or retayle any wine, being not thereunto licenced & aucthorised, as is aforesaid, shall forfait & loose for euery day ỳ he shall so offend fiue pound of lawfull money of England. Nor that any person or persons hauing aucthority by this present act, to nominate, assigne or appoint what persons shall tauerne, vtter or sell Wine by retayle, as is aforesaid, shal nominate, assigne or appoint by his or their writting any moe, or greater number of Tauernes or wine sellers by retayle to sell or vtter wine, or keepe or continue any Tauerne at one time in any one Citie, borough, towne corporat, port towne, or market towne, or in Graueſend, Sittingborne, or Bagshot, (all and euery such Citie and towne hereafter expresly by named onely except) then two wine-sellers or tauernes. And it shall not bee lawfull to any person or persons hauing aucthoritie to nominate, assigne, or appoynt Tauernes or sellers of wines by retayle, by this act to nominate, assigne, or appoynt by writing any moe, or greater number of Tauernes or wineselleres in the citey of London, to sel or vtter wine by retaile at any time, aboue the number of fortie tauernes or wine sellers. And in Yorke eight, in Norwich foure, in Westminster and in Bristoll sixe, in Lincolne three, in Kingston vpon Hull foure, in Shrewesbury three, in Exceter foure, in Salisbury three, in Glouceſter foure, in Westchester foure, in Herford East iii. in Worcestour three, in Southhampton three, in Caunterbury foure, in Ipswich three, in Winchester three, in Oxforde three, in Cambridge foure, in Colchester three, in Newcastel vpon Tine foure Tauernes or wine sellers, vpon payne that euery person aucthorised by this act, to nominate, assigne, or appoynt tauerns or wine sellers, to forfait for euery nomination, assignemẽt or appointmẽt by him made, contrary to ỳ forme of this act v.li.

And bee it &c. that no person or persons whatsoeuer, from and after the sayd feast of Saint Michael, shall sell or vtter by retaile, any kinde of wine or wines to be drunke or spent in his or their mansion house or houses, or other place in his or their tenure or occupation by any colour, craft, engine or meane, vpon paine to forfaite for euery such offence tenne pounds of lawfull money of Englande, the one halfe of which forfaitures, shall be to the king our soueraigne lorde, and the other halfe to him or thẽ that wil sue for ỳ same, by action of debt, bill, plaint, or information, in any of ỳ kings courts of record, in which &c. Prouided alwayes that it shall be lawfull to all and euery merchant and

merchantes

Tauerne Retaile

Justi. of p.

Sellion

Forf. v.li.

London

xl. Tauernes

ii. Tauernes

Forf.

Retaile

Forf.

Forfaite

Merchants

merchauntes aduenturing for the ſame at his or their owne coſts and charges, to haue & kepe to ſpend in his or their houſe or houſes, ſuch wine or wines, as he ſhall tranſport, or cauſe to be tranſported into this Realme or any part thereof, not taking any money or other recompence for the ſame that ſhall bee ſo ſpent in his or their houſes. And that it ſhalbe lawful to

Sherife Maior Baylife

euery high Sherife of euery County, maior, Baylife, and Sherife of euery citie and Towne corporat within this Realme of England, and other the ſayde dominions for the time being, during his or their office of charge, and to euery other perſon inhabiting or dwelling in any of ẏ kings maieſties fortes or Townes fortified and

Warres

kept for the Warres during his or their dwellinges in any ſuch fort or Towne of warre, to haue wine in their houſes by ẏ veſſell, to ſpende the ſame in his or their houſes without taking any money or other recompence for the ſame ſo ſpent in his or theire houſe or other place in their tenure or occupation: This acte or any thing therein contayned to the contrary in any wiſe notwithſtanding. And it is

Iuſt. of p.

&c. that ẏ Juſtices of peace of euery ſhire or county, citie & towne corporat in their ſeueral ſeſſions, and the Steward in euery

Steward Sherife

leete, and the Sherife in his courne, and euery Eſchetour ſhal haue full power and aucthority by this preſent act, to enquire by the othes of twelue lawfull men, of al and euery offence and offences perpetrated or done contrary to the forme of this

Enquire

act. And that euery enquiry and preſentment taken & had by the othes of twelue lawfull men, as is aforeſayde, ſhalbe of ſuch force & effect, as if the ſame were taken or had before ẏ king in his maieſties Bench. And that euery of the paynes, penalties, and forfaptures aforeſayde, to be due by force of this act for any offence ſo committed or done, by any perſon or perſons, contrary to the forme of this preſent act, as ſhall be found by preſentment before the ſayde Juſtices of peace, Eſchetours, Sherife or Steward, by verdict of twelue men, as is aforeſaide, and no bill, playnt, action, or information thereof commenced in any of the kinges courts of record, ſhalbe deuided equally into iii. parts, whereof the one ſhalbe to the king our ſoueraigne Lord, his heires and ſucceſſours, and the other to be to the poore people of the towne or place where ſuch preſentment ſhalbe found.

Prouided alway and be it &c. that this acte or any thing therein contayned, ſhall not extend to charge any perſon or perſons with any penalty or forfayture, for and concerning any offence to bee done contrary to the tenure of this act, vnleſſe be or they ſo offending, be ſued, indicted, or preſented for the ſame within one yere next after the ſame offence to bee done & cõmitted as is aforeſaid, any thing in this act contained to ẏ cõtrary notwithſtãding.

One yere

Prouided alway, that this acte or any thing therein contayned, ſhall not in any wiſe be preiudiciall or hurtfull to any of the inhabitauntes of Oxford and Cambridge, or to the Chancellours or Scollers of the ſame, or their ſucceſſours or any of them, to empaire or take away any of the liberties, priuiledges, fraunchiſes, iuriſdictions, powers or aucthoritie to them or any of them appertayning or belonging, but that they and euery of them, and their ſucceſſors may haue, holde, vſe and enioy all their liberties, priuiledges, fraunchiſes, iuriſdictions, powers, and aucthorities, in ſuch large & ample wiſe as though this act had neuer bene had ne made, ſo alwaies that there bee not any more or greater number of Tauernes kept or maintained within any of the ſaid townes of Oxford or Cambridge, then may be lawefully kept and mayntayned by the prouiſion, true meaning, & intent of this ſtatute, any thing in this prouiſo mencioned to the contrary notwithſtanding. Anno 7. E. 6. cap. 5.

Oxford Cambridge

¶ Witneſſe.

When a deede, releaſe, acquitaunce, or other writinge is denyed in the kings Court wherein witneſſes bee named, proces ſhall be awarded for to cauſe ſuch witneſſes to appeare, as before hath beene

Proces

beene vsed, so that if none of them come in at the great distresse retourned, or if it be retourned, that they haue nothing, or that they can not be found, yet the taking of the inquest shall not bee deferred by the absence of such witnesses. And if the witnesses doe come in at the great distres, and the inquest for some cause remayneth vntaken, ẏ witnesses that come in, shall haue like day giuen them as is assigned for the taking of the inquest, at which day, if ẏ witnesses do not appeare, the issues that were first retourned vpon them shalbe forfait. And the taking of the inquest shall not bee deferred because of their absence. And for absence of witnesses dwelling within fraunchises where the kings writ originall doth not lie, the taking of an inquest shal not be deferred. An. 12. E. 2. cap. 2. Statute of Yorke.

Issues

¶ Wood.

Every man that hath any wood within the forrest may take housebote and heybote within his sayde wood without being attached for the same by any ministers of ẏ forest, so ẏ he doth ẏ same by vertue of foresters. An. 1. Ed. 3. ca. 2. stat. 2.

Forest
Housebote
Heybote

2 ¶ If any of his subiectes, hauing woodes of his owne growinge in his owne ground within any forrest, chace or purlieu of the same, within this realme of England, from the first day of this parliament, shal cut or cause to be cut the same wood or part thereof by licence of the king or of his heires in his forrestes, chaces or purlyewes, or without licence in the forrest, chace or purlieue of any other person, or make any sale of the same wood: It shalbe lawfull to the same subiects owners of the same ground whereupon the wood so cut did grow, and to other such persons, to whome such wood shall happen to be sold, immediatly after the wood so cut, to cut & enclose the same grounde with sufficient hedges, able to keepe out all maner beastes & cattell out of the same ground, for the preseruing of their young spring. And the same hedges so made, the sayde subiectes may keepe them continually by ẏ space of vii. peres next after the same enclosing, & repayre and sustayne the same as often as shall neede within the same vii. peres, without suing of anyother licence of him or of his heires, or other persons, or any of their officers of the same forrestes, chaces and purlieues. Anno 22. E. 4. cap. 7.

Cut downe
Licence

Enclose

7. peres

3 ¶ In & vpon al & singuler woods, commonly called copies, woodes or vnderwoods, which from and after the feast of saynt Michael the archaungell, which shalbe in the yere of our lord God 1544. shalbe felled at the 14. peres growing or vnder, there shall be left standing and vnfelled, for euery acre of wood that shall be felled within the said copies, twelue standilles or stoyers of oke, if there be not so many stādils or stoyers of oke, ẏ thē there shalbe left so many of other kinde, that is to say, of elme, ashe, aspe, or beeche as shall make vp the sayd number of twelue standilles, or stoyers likely to proue and to be timber trees, the same standilles or stoyers to bee of such standilles or stoyers as haue beene left there standing at any the felling of the same coppies, woods or vnderwoods in times past. And in case there be no such standils or stoyers there standing which were there left of the last felling of the same copies or vnderwoods, that then the same standilles or stoyers there to bee left, shall bee left at this now next felling of the said coppies, woods, or vnderwoods of such most likeliest okes. And if there be not sufficient of okes, then of ẏ most likeliest elmes, ashe, aspe, or beeche to proue and to be timber trees, as shall growe within any such seueral woods, coppies or vnderwoods, & that the same standilles or stoyers so left, shall be preserued and not felled or cutte downe till they and euery of them shalbe of x. inches square within three foote of the grounde, vpon payne that euery owner of euery such standilles and stoyers, hauing an estate of inheritaunce, or an estate for terme of life of free holde or by copy of courte rolle, or for peeres in the ground or soyle, where the same standils or stoyers shall growe, causing or commaundinge any such coppies, woods or vnderwoods

Copies
Woods

14. peres old

Standils
12 Okes

10. inches

vnderwoods to be felled or cut downe, & not leauing the sayd standilles or stoyers there standing in formes aforesaide, to lose and forfaite for euery standille and stoyer so not left standing in the sayde coppies, woods, or vnderwoods 3.s.4.d. And vpō paine that euery owner, as is aforesaid of any such copies, woods, or vnderwoods, cawlling or commaunding any of the said standils or stoyers so left, as is aboue sayd to be cut downe, contrary to the fourme of this acte, to forfait & loose for euery of the said standils or stoyers which shall be so cut downe iii.s. iiii.d. the one halfe of which said forfaytures to bee to the king our soueraigne Lord, and the other halfe to be to the party that will sue &c. in the which action &c. And be it &c. that all and singuler coppies, & vnderwoods, which after the sayde feast of Saynt Michaell the archaungell, shall happen to be felled or cutte downe, at the age of xiiii. peres, the xx. day of Aprill next after the felling thereof, during the terme of iiii. peres then next ensuing, shalbe sufficiently enclosed, or the springs thereof otherwise saued & preserued from destruction by any maner of cattell or beastes by him or thē, which then shall haue lawfull interest & possession in the saide woods, coppies, vnderwoods, as is beforesaid, vpon paine of euery person or persons so bounden to enclose, fence, sauc or preserue the sayde coppies or vnder woods, to forfayt & lose for euery rod thereof so not enclosed, fenced, saued, or preserued during the said 4. peres, iii.s. iiii. d. for euery moneth that ỳ same coppies or vnderwoods shall happen to lye or bee vnclosed, not fenced, saued or preserued as is aforesaid. And that all and singuler coppies or vnderwoods, which after the sayd feast of S. Michaell the archangel shall happen to be so felled or cut downe, being aboue the age of 14. peres groweth, & not aboue ỳ age of 24. peres groweth from the xx. day of Aprill, next after the felling or cutting downe thereof, during ỳ terme of vi. peres next ensuing ỳ same xx. day of Aprill, shall be sufficiētly enclosed, or ỳ springs therof otherwise saued & preserued frō destructiō therof by any maner of cattel or beasts, by & at ỳ costes of such which then shal haue lawfull interest and possession in the said woods, or copies, as is before sayd, vpon paine of euery perso or persōs so bounden to inclose, fence, saue or preserue ỳ said copies, or vnderwoods, to forfaite & lose for euery rod therof so not enclosed, fēced, saued, or preserued, during ỳ said vi. peres, iii.s. iiii. d. for euery moneth ỳ ỳ same copies or vnderwoods shall happen to lie or be vnclosed & not fēced, saued or preserued as is aforesaid. And be it &c. ỳ no perso or persons after ỳ sayd feast of S. Michael tharchāgel, shal conuert or turne into pasture or tillage, any such copies or vnderwoods, cōtaining in quātity ii. acres or aboue, which now be wood or vnderwood, & put or reserued to the vse of encrease of wood or vnderwood, & being ii. furlōg distāt frō the house of ỳ owner therof, or frō ỳ house whereunto ỳ sayd wood doth lie, appertaine or belōging, vpō paine to forfaite & lose for euery acre of wood so to be couerted or turned frō wood into pasture or tillage, xl.s. prouided alway ỳ this acte shal not extēd to any copies, woods or vnderwoods destroyed, or turned into tillage or pasture, win xx. peres last past, although ỳ more part, or any part therof be now ouergrowē with bushes or vnderwood. And be it &c. ỳ al & euery perso & persōs, bodies politike & corporat, which haue or hereafter shal haue any seuerall woods or copy growing & set to great trees, being aboue ỳ age of 24. peres groweth, shall at ỳ felling or weeding therof, leaue stāding within ỳ precinct of ỳ said wood & copies, for euery acre so felled xii. trees of oke of ỳ same such great trees, if there be so many trees of oke there to be left, & for lacke of okes, then to leaue for euery acre so felled, as many other trees of elme, ashe, beech, or aspe, as shal make ỳ ful nūber of xii. of such as shalbe thē growing, ỳ same trees there so left to stand, cōtinue & to be preserued by such owner or owners, as is aboue said, during ỳ space of xx. peres next after ỳ felling of ỳ same woods. And also frō ỳ xx. day of Aprill, next after ỳ felling thereof, during the terme of vii. peres thē next

Foyl.

Foyl.

Foyle

4. peres

Foyl.

6. peres

Foyl.

Pasture Tillage

Foyl.

24. peres olde

12. standils

7. peres

next following, sufficiently enclose them, or the spryngs thereof other wise save and preserue from destruction thereof by any manner of catell, as beastes, upon paine of euery such person or persons, or bodies politike or corporat being owner of the said great woods as is aforesaide, to forfait and loose for euery such great tree of the said number of tacking and not left for standing in the said wood as is aboue said, vi. s. viii. d. And upon payne that euery owner of the ground or soyle, whereupon such great trees as is aforesaid, shal be left standing or growing, causing, or commanding any of the said great trees, there so left standing as is aforesayde, to bee cut downe contrary to the fourme of this acte, to forfayt and loose for euery of the same great trees so left, which shalbe so cut downe as is aforesayde vi. s. viii. d. And upon paine also to lose & forfayt for euery rod of such great wood so not enclosed, fenced, shued or preserued, during the said space of viii. yeres, for euery rod xii. s. viii. d. Prouided alway that it shalbe lawful to euery owner or owners of any of the said copies, woods, vnderwoods, standilles or spyers, great woods & trees aboue reserued, to fell, cut downe and take any of the same for building, repayring, enclosing, and makeyng of houses, orchards, & gardeines, & euery of them, and for pales, railing, or enclosing of parkes, forestes, chases or other grounds, and for making, or repairing of water wourkes, damnes, bridges, sluygates, making, repairing or amending of ships & all other vessels, & for al other thyngs concerning their owne vses or affaires, in such like maner & fourme, as he or they should or might lawfully haue done before the making of this acte, any thing in this present act before mencioned to the contrary thereof notwithstanding.

And further bee it &c. that it shall not be lawful to any person or persons, which after the said feast of S. Michaell, shall haue any woods or vnderwoods, wherein any other person or persons lawfully hath or haue vsed time out of mans remembrance, to haue common of pasture to fell or cut downe the sayde woods and vnderwoods there growing or being, or that shal growe or be in any such woods or vnderwoods, except it be to his owne vse and occupation, vntill such time as the fourth part of such woods, vnderwoods, or grounde, where the sayd woods now growe, or as much as the fourth part of the said ground or soyle, whereupon such wood is or shall be, and growing shall amount vnto, shall be by the lord and owner for the time being of the sayd ground or soyle deuyded, set out, meered, bounded, fenced, and rayled in, in maner and fourme, as by this act hereafter shalbe declared, ordeined, & prouided, that is to say, the said lord, that then shalbe owner of the said ground or soyle, shal call together the tenants and inhabitantes being commoners in the said ground or soile, or the more part of them, & vpon the assembly & meeting of the sayd lorde, tenants & inhabitants, or the more part of them, the said lord or owner, by the assent, consent, & agreement of the said tenantes and inhabitants, or the more part of them, shal sever, deuide, set out, meere and bound the iiii. part of the sayd woods and vnderwoods, or so much thereof as shal amount to the full iiii. part thereof. And if the said lord and the sayd tenants & inhabitantes, or the more part of them, can not, wil not, or do not assent, consent, and agree, for or vpon the seuering, deuiding, setting out, meeting, and bounding of the sayd fourth part of the sayd woods and vnderwoods, or of as much therof as shall amount to the full fourth part thereof, that then two Iustices of the peace, not being of the kind, aliaunce, counsaile, or fee, of or to the said lord or owner, being thereunto appointed by the more number of the Iustices of peace of the shire, where the sayd ground or soile lyeth, in their open quarter sessions, vpon requeste & suit made vnto them by ỹ lord or owner, or by his or their lawful deputie or deputies of the said woods, vnderwoods, grounds, or soile, shal haue ful power & authority to call before the, vpon such paines & penalties, as the sayd Iustices shal limit and appoynt, such iii. of the sayd commoners and inhabitantes nigh

Foyl.

Foyl.

Foyl.

Building

Ships

Common of pasture

iiii. Part

Set out

Lords Tenants

ii. Iust. of p.

Quarter sessions

12 Commoners

nigh vnto the same woods, or vnder-
woods, as by the discretion of the sayde
iii. Justices shalbe thought meete & con-
uenient: And vpon or after the apparance
of the same lords or owners, cõmoners,
& inhabitaunts, or the more part of them,
the same Justices shall open and declare
vnto the same Lord, owners, cõmoners,
and inhabitants, the cause of their assem-
bly and apparaunce, and that done, shall
by the aduice and assent of the sayde lord,
owners, commoners, and inhabitants,
or their lawfull deputie or deputies, or of
Deuide þ more part of them, effectually proceede
to the seueringe, deuidinge, meatinge,
and bounding of the sayde fowerth part
of the sayde woods and vnderwoods, or
of so much thereof as shall amount to the
fowerth part thereof.

And if the same Justices, owners, com-
moners and inhabitants, or the more part
of them cannot or will not agree vpon the
deuision, bounding or setting out of the
said fowerth part thereof, as is aforesaid:
Justices that then the said Justices shall haue full
power & aucthority by this act, to seuer,
deuide, and set out by mete and bounde
the fowerth part of the said woods & vn-
derwoods, or so much thereof vnder the
same fowerth part of the sayd woods and
vnderwoods, as shall by the discretions
Set out & wisdome of þ sayd Justices be thought
necessary & requisit to limit and set out.
1. Moneth And vpon the moneth next after such seue-
raunce and setting forth thereof, the ow-
ner or owners of the same woods and vn-
derwods, in fourme afore declared, shall
Enclose sufficiently enclose the same part of the
sayde grounde or soyle so set forth as is
aforesayd, and after such enclosure made,
the sayde owner of the sayd woods or vn-
derwoods, may at his liberty & pleasure,
Cut downe fell, cut downe, and take the saide woods
or vnderwoods, being, or that shall be in,
or vpon the sayde coppies, woods, vnder-
woods, ground or soyle so set forth, or in
any part thereof. Prouided alway & be it
&c. þ there shalbe left standing & vnfelled
in & vpon the sayd part of euery the same
woods or vnderwoods, ground or soile so
seuered, bounden, & set out distinctly in
maner & fourme as is aforesayd at euery
fellinge thereof, such and like number
of standilles or stoyers of young okes or Standils
other younge trees of elme, ashe, aspe, or
beeche, if it be coppies or vnderwoods,
which shall bee so felled or cutte downe.
And if the woods that shalbe felled, shalbe
great trees or great woods, then such
number shall bee left standinge of great
trees, in, or vpon þ said part to al intents,
constructions & purposes, & vpon like &
the same penalties as is before limitted
& appointed for not leuying, reseruing &
preseruing of standils or stoyers aboue
appoynted to bee left standing in seueral
woods & grounds. And that the said part
or parcel so seuered, bounded, and set out
in maner & fourme aforesaid, after euery
felling or cutting downe of the coppes,
woods, or vnderwoods, for þ time being,
in, or vpon the same, by the auctority of
this act, shalbe sufficiently enclosed & de-
fenced, & the enclosure thereof sufficiẽtly
& cõtinually kept, made or repaired, pre-
serued & maintained by the space of vii. 7. yeres
yeres next after euery felling thereof, in
like maner and fourme to all intents and
purposes, and vpon the same and like
paynes & penalties as is before limitted,
rehearsed & appoynted for þ not closing,
or fensing, & for þ not keeping, maintay-
ning, repayring & preseruing of the sayd
seuerall coppies, vnderwoods, & woods.
And also that the standilles, stoyers, and
great trees limitted and appoynted to be
left standing in, or vpon the sayde part,
shalbe there left standing, preserued & not
cut downe in such like maner & fourme,
and by all such time, and vpon such like
penalties to all intents and purposes, as
is afore limitted, appointed & declared
for þ preseruation & not felling of the said
standils, stoyers, and great trees limitted
& appointed to be left in, & vpon the sayd
seuerall coppies, vnderwoods & woods.

And þ after the said felling of the sayd
coppies, vnderwoods and woods, stan-
dils, growing or being, or that shal stand,
grow or be in any such part of any of the
said woods, grouds, or places as is before
declared, no beastes or catteil, during

the

the space of seuen yeres next after the felling of the same woods shall willingly by any person or persons bee put in, or shall be suffered to feede or continue in any parcell of any such part so set forth as is aforesayd, during the said terme of vii. yeres next after the felling thereof, vpon Forf. payne of forfayture and penalty of iiii.d. for the putting in of euery beast, or wilful suffering of euery beast or cattell to bee put into any of the said seuerall coppies, vnderwoods or woods. And if it shal happen any persō or persons being owner or owners of any such woods, vnderwoods, coppies, set, lying and being in any wast ground as is aforesaid, to cut downe any trees, vnderwoods contrary to the forme aforesaide: that then euery person or persons owner or owners so offending contrary to this act, shall lose & forfait for Forf. euery tree so cut downe vi.s.viii.d the one Partie halfe of al ỳ said forfaitures to be to our soueraigne lord ỳ king, & ỳ other moity to such persō ỳ wil sue &c. in which sute &c.

Prouided alway and be it &c. that forasmuch as the said tenaunts, commoners and inhabitaunts shal be by auctheority of this act excluded of their common in the said part so to be seuered & set forth as is aforesaid, by all the said space & terme of vii. yeres next after the felling or cutting downe of the saide coppies, woods, & vnderwoods, that shall grow in, or vpon ỳ Recompence saide part from time to time, that in recompence thereof the same commoners, tenants & inhabitantes shall and may vse, take and haue their common for their cattell within the residue of the said woods, vnderwoods, ground and soyle, not being inclosed, in maner and fourme as if this act had neuer bene had ne made. And Lord that the Lorde being owner of the sayde ground or soile, shall bee by auctheority of Excluded this act excluded and foreclosed to put or haue any cattell or beastes in or vpon the same residue, or to take any profitte of the pasture, in, or vpon the sayde residue, during and by all the sayd terme of seuen yeres next after the felling or cutting downe of the sayd coppies, woods or vnderwoods, being or growing, or that shal be or grow in or vpon the said part which shalbe so seuered, diuided, set out, bounden and inclosed as is aforesayde.

And ỳ from & after the said vii. yeres expired & ended vntill the next felling or cutting downe of ỳ said coppies, woods or vnderwoods being vpon ỳ sayd part, being seuered & deuided as is aforesaid, aswel the same part as ỳ said residue of ỳ said ground and soile, shall lye & be vsed in common, and the pasture & other pro- Common fits thereof shal & may be vsed and taken as well by the Lorde being owner of the said ground or soile, as by ỳ said tenants, cōmoners & inhabitaunts, in like maner, fourme & condition as it should or ought to haue beene before the making of this act, and as if this act had neuer beene had or made, any thing in this act contayned to the contrary thereof notwithstanding.

Prouided also ỳ it shalbe lawfull to euery person & persons to fel & to enclose Enclose al their coppies, woods, & vnderwoods, in any wast groundes, which before the making of this act haue beene vsed to be enclosed, preserued & kept for the mayntenance of wood & vnderwood, any thing in this act to ỳ contrary notwithstanding.

And whereas peraduenture the lord or Lord owners of the foresaid wood, and vnderwoods, after that they haue enclosed and fenced ỳ fowerth part thereof, or as much of the same as shall be to them limitted & assigned by the said Justices of peace, or commoners, will not nor do not sell the same woods & vnderwoods so enclosed or to bee enclosed, but suffer the same to stand & grow, whereby ỳ cōmoners, who ought to haue their common of pasture within ỳ same part so enclosed, shal loose & bee put from their said cōmon therein: Be it therefore enacted by the auctheority aforesaid, ỳ if the same part of wood and vnderwood so enclosed, be not felled vnin fower monethes next after the enclosing 4. monethes thereof, that then & so longe as the same woods shal not be felled, it shalbe lawful to the said commoners, to put their cattel into the same wood & ground so enclosed, & that the owner thereof shall leaue open conuenient places vnin ỳ same enclosure,

whereby

Cõmoners whereby the Commoners beastes may haue accesse and come into ỳ same wood so inclosed, and there to pasture & feede, as long as the same wood shall stand and be vnfelled, any thing contained in this act to the contrary notwithstanding. Prouided alwaie &c. and be it &c. that this act or any thing therein conteined or expressed, extend not or be preiudiciall to any of the Lords or owner of the woods, vnderwoods or wood lands, growing or being within any of the townes, parishes, or places commonly called or knowen to bee within the weldes of the counties of Kent, Surrey and Sussex, or of any of them, other then onely to the common woods growing & being within any of the sayd weldes of the said counties of Kent, Surrey and Sussex, any thing in this present act to the contrary notwithstanding.

Kent Surrey Sussex

Prouided also that this present act or any thing therein conteined, shall not extend or be preiudiciall or hurtfull to extende to charge any person or persons which before the feast of Saint Michaell the archangell in the xxiiii. yere of the raigne of our soueraigne lord king H. 8. haue bargained and boughe woods, or great trees, growing in any the same woods, for or concerning ỳ felling or cutting downe of the same woods, or trees, or not leauing of any standils or stozers, of, and in the same according to the tenor of this present act, any thing, penaltie or forfaiture in this present act contained to the contrarie thereof notwithstanding.

Standils

Prouided alway and be it &c. that this act or any thing therein contained, shall not extend to charge any person or persons with any penaltie or penalties, contained in this present act, for, or concerning any timber trees growing within two miles of the Sea, in the Countie of Cornewal, or any other Tymber tree within the Realme, being seare and dead in the tops, or any other timber trees to bee taken by vertue of the kings highnesse Commission within the Realme, of, for, or concerning any offence done contrarie to the tenour of this act, vnlesse the same person or persons offending this act, be sued for the same within one yere next after the same offence committed or done, any thing in this act contained to the contrarie in any wise notwithstanding. Prouided alway and be it &c. that if any person or persons do breake or destroy any seuerall fences or hedges made or to be made for the sauing of the same woods, vnderwoods, grounds or soiles, that euery person so offending, shall forfait and lose for euery such offence tenne shillings. And be it &c. that if any person or persons suffer his swine being of the age of tenne weekes or aboue, during such yeres, as the said woods be appointed and ordained by this act to be enclosed, at any time after the first day of August next comming, to goe or runne in any common or seuerall ground or woods, vnlesse the same swyne be sufficiently ringed or pegged: that then the owner or owners of euery such swine shal forfait and loose for euery such his swine that shall so goe or runne in any the said grounds, woods or vnderwoods, and not being sufficiently ringed or pegged, as is aforesaid, from and after the said first day of August next comming iiii.d. the one halfe of all and euery the said forfaitures, if it be in any of ỳ kings woods or grounds to be to his highnesse, and the other to the finder thereof. And if it be within any other person or persons saide grounds, woods or vnderwoods, then the one halfe of al and euery the same forfaitures to bee to the owners of the soyle, and the other part thereof to be to him that will sue &c. wherein &c. Prouided alway that where any woods or vnderwoods shall after the sayd feast of S. Michaell the archangell be felled or cut downe in any parke or ground inclosed, wherein any deere shalbe kept, that the owner or owners, possessioner or possessioners, of such Parke and Parkes, or grounds enclosed for deare, to be chargeable for the inclosure and preseruation of the same, as is aforesaid, but onely for the space of fower yeres after any such time of felling or cutting downe of the same copies, woods or vnderwoods, and not aboue: any thing contained in this act to

Timber Cornewall

One yere

Breake Hedges

Fort.

Swyne

Fort.

Moytie

Parke

Enclose

Foure yeres

Sued.

the contrary thereof in any wise notwithstãding. Prouided also & be it &c. that if ỹ
Enclosure enclosure or enclosures of any of the said copies, woods, vnderwoods, or grounds,
Pull downe happen to be broken or pulled downe by any person or persons against the willes & mindes of the owner or owners, possessioner or possessioners of the same woods, or vnderwoods, whereby cattel or beastes escape in the same woods, grounds or vnderwoods, and destroy or hurt the spring thereof, or if the same woods, ground, or vnderwoods be by any meanes destroied, hurted or hindred by any maner of person or persons, or by the cattaile or beasts of any person or persons, without the assents, minds & willes of such owner or owners, possessor or possessors, that then & in euery such case the said penalties cõtained in this act, to be extended vpõ the same person or persons in or by whose default the same spring wood, or vnderwood shalbe so destroyed, hurted or hindred, & not vpõ the owner or owners, possessor or possessors of the said woods, grounds, or vnderwoods, any thing contained in this act to the contrary thereof in any wise notwithstanding. Prouided also and be it &c. that it shal and may be lawful to euery owner & owners, possessor & possessors, their termors and assignes, of all and singuler the said woods, vnderwoods, grounds and copies, after such time the same woods or vnderwoods, grouds and copies haue bene fenced and inclosed, or the spring thereof otherwise preserued by the space
Two peres of two peres, next after the felling there-
Colres of, to put colres and calues, being vnder
Calues the age of one pere, into the said woods, vnderwoods, grounds, and copies, any thing contained in this act to the contrary thereof notwithstanding. And this present act and actes to endure onely by the space of seuen peres next after the saide feast of Saint Michaell the archangell, and from thence vntill the end of the next Parliament. Anno 35. H. 8. cap. 17. And after An. 7. E. 6. cap. 11, this statute was reuiued and continued vnto the last day of the next parlia. And after An. 1. M. 1. parl. ca. 13, this act was continued vnto the last day of the next parli. And after An. 1. M. 2. ca. 12. this act was continued vnto the last day of the next parliament. And after 1. & 2. P. & M. ca. 10. it is continued to the last day of the next Parliament. And after Anno 2. & 3. P. & M. cap. 21. And 4 & 5. P. & M. ca. 9. And 1. Eliz. cap. 19. it is continued vnto the last day of the next parliament, which began 5. Eli. and ended 8. Eli. then this act was discontinued. And 13. El. cap. 25. it was reuiued, and made perpetual. (With an addition, which See here. 5.)

4 ¶ For the auoyding of destruction and wasting of timber, Be it enacted &c. that no person or persons hereafter shall conuert or imploy, or cause to be conuerted or imployed to Coale, or other fuell Coale Fuell
for the making of Iron, any tymber tree, Iron
or timber trees of Oke, Beeche, or Ashe, Timber
or any part thereof of the breadth of one foote square at the stubbe, and growing within fourteene miles of the sea, or of a- Riuers
ny part of the Riuers of Thames, Seuerne, Wye, Hũbre, Dee, Tyne, Teese, Trent, or any other Riuer, Creeke, or streame, by the which carriage is commonly vsed by boat or other vessell to any part of the sea, vpon paine of forfeiture for euery such tree, or any part thereof so imployed or conuerted to Coale, or other fuel, for ỹ making of Iron, as is aforesaid xl. s. of lawfull money of England, the one halfe of all which forfaitures to be to Forf.
our Soueraigne Lady the Quenes Maiestie, and to her Heires and Successors, and the other moytie to him or them Moytie
that wil sue for the same, by original writ, bill, plaint, or information, wherein no essoyne, protection, iniunction or wager of lawe shalbe admitted or allowed. Prouided alwaies that this act shall not extend to the county of Sussex, nor to the weilde of Kent, nor to any the parishes of Charewood, Newdigate, and Ligh in the weild of the Countie of Surrey, this act to beginne, and take effect from and after the feast of the Natiuitie of saint John Baptist next commmig after this session of Parliament. An. 1. Eliz. cap. 19.

See courts. An. 33. H. 8. cap. 39. concerning

cerning the wood sales of ỳ kings lands.

5 ¶ Forasmuch as ỳ act for ỳ preseruation of woods made 35. H.8. (before 3.) hath bene by experience found to be very necessary: Be it &c. that the same and euery thing therein contained shall be reuiued, and from henceforth remaine and continue in force and effect for euer. And for the more encrease of woods, because the space of the yeres of inclosure or preseruation limitted in the said statute, is by experience found not sufficient: Be it enacted &c. that from the xx. day of June next, all maner of woods or copies, intended by the said act to be inclosed, and the sprygs thereof preserued, shalbe sufficiently inclosed, or the sprygs therof otherwise saued from destruction, by the space of two full yeres more then in the seuerall clauses of the said act is seuerally limitted according to the age of the woods felled, vpon like paynes as are contained in the foresaid clauses of the said act, concerning inclosure or preseruation of the said woods, coppies or sprygs, and that from the said xx. of June next following, it shal not be lawfull for any maner of person to put any maner of cattell into any copie, woods inclosed to be preserued from the time of the sale thereof, vntill the ende of fiue yeres, nor from the end of fiue yeres, any other cattell but calues and yereling coltes onely, vntill the ende of vi. yeres if the wood was vnder the age of xiiii. yeres at the last fall, or vntill the age of viii. yeres, if the wood was aboue the age of xiiii. at the time of the last fall &c.

Coppies Enclosed

2. Yeres

Prouided that this addition to the statute of woods, shall continue as long in force as the aforesaid estatute made in the xxiv. yere of the raigne of king H.8. Anno 13. Eliz. cap. 25.

6 ¶ Whereas by reason of the late erection of sundrie Iron milles in diuers places of this realme, not farre distant frō the citie of London, and the suburbes of the same, or from the downes and sea coastes of Sussex, the necessarie prouision of wood, aswell tymber fitte for buylding, and other vses, as also all other selleable woods seruing for fewell, doth dayly decay and become scant, and will in time to come become much more scarcer, by reason whereof the prices are growen to be very great and vnreasonable, and in time to come wil be much more, if some remedy be not prouided, to the great dammage not onely of the inhabitants of the said citie of London and the Suburbes of the same, but also to all others the Queenes Maiesties most louing subiectes, hauing occasion daily from al parts of the realme to repayre vnto the same and the places aboueseyd: For remedy whereof, Be it therefore enacted by the Queenes most excellent Maiestie, the Lords spirituall and temporall, and the commons in this present Parliament here assembled, and by the authoritie of the same, that no person or persons from and after the feast day of the natiuitie of Saint John the Baptist next comming, shall conuert or employ, or cause to be conuerted or employed to Cole or other Fewell, for the making of Iron or of Iron mettall in any Iron milles, furnes or hammer, any maner of wood, or vnderwood now growing, or which hereafter shal grow within the compasse and precinct of xxii. miles from and about the Citie of London or the Suburbes of the same, or within xxii. miles of the Riuer of Thames, from Dorchester in the Countie of Oxforde downewards the said riuer of Thames, nor within foure miles of the foote of the hilles called the downes betwixt Arundell and Pemsey, in the countie of Sussex, nor within foure myles of any of the townes of Winchelsey, and Rye, nor within two myles of the towne of Pemsey, nor within three myles of the towne of Hastings in the sayd Countie, vpon paine to forfeite for euery loade of wood so to be employed or conuerted into Cole or other fewell for the making of Iron or Iron mettall, in any Iron mill, furnace or hammer, as is aforesaid, fourtie shillings of lawfull money of Englande, the one halfe of all which forfeitures to be to our soueraigne Lady the Queenes Maiestie, and to her heires and Successours, and the other moitie to him or them that

Fewell for Iron mettall

22. miles

London

Dorchester

4. miles Downes

Rye

Two miles Pemsey

Three miles Hastings

Forf.

Moytie

will sue for the same, by originall writte, bill, plaint, or Information, wherein no essoine, protectiõ, or iniunction, or wager of lawe shalbe admitted and allowed.

Proniso Prouided alwayes, that this Act shall not extende to any woods growing or to growe in any such part of the weildes of Surry, Sussex, or Kent, within the saide twenty two miles of the said citie of London and the riuer of Thames, as is distant aboue eighteene miles from the Citie of London, and eight miles from the said riuer of Thames.

Weildes

No newe Iron woorks And be it likewise further enacted, that from hencefoorth no newe Iron woorkes shalbe erected within twentie two miles of the sayd Citie of London, nor within fourteene myles of the riuer of Thames, nor within foure miles of the downes aforesaide, or of the sayd townes of Pemsey, Winchelsey, Hastings, or Rye, vpon payne of one hundred poundes of lawfull money of England, likewise to be recouered and employed, as is aforesaid.

Proniso Prouided also, that this act, nor any thing therein conteined, shall extende to any woods or vnderwoods now standing or growing, or which hereafter shal stand or growe in or vpon any landes of Christopher Darrell Gentleman, in the parish of Newdigate, within the weilde of the Countie of Surry, which woods of the sayde Christopher haue heretofore bene, and be by him preserued and coppised for the vse of his Iron woorkes in those partes. An. 23. Eliz. cap. 5.

Darrell

¶ Woolles.

Merchant Stranger Forf. NO merchant foreine, or denizen, or none other, of what estate or condition that he be, vpon paine of forfaiture of life and of member, and of as much as he may forfait towardes our Soueraigne Lorde the king, shall cary or cause to be caried, by himself nor by other, priuely nor apertly, from hencefoorth any woolles out of the realme, till by the king and his counsaile it be thereof otherwise prouided. Anno 11. E. 3. cap. 1.

Woolles 2 ¶ The ordinances made before this time, vpon the taking of sortes of woolls in euery countie, be wholly annulled and defeated: And that euery man aswell straunger as priuie, from hencefoorth may buy woolls, according as they may agree with the seller, as they were wont to doe before the ordinances aforesayd. And that no man be impeached nor greeued, because of any buying made in times past, against the ordinances aforesaid. An. 18. E. 3. cap. 3. stat. 2.

Buy

Merchant 3 ¶ No merchant priuie nor straunger, nor other, shal cary out of our realme of England, woolles, leather, woolfelles to Berwike vpon Twede nor els where, nor into Scotland, nor that no man, merchant nor other, of what condition that he be, sell his wools, woolfelles, nor leather, to any man of Scotland, nor to none other to bring into Scotlande, vpon the paines and articles contained in the saide third article. Anno 27. E. 3. capitulo 12. stat. staple.

Leather

Berwike

4 ¶ All those that shalbe conuict, that they haue caried woolles, leather, and woolfelles to the parties beyond the sea, against the defence and Proclamation thereof made before the making of this ordinance, shalbe iudged to prison, and incurre the forfaiture of the same woolles, leather, and woolfelles so passed, and of al their other goods and cattels, and moreouer be raunsomed at our will. Anno 27. E. 3. cap. 27. stat. staple.

Imprisõ

Forf.

5 ¶ Whereas at the greeuous complaint of the commons of the Realme of England it was shewed, ꝑ the merchants which buy woolls in faires and markets, and other places by couin and consent betwixt them, do abate the price of wools, & vse other weight, then is ordeined by the statute before this time, in anoiance of the people: It is accorded and stablished, that proclamation be made through ꝑ realme, that no merchant doe such couyn, vpon a greuous forfaiture. And if any do against the same after the proclamation, the king shal assigne his Iustices to enquire at the suit of the party of all that do such couin, and to heare & determine for the king & for ꝑ party. And that certaine ballances & weights of sacke, halfe sacke, and quarter,

Couyn

Weight

Forf.

Oier & ter.

Ballance

pound,

pound, halfe pound, and quarter, accoꝛding to the ſtanderd of the Eſchequer, be ſent to all Shiriſes of England betwixt this and the Nativitie of S. John next comming, ſo that they (ſuch ballaunces and weighes receiued) ſhall make open Proclamation through all their counties, that euery man that wil haue ſuch ballances and weighes, ſhall come to the ſhiriſe beſoꝛe Michaelmas, to make their ballances and weighes accoꝛding to the ſaid ſtãderd at their coſts, without any thing giuing to the ſhiriffe foꝛ to haue aſſay oꝛ example of the ſaid ballances and weighes, and that from henceforth none ſhal ſel noꝛ buy by other weight. And if any doe againſt the ſame, he ſhalbe puniſhed by fine at the kings will. An. 31. E. 3. cap. 2.

Proclamation

Shiriſe

6 ¶ That the king aſſigne his Juſtices to enquire, heare & determine of thoſe that haue caried woolꝭ, leather and woolfelles to the parties beyond the Sea, and thereof haue done couin and exceſſe, and otherwiſe attempted againſt the ordinances, and the foꝛme of the ſtatute of the ſtaple. Anno 31. Ed. 3. cap. 7.

7 ¶ Euery merchant and other as wel alien as denizen, may cary to the parties beyond the Sea which be of the kings amitie, woolꝭ, leather, and woolfels, from the v. day of May next comming, to the feaſt of S. Michael next enſuing, paying foꝛ euery ſacke. l. s. and foꝛ CCC. woolfels. l. s. and foꝛ the laſt of leather C. s. foꝛ the cuſtome and ſubſidie of the ſame.

Tranſpoꝛt

Leather

Cuſtome

And that no merchant noꝛ other, that buyeth woolles, ſhall make other refuſe of woolles, then was wont to bee made in times paſt, that is to ſay, of cote, gare and bilaine fleeſes, & that euery ſacke contayn xxvi. ſtones, and euery ſtone xiiii. pound, accoꝛding to the weight of the ſtanderd of the eſchequer, and no moꝛe noꝛ leſſe. And that al the woolꝭ, felles & leather bought in the contrey, ſhalbe bꝛought to the ſtaples, and there ſhall abide at the leaſt xv. daies. And thoſe that may not there be ſold oꝛ deliuered within the xv. daies, ſhalbe bꝛought to the poꝛtes oꝛdained foꝛ the ſtaples, to paſſe from thence to the parties afoꝛeſaid, paying the cuſtomes and ſubſidies afoꝛeſaid. And that no woolꝭ vendible ſhalbe lodged, ſhewed, noꝛ ſold within three myles of the ſtaple, but in the ſame ſtaple, ſauing that euery lord & other man then merchant, may freely lodge, ſhewe and ſell his woolꝭ, which be of his owne growing, in his owne houſe & elſewhere ſhall pleaſe him. An. 31. Ed. 3. cap. 8.

Weight

Stapl

8 ¶ The Chauncellour and Treaſoꝛer which foꝛ the time ſhalbe, by the aduiſe of other of the kings counſaile, ſhall haue power to deferre the terme of paſſage of woolꝭ, when they ſee that neede is. An. 31. E. 3. cap. 9.

Chauncellor Treaſoꝛer

9 ¶ The king by the aſſent afoꝛeſaid, hauing regard to the graũt that the commons haue graunted now in this parliament of woolles, leather and woolfelles to be taken foꝛ three yeꝛe: wil and graunt, that after the ſayd terme paſſed, nothing be taken noꝛ demaunded of the ſaid commons, but onely the auncient cuſtome of halfe a marke, noꝛ that this graunt nowe made, oꝛ which hath bene made in times paſt, ſhall not be had in exãple noꝛ charge of the ſaid commons in time to come. And that ꝑ merchant denizens may paſſe with their woolles aſwel as the foꝛeines without being reſtrained. And that no ſubſidie noꝛ other charge, be ſet noꝛ graunted vpõ the woolꝭ by the merchants noꝛ by none other from henceforth without the aſſent of the parliament. An. 36. E. 3. cap. 11.

Cuſtome

Subſidie

10 ¶ Whereas it was another time oꝛdeyned in the ſtatute of ꝑ ſtaple that no Engliſh man ſhould paſſe the Sea with woolles, leather, noꝛ woolfelles by him noꝛ by other, vpon paine of foꝛfaiture of life and member, lands, tenemẽts, goods and catteis: It is accoꝛded, that the foꝛfaiture of life and member, ſhall be wholly out. And that no man be impeched becauſe of ſuch foꝛfaiture of life and member, aſwell of times paſt as of the time to come. And the foꝛfaiture of lands and tenements, goods and catteis ſhall ſtand in their foꝛce. An. 38. Ed. 3. cap. 6.

Tranſpoꝛt

Foꝛf.

11 ¶ The ſtaples of Caleys &c. ſhalbe wholly put out, and the ſtaples of woolꝭ, woolfelles and leather of the Realme of England, ſhall be holden in the places

Staples

vnderwritten, that is to say, at Newcastell, Kyngstone vpon Hull, S. Botulfe, Dermouth, Quenesborough, Westminster, Chichester, Winchester, Excester, and Bristow. And the staples of Irelande and of Wales, shalbe in the places where they were first ordayned. And moreouer it is ordayned, that all merchants, aliens and denizens may freely go through England, Ireland and Wales, and buy and sell woolles, woolfelles and leather, and all other merchandises at their will, without empeachement or disturbance, so that no woolles, woolfelles, nor leather shall passe out of the Realme of England, Ireland, nor Wales, till they be brought to the staples, & there weyed, cocketted and customed. And that all the woolles that shalbe brought to the staples at Westminster and Winchester, shalbe betwixt merchant and merchant, or merchants, and other, lawfully weyed by the standerd. And euery sacke and sarplet of the same woolles so weyed, sealed vnder the Seales of the Maior of the staple and of the constables, or Maior and one of the constables. And also that all the woolles so weyed and sealed at the staples, & leather and woolfelles that there shall come (the customes of the staples therof paied) shalbe witnessed by bill ensealed of the seales of the Maior of the staple, and constables, or Maior and one of the Constables, and brought from Westminster to the port of London, and from Winchester to the port of Southampton, and there the saide woolles shall bee an other time weied in the presence of our customers and comptrollers assigned in the same portes. And an Indenture shalbe made betwene the Maior of the Staple and the constable, or Maior, and one of the constables, being in the sayd portes, and our customers there, of all ỹ woolles so weyed, and also of the leather and woolfelles, which shall come to the same Staple to passe there. And the same wools, leather, woolfelles and all other woolles, well and lawfully weyed, cocketted, and customed in the other portes and staples aforesaid, shalbe brought out of the said realme and landes by aliens, to what parties shall please them at their will, and not by denizens. And if any denizen doe against the same, he shall incurre the forfaiture of the woolles, leather, and woolfels so passed, and of imprisonment of his body by three peres, and moreouer be raunsomed at the kings will. And the Shippe charged with the same merchandises, to whomesoeuer he be, shall be forfait to the king. Anno 43. E. 3. cap. 1.

Strangers

Port.

Imprison

Port.

12 ¶ No imposition or charge shalbe put vpon woolles, woolfelles and leather, other then the custome and subsidie graunted to the king, in one partie, without the assent of the parliament, and if any be, it shalbe repealed and holden for none. An. 45. E. 3. cap. 4.

Customs

13 ¶ See merchants Anno 2. R. 2. cap. 3. what merchants may carry wools and other merchandise of the Staple to other places then to the staple.

14 ¶ An. 5. R. 2. stat. 2. cap. 2. it was enacted for a certaine time, that woolles, leather, and felles might be shipped and caried to any place, paying the customes before hand.

15 ¶ And that none buy nor sell woll at no more weight then at xiiii. pound the stone, vpon paine to pay the double to him that feeleth him greeued, and to make fine and raunsome to the king after the quantitie of the trespasse. And that no denizen nor forreine make none other refuse of woolls but cot, gare, and villeyne. And that no merchaunt nor other man buy his woolles by these words, good packing, nor by like wordes, vpon payne, that is to say, the broker to haue imprisonment of halfe a yere, and the buyer to make a fine to the king after the quantitie of the trespas, and the partie that feeleth him greeued, shall haue double dammages of that that he hath suffered by the said occasiõ. And that none shal make wools to be cocketted but in the name of him to whõ the wools be, vpon paine of forfaiture of the same, as it hath bene an other time ordained by statute. An. 13. R. 2. cap. 9.

Weight

Fine

Forreine

Broker

Imprison

ii. dammages

Port.

16 ¶ To keepe the high price of woolls the better, that no denizen of Englande shall

Price

shall buye wools, but of the owners of the sheepe & of the tithes, except in the staple. And ỳ no denizē regrate wools, nor other merchandises of the Staple priuely nor apertly, vpon paine to forfait the valour of the thing regrated. And that the Justices of peace in the countrey, haue power to enquire, and shall enquire from time to time, of such English regrators, and of the weights of the staple, & punish them by the paine aforesaid. And that no Englishman buy any woolle of any person, but for himselfe, or for his owne vse, as to sell at the staple, and for to make cloth. Anno 14. R. 2. cap. 4.

Denizen. Forf. Inft. of p.

17 ¶ That no denizen carry woolles, leather, woolfelles, nor Leade out of the realme of England, to the parties beyond the sea, vpō paine of forfaiture of ỳ same, but onely strangers. An. 14. R. 2. cap. 5.

Denizen. Leather. Leade. Forf.

18 ¶ As in the parliament holden the first yere of king Henrie the fowerth, father to the king that now is, by the aduise of the lords and commons in the same assembled, it was ordained, and assented, that the staple of woolles, leather, woolfelles, leade, and tinne should be wholy at Calleis: Sauing alwaies that all ỳ marchants of Jeane, Uenice, Cateloigne, Aragon, and of other Realmes, lands, and countreis, towards the west, being of the kings amitie, that would bring to Hampton or els where within the realme, carikes, ships, galeis, or other vessels charged, or discharged, might freely sell their marchandises to whom pleased them, & thereto recharge al their said vessels of wools, leather, woolfelles, leade & tinne, and of other merchandises of the staple, and freely bring them into their countrey towards the west, after the forme of the Statute there of made the second yere of king Richard the second after the conquest: And saued also to the burgesses & merchaunts of the Towne of Berwike vpon Twede, and to the resiants and inhabitants of the same, that they may buy woolls, leather, and woolfelles, aswell of the growing of Tyndale, and other places within the Realme of Scotland, and other of the growing of England, that is to say, of all that place betwixt the waters of Twede and Cocket, as of the growing of other parts within the Realme of Scotland. And the same woolles, felles and leather, to bring to the port of the said Towne of Berwike, and to cary them to forein parties, or sel them to sale in the said towne of Berwike, according to the forme and effect of an ordinance thereof made the first yere of the saide king Richard, and now so it is, that certaine merchants aswel of the Isles of Jernesey and Gernesey, as merchants of the parties of Bryttaine and Guyon, do buy in diuers places of Cornewall whole Tinne not molten, and the same cary and sende to be solde in diuers parts of France, Normandy, Brittaine, Guyon, and els where, then to the said staple, & also diuers other merchāts, aswell denizens as strangers, do buy and send molten tynne, called shoten tynne, out of the realme to the parties of Flaunders, Holland, Sealand, and to other parties beyond the sea, then to the said staple, against the forme of the sayd ordinance so late made, to the great fraude, losse and dammage to the king as of his customes, and to the hinderance of all the repairers to the same staple, as the king is thereof certified by the motion of his Commons nowe present: The king considering the same ordinance to be necessary and profitable for him and the said Staple, will, graunteth and commaundeth, that the same shal stand in his force, and moreouer the king by the assent of his lords spirituall and temporall, and of his Commons here assembled in this parliamēt, wil, and ordaineth, that no woolles, felles, leather, leade nor tinne, whole or molten, called shoten tynne, nor none other merchandize of the staple, from hencefoorth shalbe sent nor carried to any parties beyond the sea, vnles they be first brought to the sayd Staple after the forme of the sayd ordinance made the sayde first peere of King Henrie, vpon paine of forfaiture of all the merchandises in such maner sent or carried out of the Realme, vnlesse it be by the kings licence, and except those persons, places and thinges, which be excepted in

Staple. Read. Tinne

Berwike

Tinne

Leather. Leade. Tinne

Staple

Forf.

Licence

the saide ordinance made in the first yere of the said King Henrie, for the time that the persons of the places so excepted, bee of the kings amitie, and that in the forme contained in the same ordinaunce. And moreouer, that euery man (except those before excepted) which shall send or cary any such marchandise of the Staple, out of the Realme of Englande in time to come, shall finde good and sufficient suertie to the king, before his customers of the place where the same Merchaundises shalbe taken & customed, within the same realme, before that he depart with ỳ same merchandises, that he shall first bring or send them to the said staple, in the forme aforesaid, vnlesse he haue the kinges licence as afore is said. An. 2. H. 5. cap. 6.

Suertie

Stranger

19 ¶ Euery marchant stranger, buying woolles in England, to bring them to the west parties and else where, not comming to the staple, there to be solde, shall bring to the master of the mint of the Tower of London of euery sacke, one ounce of bullion of Gold, and in the same maner of three peeces of tinne, one ounce of bullion of Gold, or the valour in bullion of siluer, vpon paine of forfaiture of the same woolles and tinne, or the valour of the same to the king. An. 8. H. 5. cap. 2. See staple 32. An. 2 H. 6. cap. 4.

Mint

Gold

Siluer Forf.

20 ¶ If any person bring, or cause to be brought any wools or woolfelles not customed, out of the Realme, to other places then to the said staple, he shall forfait to the king the valour of the marchandises so shipped, and his body to prison, till he hath made and paied a fine and raunsome. And that hee that thereof giueth knowledge to the Treasorer of England for the time beeing, and the trespassour for the same duely conuict, shall haue the fowerth part of the forfaiture due to the king in this behalfe. An. 2. H. 6. cap. 5.

Forf.

Imprison

21 ¶ Euery merchant aswell denizen as alien, may freely & safely ship woolls, leather, woolfels, and other merchandises of the staple, in the port of Melcombe, in the countie of Dorset, and from thence to bring them to the Staple of Calleis, paying the customes and subsidies due to the king. And that no merchant be impeched, molested, nor greeued by the king nor his heires for any shipping of ỳ merchandise aforesaid in the said port, any statute, ordinance or proclamation made to the contrary notwithstanding. Anno 6. Henrici 6. capitulo 6.

Port

Customes

22 ¶ No person ship nor doe to bee shipped from henceforth no maner of wools, woolfels, leather, lead, nor tinne, whole nor shotten, nor the same cary and conueigh out of any parties of the saide Realme, nor out of the Lands of Wales nor Ireland, to none other parties beyond the sea, but all onely to the staple of Calleis, vpon paine of forfaiture of the double valour of the merchandises so caried or conueyed to any other parties then to the sayd staple of Calleys, and also vpon payne of imprisonment of his body for ỳ space of two yeres without baile or maynprise. And he which can spie any person from henceforth, which offending and doing in any wise contrarie to this ordinance, and the same offence doe present to the Treasorer of England for the time being, and the trespassour thereof duely conuict, or if such trespassour confesse before the treasorer, and the barrons of the Eschequer, such trespasses by him done, that then he shalbe conuict by his owne confession. And the presentour shal haue for his labour the thirde part of the forfaiture of the merchandises caried or conueied against this ordinance. Sauing alwaies that the merchaunts of Janes, Uenice, Tuskain, Lumbardy, Florance, and Catloigne, may ship woolles, woolfels, leather, lead and tinne in their ships, Galleis, Carackes and other vessels, and to bring the same into their Contrey towards the west, in the maner accustomed before this time. Sauing also to the burgesses of the Towne of Berwike vpon Twede the priuiledges and benefites to them before this time graunted, as in diuers statutes thereof made is fully contayned, notwithstanding this ordinance. Anno 8. H. 6. cap. 17.

Lead Tinne

Staple Forf.

Imprison

Mainprise

iii. Part

Transport

Berwike

23 ¶ No mariner stranger, nor other mariner, that is likewise owner and master

Mariner

ster of any shippe or vessel, shall take nor receiue within Englande, Wales nor Ireland in his ship or vessell any maner of woolls, woolfells, nor other marchãdises of ỳ staple, nor cary the same out of the realme to any other parties beyonde the sea, but onely to the staple of Caleis, except such which by the ordinance made shall passe ouer ỳ straights of Barrocke, and that vpon paine of forfeiture to the king of such shippes and goods so found defectiue, as of the goods of ỳ saide mariners being in the same ships or vessels. And that the Maior of the staple for ỳ time being, shall haue power & auctoritie to make due search in this partie. And the shippes, goods, and mariners, if any be thereof found defectiue, for to be presented and deliuered to ỳ kings counsell of England, by iust relation thereof to be made by the said Maior or his deputy, hee hauing for his rewarde the third part of the forfeitures by him presented and taken in the maner aforesaid. An. 8. H. 6. cap. 19.

Calcys

Forf.

Maior

Search

III. Part

24 ¶ Their lycences shalbe repealed. And if any of euil wil sel or carie any woolls or woolfelles, leather, leade, or any other marchandise of the staple in defraud of the king, or hinderance of the commoditie of this realme, into Scotland, that he shal forfeite the same goods, with the double valour, and his body to prison by the space of a yeere. An. 8. H. 6. cap. 21.

Scotland Forf.

Imprison

25 ¶ No straunger shal do to be forced clacked, not barded, no maner of woolls to cary them out of the Realme, vpon paine of forfeiture of ỳ sãe woolles with the double valour of the same, and of imprisonment of his body. And that no woolpacker shall make within ỳ realme but good and due packing, and that no man make within the fleece of woolles at the winding of his woolles, nor put in the same lockes, peltwoolle, tarre, sand, earth, glasse, nor no dyrt. And if any doe, he that feeleth him grieued shal haue his action at the common lawe of trespasse & deceipt. An. 8. H. 6. cap. 22.

Stranger

Forf.

Imprison Woolpacker.

Action of trespas

26 ¶ Whereas by a statute it was ordained that all the woolles and woolfelles, hydes, leade and tinne, and diuers other marchaundises passing out of the realme of England, the lands of Irelãd, Wales, & Berwicke vpõ Twede ought to repaire to the staple of Calcys and to none other place beyond the sea to be sold vnder the gouernance of the Maior and Constables of the sayde staple, vpon certaine paines contained in the said statute, which paines be so easy and not doubted, that many take in custome to cary, and do dayly to be caried out of the realme and landes aforesaide by diuers meanes and wayes a great substãce of woolls, woolfelles, hides, leade, and tinne, and other marchandises, which ought to repaire to the said staple into Scotlande and into Flaunders, Holland, Zeland, & Brabant, without custome or other charge thereof paying as is paied for woolles repairing to Caleis: And also by the sayde woolls and marchandises so caried to the saide parties, there commeth no money into this realme of England, nor the same realme is in no wise encreased, nor the mint at Caleis sustayned: And moreouer the same woolles and marchandises bee solde in the said parties at so little a price or valour, that the marchants aliens be so greatly enstored of the same, ỳ they come not to Calcys for to buye woolles and woollefels, as they were accustomed to do, to the great losse and dãmage of our Soueraigne lord the king, and the vniuersal dãmage of his realme and great hinderance of the vtterance of the commodities of the said Realme repairing, & being at the said towne of Calcys as the same our Soueraigne lord the king hath conceiued at the greeuous complaint to him made by the marchantes, and commons of the realme in this present parliament assembled: Our soueraigne Lord the king considering the greeuous losses and dammages aforesaide, hath ordained that the valour of all such goods so found caried, or to be caried to the said parties, except those woolles and woollefelles which by our Soueraigne Lord ỳ king be or shalbe lycenced, if there bee any forfeite,

Staple

Forf.

Moitie

seite, whereof the same our soueraigne Lord the king shal haue the one halfe, and the person that espieth and prooueth the same by the discretion of the Treasourer and the Barons of the Eschequer, shall haue the other halfe. And that euery man haue power by auctoritie of the same parlyament to make such search in euery place where it shall bee needefull. Anno 10.H.6.ca.7.

Customs

27 ¶ Because that marchants aliens and denizens by an euil custome risen of late, haue ben constrained to pay custome and subsidie for their canuas with which their wools be packed: It is accorded þ such canuas with their corners, shall frō henceforth bee allowed to them without paying Custome or subsidie of the same. An.24.E.3.cap.19.

28 ¶ See staple 33. concerning the prices of wool and other marchaundises of the staple, and ready money to bee paid for them &c.

Bullion

29 ¶ For as much as the great number, quantitie and substance of the wools growing in the realme of Englande by these three yeeres passed, bee shipped and in great iopardy and doubt come to the towne of Caleis, there to be sold for ready money, whereof it behooueth the saide marchauntes sellers to receyue vpon euery sarpler a certaine of bullion, to bee brought to the kinges mint at Caleis, the which ready money and bullion after that they be forged and coined, & receiued by the said marchants sellers, ought duly and equally to be distributed & departed to euery one after his portion to bee sent into his realme, for the increase & vniuersall weale of the same, by vertue of certaine statutes made in þ same parliament holden at Westminster the viii. yeere of our said soueraigne lorde the king, & renewed in þ parliament holden the xi. yere of his raigne, which statuts be straitly obserued and kept, as by such persons which by vndue meanes do ship wools in the creekes & other suspitious places, & also in dyuers ports of the realme, and thē carie to other places then to Caleis, and also by such persons which in derogation of the vniuersal weale of þ realme, and in destruction of the good ordinance of partition, & in abatement of the price of wools, doe purchase licences for their Licence singuler auaile, to ship wools at Caleis, there to be sold before all other woolles there being, and be not bound to keepe þ price nor to receiue no bullion, nor to make partition nor distribution of their money, in maner as all marchantes of Englande there repayring be straighely bound to do by þ statutes aforesaid, by reason whereof the sayd marchaunts by the meanes & licences aforesayd be in point to be destroyed, the said staple to bee disseuered & destroyed, & consequently the said towne of Caleis, which by the said staple hath hytherto bene greatly maintained & inforced, is like to bee vndone & lost, & þ said realme in point to be greatly hindered & hurt, as the same our soueraigne lord the king hath conceaued by þ grieuous complaynt to him made in the same parliament by the commons of the same: Therefore the same our soueraigne lord the king, willing for the same in this case to prouide a remedy by the aduise of the sayd Lords Spiritual and temporal, and at the supplication of the sayde commons, hath ordained in the same parliament, that no such licence, which is so preiudicial and contrary to the common & vniuersall weale of his realme, and of his said marchaunts, and in destruction of the sayd towne, and of the said ordināce of partition, & of the price of the wools, shal in no wise be graunted. And that euery man which shippeth or doe to bee shipped any wools or woolfelles, to carry thē ouer the sea in any wise, shal repaire with the same to Caleys, and there discharge Caleis and sell the said wools, and woolfelles, after the tenour of the said statutes, and after the good rule and ordinance of the sayd staple, in maintenance and sustentation of the same relefe, and increase of þ sayde towne of Caleis, & for the publike weale of this his realme of Englande, Sauing alwaies to our soueraigne Lord the king, power and auctoritie to moderate the same statute whē it shal please him

him by aduise of his counsel, according as to him best shal seeme for the profit of him and of his Realme of England. Sauing also to the marchauntes of Jeane, Uenice, Tulkaine, Lumbardy, Florence and Catelonye, and also of the Burgesses of Barwicke vpon Twede, the liberties to them graunted by a statute heretofore, and to al other the kings liege people, the benefit of licence to them grãted by the king by the aduise of his counsel. An. 14. H. 6. cap. 2.

Barwicke

30 ¶ All the wools & woolfels, & al other marchandises which by stat. ought to repaire to the said staple, found in any creekes shipped contrary to ỳ said statute & ordinances, shalbe forfeite to our soueraigne lord ỳ king. And moreouer ỳ euery person which at any time shippe or do to be shipped any maner of wools, woolfels or any other marchandises to go to ỳ staple aforesaid, & cõe not there, shal forf. as much goods as ỳ wools, woolfelles, & other marchandises, by thẽ so shipped & caried to other places then to Caleis doe amount, by extent after the very value, except the marchandises which bee to bee excepted to passe by the kings licence to other places. Reserued alwaies to ỳ king ỳ whole moity of such forfeitures, which be cocketted & customed to go to Caleis, & come not there, as afore is said. And to them which finde and seyse the marchandises, the other moitie without any diminution or impediment. And if any person put any wools, woolfelles, or any other marchandise of the staple to any suspitious place adioyning to the coastes of the water, in whatsoeuer place that it be, and no indenture thereof made betwixt him & the Maior, Bailife or constable of the towne, in ỳ which such wools, woolfels & other marchandises of the staple be so put, that then ỳ same wools, woolfels and marchandises be forfeite. And that ỳ king haue one moitie of all such forfeitures, and the lorde of the towne where such marchandises be so put, and he which them find and seyle the other moitie, to be equally betwixt them departed. And euery man shal haue power by auchoritie aforesayde, to make search in euery place vpon such goodes of the staple so caried or shipped, or put to be shipped as afore is saide, without impediment or disturbance of any person. Anno 14. H. 6. capitulo 5.

Shipped Forf.

Forf.

Moitie

Forf.

Moitie.

Serch

31 ¶ No maner person of what condition that he be, shal cary nor doe to be caried any wools or woolfels customably out of this realme to other places then to the staple of Caleis, without the kinges special licence, vpon paine of felony. And if any person from henceforth do contrary to this ordinance, and thereof be conuict or attainted, ỳ hee bee adiudged for a felon. And that alwel commissioners assigned, as the Justices in euery County where such wools and woolfels shalbe so caried out, haue power and auchority by the same ordinance to enquire of the premisses, and them to heare & determine. Prouided alwaies ỳ the woolles which passe the streits of Marrocke, shalbe in no wise comprised within this ordinance. An. 18. H. 6. ca. 15.

Licence Felony

Commissioners Justices

Oiir & ter.

32 ¶ An. 3. Ed. 4. cap. 1. an acte was made for iii. peere, concerning straungers, for buying and shipping of wools & felles, and carying thereof to the Staple at Caleis, & paying & receiuing of ready payment thereof in money, plate or bullion, at the staple of Caleis, and for coining of the same plate & bullion.

That wools and woolfelles, morling and shorling, that shalbe shipped to passe out of this realme, after the feast of Easter which shalbe in the peere of our lord M. CCCC. lxv. shall bee shipped at the townes of such portes wherein the king hath his beame, his weighes & collecters of custome, to serue and deliuer the marchants, ỳ is to say at the towne of Pole, Southampton, Chichester, Sandwich, London, Ipswich, Boston, Hul, Lynne, and in none other place, creeke or port, the wools and woolfelles to be shipped in galeis & carrakes, and in none other vessel, to passe out of this realme by ỳ streits of Marrocke forprised and except. And that by the same auchoritie, euery person that so shall shippe, or cause to bee shipped

Portes k. beame

shipped out of this Realme any wools, woolfelles, mozlyng, oz shozling, after ẏ said feast, vpon the shipping of them, and before that they passe out of any of the said townes, where they shal be shipped, shall Suertie find sufficient suerty to the kinge and to Cuſtomers the collectours of his custome there for the time being, that the same woolles, woolfelles, shozling & mozling shal passe to Caleis, and to none other place, without fraud oz colluſiō. And also by ẏ same auctho̅itie it is ordained, that euery person, which so shal ship wools, woolfelles, shozling and mozling to Caleis, shall bring within xii. moneths next following such shipping into the kings Eschequer, Certificat there to be entred of recozd a certificat of him, which is, oz for the time shalbe called the kinges custome̅r at the pozt there, testifyng the cō̅ing of al such ships with wools, woolfelles, mozling & shozling to Caleys. Also it is ordained by the auctho̅itie afozesaid, that if the same custome̅r at the pozt, doe not deliuer to the marchant bringing such woolles, woolfelles, mozling and shozling to Caleis, a due Certificat, after the fourme of this act, within viii. daies after due request of Foꝛf. him therefor made, he shall forfeyte to the owner of the said wools, woolfelles, shozling & mozling, at any time that hee shall refuse to make & deliuer such Certificat C.li. And if hee which so shall shippe woolles, woollefelles, shozling oz mozling, to be had to Caleys, do not bring into the kinges Eschequer the certificat as aboue is recited, and there offer the same in open court before the Treasourer and barons of the same Eschequer, for the time being, to be entred of recozd within the sayde xii. moneths, oz if any person do contrary to the said ordinance, he shal forfeite all such woolles, woollefelles, mozling and shozling so shipped contrary to the sayd ordinance, whereof hee bringeth not a certificate, as before is recyted, oz Poitie the value thereof. The one halfe to bee employed to the expences of the kinges house, and the other halfe to such person as shall sue for the same in this behalfe, being Paioz of ẏ kings staple at Caleis at the same time of such suit commenced. And that hee in this case may sue an action of debt of such wools, woolfelles, shozlyng oz mozling so forfeite, oz of the value thereof at his election against such person oz persons, which shal do contrary to this ordinance. The saide action to bee taken, and euery issue therein ioyned, to bee tried in the countie where such Comtie wools, woolfelles, shozling & mozling shalbe shipped: except that if any issue be taken in the sayd action vpon the offer of the certificat, that then it shalbe tried in ẏ countie where the said court of the eschequer for the time shalbe. And ẏ the same processe lye in such action, as is and lieth Proces in an action of debt at the common law, and that no protection noꝛ essoyne lye oz be allowed oz adiudged for the defendant in such action. And though ẏ plaintife in such action bee discharged of his sayd office of Paioz, hauing the same action, hee shall maintaine and pursue the saide suite, notwithstanding the same discharge.

Prouided alwaies that if any wools, woolfelles, mozling oz shozling, to bee shipped in the fourme afozesayd, be taken with enemies vpon the Sea, oz else there perished oz lost by misfortune, and such taking, perishing oz losse, be found & proued before the Treasozer and the Barons of the king for that time being, by examination of the persons oz person, which so shoulde ship such wools, woolfelles, shozling oz mozling, oz their executours, oz two credible persons swozne, oz other reasonable witnesses & proues, testifyng the same wools, woolfels, shozling, oz mozling, so taken, lost oz perished, that no persone for any such woolfels, shozling, oz mozling so taken, lost oz perished, shalbe grieued oz otherwise preiudiced by this act.

Prouided also, that the wools, woolfelles, shozling, oz mozling onely of the growing betwixt the waters of Teese, & Twede, Northumberland, Cumberland, Westmerland, the Bishoppicke of Durham, Richmondshire, & Northalderton shire, may bee shipped in the pozt of

Newcastle

Newcastel vpon Tine, to passe at their libertie, this act notwithstanding. An. 4. E. 4. ca. 2.

34 ¶ That no person shall shippe or cause to be shipped, at the saide port and towne (S. Newcastel) any woolles or woolfels, morling or shorling, of ỳ growing of any county or countrey, other then of ỳ growing of the countrey beyond ỳ said waters, or of any of ỳ said Counties of Northũberland, Cumberlãd, Westmerland, Richmõdshire, Northalderton-shire, or of the said bishoprick of Durhã. Shipped And if any person ship or cause to be shipped, at ỳ saide towne or port any wools, woolfels, shorling or morling, of the growing of any countie or countrey, other then the said countreys, betwixt the same waters, or of ỳ said cõties of Northumberlãd, Cumberland, Westmerlãd, Richmondshire, Northaldertonshire, or of ỳ said Bishoprick of Durhã, to be caried into any place beyond ỳ sea, other thẽ the said staple of Calais, shal forfeite the Forf. double value of the same wools & woolfels so shipped, and not growen betwixt the said waters, nor in none of the saide counties of Northumberland, Cumberlande, Westmerland, Richmondshire, Northaldertonshire, or in the said Byshoprick of Durham: Whereof our soueraigne lord ỳ king shal haue ỳ one halfe, Partis and he that wil sue in this party the other halfe: and that aswel the king, as hee that wil sue for the same in this behalfe, shall haue his recouery by an action of debt. The said action to be taken, and euery issue therein ioyned, to bee tryed in the said Countie of Yorke, and not in the said towne, nor in none of the said Counties of Northumberland, Cumberlande, Westmerlãd, Richmõdshire, nor Northalderton shire, or in the said Bishoprick. Proces And lyke proces to be had in the same action, as is commonly vsed in an action of debt. And that the defendant in this case haue no aduantage by any essoine or protection, nor be admitted to wage his law. An. 4. E. 4. ca. 3.

35 ¶ No person by himselfe or any Buy other, shal buy or bargaine, frõ the xviii. day of March, which shalbe in the yeere of our Lorde M.CCCC. lxiiii, any woolles then not shorne, or take promise of bargaine of any woolles then not shorne, of the growing of Berkeshire, Oxenfordshire, Gloucestershire, Shropshire, Herfordshire, Worcestershire, Wiltshire, Somersetshire, Dorsetshire, Hamshire, Essex, Cambrygeshire, Norfolke, Suffolke, Kent, Surrey, and Sussex, or of any of the same, till the feast of Saint Bartholomewe then next ensuing, or buy any woolles, or take any promise of bargaine of wools which shall growe in any of the same Counties, the yeere then next ensuing the sayde feast, before the same feast then next following, or in like maner buy any woolles, or take promise of bargaine of any woolles, which shal grow in any of the sayde Counties, the yeere then next ensuing the same feast, til the same feast then next following, which feast shall bee in the yeere of our Lorde M.CCCC.lxvii. but only such persõs, which the saide woolles shall make, or do to bee made yarne or cloth, within this realme, vpon the paine of forfeiture of the double Forf. value of all the woolles bought or to bee bought, bargained, or taken by promise of bargaine against this ordinance: The one halfe to be had to the kings vse, and Partis the other halfe to the vse of him that will sue in this behalfe. And that euery person that will sue in this behalfe shall haue an action of debt of the same forfeyture, and like proces in the same action, as is hadde in an action of debt. And that no essoigne, protection nor wager of lawe be allowed for the defendaunt in this action. Anno 4. E. 4. capitulo 4.

36 ¶ Almaner woolls and woolfels, & felles called morling & shorling, growing within any part of this realme, and Wales, wools, and woolfels, morling, & shorling, growing in any part within ỳ counties of Westmerlande, Cumberlande, Northumberlande, in the Bishopricke of Durham betwixt the waters of Tine & Teese, and of the Countyes of

Richmond-

Richmondshire, and Northalderton shire, except wools to be shipped towards the west, in galleis and carrackes to be shipped and caried out of the Realme, shalbe conueied to the staple of Caleys, and to none other place, vpon paine of forfeiture of the sayd wools, woolfels and fels called shorling, and morling, as in the same statutes doth more fully appeare. Neuertheless the said ordinances & statutes notwithstanding a great multitude of wools, & woolfelles, called morling and shorling, growing in Yorkeswold, in the counties of Lincoln, Nottingham and Derby, and other counties of this Realme of England, vnder the colour of the exception before recited, in the same Northparties be caried out of the realme into Flaunders, Holland, Zeland, Brabant and other parties beyond the sea, whereby ensueth not only great decay of the customes & subsidies of our soueraigne lord the king, but also the destructiō of the price of wools, woolfels, & felles, called morling & shorling, growing within this realme, to the vniuersal dammage and impouerishing of the same, thereupon by the aduise, assent and auctority afore said it is enacted, ordained and stablished, that al the wools, woolfels and felles, called morling and shorling growing within this Realme, other then be before excepted, to be shipped & conueied out of this realme, shalbe conueied to the staple of Caleys and to none other place. And that al other wools, woolfelles and felles, called morling and shorling, growing and being within the said counties of Westmerlād, Cumberland, Northumberlande, the Bishoprick, Richmond, & Alderton, to be caryed out of this realme of England shalbe shipped at Newcastel vpon Tine only. And frō thence to be cōueied to Caleis, or to new Middelbourghe in Flaunders, there to be stapled and vttered, and at none other place. And if any man attempte and do the contrary, and thereupon bee duely conuict, that then he shall stand and be of like condition as a man attainted of felony, after the course of the common lawe, & shal incurre like paine and forfeiture as he so attainted for the same should do. And it is ordained by the same assent and auctoritie, that all wools and woolfelles and felles, called morling and shorling, growing or being in any countrey of this realme or Wales, or in the marches of the same, other then before excepted, to bee caried out of this realme, shalbe conueied to the said staple of Caleis, & to none other place, vpon the same paine and forfeiture: The prerogatiue of our soueraigne lord the king to graunt any licence to the contrary except. This act to begin and to take effect at the feast of S. Michael which shalbe in the yere of our lord God M.cccc.lxxiiii. And to endure by the space of fiue yeeres onely. An. 12. E. 4. cap. 5.

37 Which act (S. An. 12. E. 4. cap. 5. before 36.) our Lord the king will & ordeineth to be in ful strength and force, in euery point thereof. Sauing onely, where it is by the same act ordeined, that all wools, woolfels, and fels, called shorling or morling, growing and being within the said counties of Westmerland, Cumberland, & North. the Bishoprick of Richmond & Alderton, to be caried out of this realme, shal be shipped at Newcastel vpon Tyne onely. And from thence to bee conueied to Caleis, or to newe Middleborough in Flaunders, there to be stapled and vttered, & at none other place. The said act for so much shalbe voide, and that in the steade of those words, it shalbe as followeth. It is ordained by the same auctority that al wools, and woolfelles, called shorling and morling, growing & beeing within the saide Cōtities of Westmerland, Cumberlād, and Northumberland, the Bishoprick of Durham, Richmondshire & Aldertonshire, to bee caried out of this realme, shalbe shipped at Newcastel vpon Tine onely. And from thence to bee caried to Caleis, or to the Towne of Berwike in Brabaunt, or to any other certaine place at the kings pleasure to be named, there to be stapled & vttered, & at none other places. And also it is ordeined by the assent & auctoritie afore said, that in case where our soueraigne Lorde the king, ordained that

Caleis Fol.

Felony

Ports

Fells

Newcastel vpon Tine Caleis

Words

Berwike

Vttre

that the said wools, woolfels, & fels called shorling & morling, of the growing of ỹ rosities & Bishoprick aforesaid, to be placed in any other place beyond the sea, then at Caleis or Berwicke aforesayd, ỹ then the place so to be named by the king, shalbe certified & published by open proclamations in ỹ said counties of Yorke, Northumberland, Cumberland, Westmerland, ỹ Bishoprick of Durham, and ỹ towne of Newcastel. And that euery of the subiects of our Soueraigne lorde the king, after such proclamation made, and after three moneths after the same proclamation passed, shalbe bound to haue & carp the saide wools and woolfels to the saide places to be named by our Soueraigne lord the king, & expressed in ỹ said proclamatiõ vpon the paine before limitted. An. 14. E. 4. ca. 3.

Yorke

Proclamation 3. monethes after

Wools

38 ¶ An. 6. H. 8. ca. 12. an act was made against Norfolk wools to be caried ouer the sea, to endure to the next parliament.

39 ¶ No maner of person or persons do wind or cause to be wound any fleece of wool being not sufficiently ryuered or washed, ne wind or cause to be wound within any fleece, clay, lead, stones, sãd, tailes, deceitful lockes, cot calls, cumbre lãbes, woolle or any other thing where by the fleece may bee the more weightie to the deceipt & losse of the buyer, vpon paine ỹ Seller of any such deceiptful wools to forfeite for euery such fleece vi. d. the one moitie to the king, the other to the finder and prouer of the same deceipt by action &c. Prouided alway that this acte concerning riuering and washing of any wool, shal not in any wise extend to any shire or shires, the inhabitants wherof hath not customably vsed before this time to riuer or wash their sheepe afore they be shorne, nor shal in any wise be hurtful or preiudicial to any person or persons that hath vsed customably to sel their wools by tale or number of the fleece or fleeces, and not by weight, any thing in this act to the cõtrary notwithstanding. This act to endure to the next parliament. Anno 23. Henrici 8. capitulo 17. And after An. 28. Hen. 8. cap. 8. this acte was continued to the last day of the next parliament. And after An. 21. H. 8. ca. 7. this act was continued to the last day of the next parliament. And after An. 37. H. 8. cap. 23. this act was continued to the last day of ỹ next parliamẽt. And after An. 7. E. 6. ca. 11. this act was continued to the last day of ỹ next parliamẽt. And after An. 1. M. 1. parliament. ca. 13. this act was continued to the last day of ỹ next parliament. And after An. 1. M. 2. parliament. ca. 12. this act was continued to the last day of the next parliamẽt. And after An. 1. & 2. P. & M. cap. 16. it is continued to the last day of the next parliament. And after An. 2. & 3. P. & M. ca. 21. it is continued to the last day of the next parliament. And after An. 4. & 5. P. & M. it is continued to the end of the next parliament. And after 1. Elizabeth it is cõtinued to the last day of the next parlyament, which began 5. El. ended 8. El. capitu. 25. and made perpetual.

Wind

Fleece

Deceipt

Fork.

Moitie

Wash

40 ¶ Anno 4. H. 7. cap. 11. an act was made cõcerning maintenãce of drapery, and against regrating of wooll of like effect as this that next here followeth, to endure for ten peres. And after Anno 22. H. 8. ca. 1. the same statute was reuiued, and some other article adioyned vnto it to endure for other tenne peres.

Drapery

Regrating

41 ¶ After the said first day of March nowe next comming, no maner of perso, other then the merchants of the saide staple, and their seruants and factours, for the onely prouision of the sayd staple, and for to be shipped onely to the sayd staple, and other then such as shall conuert the same into Yarne or Cloth, within this Realme by himselfe or by any other, buy or bargaine, or take promise of bargaine of any woolles being nowe withoyne of the growing of the shires of Kent, Surrey, Sussex, Southampton, Wiltshire, Dorcester. Somerset. Glocestershire, Worc. Herf. Salop. Warr. Leceft. Notting. Derb. Yorke. Lincoln. Rut. Northamp. Norf. Suff. Esset, Cãb. Huntington. Buck. Bedford and Hertford, or any of them, before the feast of the Purification of our Lady next after the shering

Buy

and

and clipping of the said woolles, or buy or bargaine of any woolles, take or promise of bargaine of any wools that shall grow in any of the said shires, in any yere or yeres to come after the said feast of ỹ purification of our Lady, that shalbe next after the sheerynge or clipping of the saide wool, but onely such persons, their seruants and factours, that of the said wools shall make or do cause to be made yarne, hattes, girdels, or cloth win this realme, and not sell the same woolle againe, or the stapler or his factours, to be shipped onely to the said staple, vpon paine of forfeiture of the double value of all the saide wools bought or for to be bargained, or taken by promise of bargaine contrary to this act and ordinance.

Parne
Hatts
Girdles
Cloth

Forf.

Prouided alwaies ỹ it shalbe lawfull for euery man to bring or send his owne wool into the common markets, & there to sel the same vnto the marchants of the staple or his factour, or to him, or thē that wil buy ỹ sāe for to make yarne or cloth within this realme, or their factours or seruants. And in case neither the stapler or his factour or other for him, or the clothier or other for him will not buye the same woolle so brought to the market, in their default to sell the same to any other ỹ will buy ỹ same in ỹ said open market, any thing in this present act to the cōtrary notwithstanding. And further it is &c. that no person after ỹ first day of March now next cōming, shal bye or bargaine any maner wool within this realme for any marchant estranger, nor shal take any promise of a bargaine or sale of any wool for any marchant straunger within this realme, vpō paine of forfeiture of ỹ same wool so bought, or whereof promise of bargaine and sale shalbe so taken, to the vse of any marchant stranger or the value of ỹ same wools. The moitie of al which forfeitures to bee to the king our soueraigne Lord, the other moitie to the party that wil sue for the same. The party that shall breake this ordynance, and that any person that will sue in that behalfe shall and may haue an action of debt of the said forfeiture.

Markets

Straunger
Forf.

Moitie

And such processe in the same to be had as in an actiō of debt at the common law, or after the custome of the citie, borough or towne where it shall be sued, wherein no essoine, protection, ne wager of lawe shalbe admitted. And further it is &c. that al bargaines, couenants, promises & contractes for wools heretofore made, or any time hereafter before ỹ first day of March nowe next comming to bee made by any persō, of, or for any wools of ỹ growig of any of ỹ said shires, being vnshorne, shalbe void & of none effect. Except the buyer, prouider or such person or persons to whome any such former promise or bargaine is made, do put the same wools by him receiued by such former contract, couenaunt or promise into yarne or cloth within this realme, or doe shippe ỹ same to the said staple. It is also further prouided &c. that the said marchants of the said staple may bargaine and sell their refuse or course wools such as is not meete for ỹ said staple, to any other person ỹ wil buy the same to make yarne or cloth within this Realme, any thing in this act to the contrary notwithstanding. This acte to continue and endure to the end of ỹ next parliament. An. 37. H. 8. ca. 15.

Proces

Bargaines

Woȳs

Yarne

42 ¶ All and euery person and persons dwelling & inhabiting within ỹ said county of Norff. & citie of Norwiche, or in either of them, by his or themselues, or by his or their factours, seruant or seruants, may lawefully from henceforth, wout paine, forfeitures, danger or breach of any law or ordinance, buy & bargaine wools, & take & make prouision to buy or bargaine wools growing or ỹ shal grow onely win the said countie of Norfolke, in as large and like maner and fourme as the same inhabitantes within the said county and citie might and did vse to do before the making of the said act of parliament (S. An. 37. H. 8. ca. 15. before 41.) & as the said act of parliament had neuer bene had or made, so that the same person & persons so buying or bargaining, or making promise to buy or bargaine ỹ saide wools, doe sel or retaile the same againe in the cōmon market or opē place within the

Bargains

Retaile

the ſaid County of Norfolke or citie of Norwich to any perſō or perſons at their pleaſure & libertie, that wil buy the ſame or any parcel thereof, dwelling & inhabiting within ỹ ſaid county & city of Norwich, or any of thē, that ſhal or wil ſpin ỹ ſame within the ſaid county of Norfolke and citie of Norwich, or any of them, the ſaid former act (S. An. 37. H. 8. cap. 15. before 41.) or any article, clauſe, or ſentence therein contayned, or any other act or acts, law or ordinance heretofore made to the contrary thereof in any wiſe notwithſtanding. Anno 1. E. 6. cap. 6. This act is confirmed by 5. Ed. 6. cap. 7. as appeareth here following 43.

43 ¶ No maner of perſon ne perſons being borne within the kings obeiſance, ſhall after the laſt day of May next, buy, bargayne, take, or make any promiſe or bargaine of woolles, but onely ſuch perſon or perſons, his wife, or his or their apprentice or apprentices inhabiting in his or their manſion houſe or houſes, as ſhall of the ſaid woolles make yarne, any kinde of clothes, chamblets, woollſted, ſayes, ſtamine, knit hoſe, knit peticoates, knit gloues, knit ſleeues, hattes, coyfes, cappes, arras, tapeſſery, couerlettes, girdels, or any other thing vſed to be made of woolle, or mixed with wooll within the realme, or els a marchant or marchās of the ſtaple at Caleis, or his or their apprētice or apprentices, dwelling in his or their manſion houſe or houſes, to be ſhipped onely to the ſtaple at Caleys, vpon paine of forfaiture of the double value of the ſaid woolls ſo to be bought or bargained, or taken by promiſe of bargaine, contrary to this preſent act. And be it &c. that no marchant ſtranger after the xx. day of Aprill next comming, by himſelfe or by any other perſon or perſons for him, in his name, or to his vſe, in any peere after the ſayd xx. day of Aprill then to come, ſhall bargayne or buy any woolles before the feaſt of the purification of our Lady next after the clipping or ſhearing of the ſame woolles, vpon payne of forfaiture of the double value of the ſame wools. And be it &c. that no maner of perſon or perſons hauing any wooll or woolles of his or their owne groweth, ſhall at any time after the feaſt of the Natiuitie of S. Iohn Baptiſt next comming, keepe the ſame wools to thintent to ſell the ſame in wool vnwrought, ouer & aboue one whole yere next and immediatly after the ſhearing of the ſame woolles, ſo as there be offered without fraude or couin to the owner or owners thereof within the ſame time, ſuch price as then ſhall be moſt commonly giuen in the ſame ſhire for wool of like goodnes and packing, vpon paine of forfaiture for euery tod or tod weight thereof ſo kept aboue one yere vnſolde, as is aforeſaid, the ſumme of x.s. The moitie of all & euery ſuch forfaiture & forfaitures, penalty or penalties before reherſed, to be to the vſe of our ſoueraigne lord ỹ king, his heires & ſucceſſors, & the other halfe to ỹ vſe of him that will ſue &c. wherein &c. Prouided alwaies, that the marchants of Newcaſtell and other perſons, may buy woolles of the groweth of the counties of Northumberland, Cumberland, Weſtmerland, Richmond, and Alderton ſhire, or the biſhoprick of Dureſme, to the intent to ſhip or tranſport the ſame into the parties beyond the ſea, as they haue bene accuſtomed, any thing in this acte to the contrary in any wiſe notwithſtanding. Prouided alſo &c. that the merchantes of the ſtaple frō time to time, may bargaine or ſell their refuſe, courſe wools & locks, ſuch as is not meete for the ſayd ſtaple, to any perſon or perſons that will buy the ſame to make yarne or cloth, or other thinges, as is aboue ſayde, within this realme, ſo as the ſame be ſhot and packed by the wooll packer, declaring of what packing or countrey the refuſe or lockes be, and writing vpon the clothes wherein the ſayde refuſe wooll is packed in great letters, as they doe vpon the woolles that is ſhipped to Caleys. Prouided alwayes & be it &c. that it ſhall & may be lawful to the king our ſoueraigne Lord by his proclamatiō at any time hereafter to be made and ſet forth, to repeale this ſtatute & all and euery article, clauſe, ſentence, & other thing or things therein contained, and to

Bargaine

Wife Apprentice

Staple Forf.

Forf.

One yere

Forf.

Moitie

Merchants

Proclamation

make the same voide to all intents & purposes, as though this act had neuer bene had or made, any thing in this statute to the contrary notwithstanding.

Prouided alwaies that the act made at the first session of this parliament holden in the first yere of the raigne of our soueraigne lord the king, called and entituled an act for the continuance of making of Worstede yarne in Norff. & euery article and clause thereof shall remaine and continue in full force, vertue & strength. And that all persons inhabiting, or that shall inhabite within the said countie of Norff. or Citie of Norwich, and euery of them, shall & may buye and sell wooll growing within the said Countie of Norffolke, according to the purport, true effect and plaine meaning of the said act made in the saide first yere of the raigne of our saide soueraigne lord ỳ king, any thing in this act contained to ỳ contrary thereof in anywise notwithstanding. An. 5. E. 6. cap. 7.

Note a parcell of the said act of An. 1. Edwardi 6. cap. 6. is here next before 42. And parcell thereof is in Norwich. 2.

44 ¶ Be it enacted &c. that it shalbe lawfull to any person or persons inhabiting within the parish of Halifax, to buy any wooll or woolls, at such times as the clothiers may buy the same, other then by engrossing & forestalling, so that the persons so buying the same, do carry or cause to be caried the saide wools so bought by them, to the towne of Halifax, and there to sell the same to such poore folks of that & other parishes adioyning, as shall worke the same in cloth of yarne (to their knowledge) and not to the rich and welthy clothier, nor to any other to sell againe. And if either the said wooll driuer shall sel his said wools at any other place, forth of the saide towne of Halifax, or if any such as shall buy their wools at Halifax, shall sell their wools that they bought againe vnwrought in yarne or cloth, that then euery such offendour to lose & forfait the double value of the wooll so solde or vttered, the one moytie thereof to be to the king and Queenes maiesties, her heires and successours kings of this realme, and the other moitie to him or them that wil sue for the same in any of the king & Queenes Maiesties Courts of record, or before the Iustices of peace in their Sessions, who by vertue hereof in their open Sessions shall haue authoritie vpon information, to heare and determine ỳ same, and to make proces against the offendours, as in any other case to be determined before them. An. 2. & 3. P. & M. cap. 13.

Halifax

Forf.

Moitie

Iust. of p.

Dier & ter.

¶ Women, Widowes, Wiues, and maydes.

A Widow after ỳ death of her husband, incontinent, and without any difficultie, shal haue her mariage and inheritãce, and shall giue nothing for her dower, her mariage, or her inheritãce, which her husbande and she held the day of the death of her said husbande. And she shal tary in the chiefe mansion of her husband, the space of fortie daies after the death of her husband, within which daies her dower shalbe assigned her (if it were not assigned her before) or that the house be a castell. And if she depart from the castell, then a competent house shalbe forthwith prouided for her, in the which she may honestly dwell, vntill her dower be to her assigned, as it is aforesaid. And she shal haue in ỳ meane time her reasonable estouers of the common. And for her dower shalbe assigned the third part, except she were endowed of lesse at the Church dore. No Widowe shalbe distrained to marry her selfe, neuertheless she shall find suerty, that she shall not marry without our licence and assent, (if she hold of vs) nor without the assent of the lord, if she hold of an other. Magna carta cap. 7. An. 9. Hen. 3.

40. Dayes Dower

Estouers

Suertie

2 ¶ Also he shall assigne to widowes after ỳ death of their husbands, that helde of him in chiefe ỳ dower, that to them belongeth &c. though the heire be of ful age (if the widowes will) and such widowes before assignement of their dower, shall sweare ỳ they shall not marry them selues without the kings licence, whether their heires bee of full age or not. And if they marry without licence, then the king shal take into his handes by waye of distresse all

Dower

Othe

Licence

al ſuch lands and tenements as they hold of him in dower, vntil hee be ſatisfied at his own wil, ſo that ſhe ſhal take nothing of the iſſues &c. for after ſuch diſtreſſes, they or their huſbandes muſt fine at the kings will. And his will in the time of king Henry father of king Edward, was eſteemed to the one peeres value of her power, vnleſſe they had the greater fauour. Wome̅ that hold of ẏ king in chief of whatſoeuer age they bee, ſhall ſweare likewiſe that they ſhall not mary themſelues without the kings lycence. And if they do, their landes & tenements ſhalbe taken in like maner into ẏ kings hands vntil they haue ſatiſfied ye kings wil. Prærogat. regis. cap. 4.

One peeres value

Chiefe

3 ¶ Whereas in all parties of this realme diuers people of power, moued of inſatiable couetiſe, againſt al right, gentlenelſe, trueth, and good conſcience, haue laboured and found newe inuentions, and them doe buſely execute to the danger, trouble, & euil treating of all ladies, gentelwomen, & other women ſole, hauing any ſubſtance of lands, tenemēts, or other moueable goods wiin this ſaide realme of Englande, perceiuing their great innocencie and ſimplicitie, willing to take them by force, or otherwiſe come to them ſeeming to be their great frīds, promiſing them their faithful loue, and ſo by great diſſimulation or otherwiſe get them in their poſſeſſion, conueying them into ſuch places, where the ſayde offendours be of moſt power, and when any woman by ſuch meanes, or by any other meane bee in their gouernance, the ſayd euill diſpoſed perſon or perſonnes wil not ſuffer them to goe at large, and bee at their libertie, till that they will binde them to the ſayde offendours or other perſon or perſons to their vſe, in great ſummes by obligation or obligations, aſwel ſimple as condicional, or by obligatiō or obligations of ſtatute Marchant made before ẏ maior or bailiffe hauing power to take ſuch recogniſances: Alſo they wil many times compel them to be maryed by them, contrary to their owne deſires, or otherwiſe they will leuie ẏ ſaid ſumme or ſummes of their lands & goods, & pitt their perſō or perſons in dāger to their great dammage, which hath bene & is likely to be an vniuerſal preiudice to ẏ law of holy church and the law of this realme, vnleſſe due remedy thereupon be prouided: Our ſaid ſouereigne lord the king conſidering the premiſſes, hath ordained and ſtabliſhed by auctoritie of this preſent parliament, that in all ſuch caſes afore ſaid, ẏ party bound may haue a writ out of ẏ chancery, containing al ẏ matter of their vnreaſonable entreaty, directed to the ſherife of the counti̅e, where any ſuch offences were ſo done or after ſhould be done, commanding him ẏ he by force of this writ make proclamation in the ful countie, & in ẏ next county court after the receipt of the ſaid writ, that the perſon or perſons contained in ẏ ſaid writ ſhall appeare at a certaine day and place prefixed in the ſaid writ, before the Chauncellour of Englande for the time being, or otherwiſe before the Iuſtices of aſſiſes in the counties where the ſaid offences were done, or otherwiſe before any other notable perſon to bee aſſigned by the chauncellour of England for the time being. At the which day and place if the ſaid parties appeare, that thē the ſaide Chauncellour of Englande for the time being, Iuſtice or other perſon ſo to be aſſigned by the chauncellour for the time being by vertue of this ordinance, ſhall duely examine the ſayd parties vpon the premiſſes. By which examination if they may find ẏ ſaid obligation or obligatiōs, or any of them ſo to be made as is afore ſayd: ẏ then the ſaid obligation or obligations & al ẏ proceſſe and execution ſued, or to be purſued thereupon, ſhalbe voyd and of no force nor effect. And if it be foūd by examination before them, that ẏ ſaid obligation or obligations were made, or ſhalbe found to be made for a true duetie, & by no ſuch meanes as afore is ſaide, ẏ then the ſaid obligation or obligatiōs and al ẏ proceſſe and execution ſued or to be ſued thereupon, ſhal ſtand good and effectual. And if it be ſo ẏ the perſon or perſons in ſuch writs named or to be named, againſt whome

Obligations

Chauncery

Sherife

Proclamation Countie Court

Examine

Voyde

whom any such letters or writtes hereafter shalbe shewed, make default at the day and place limitted in the same writte or writtes, that then all such obligations, as be before specified and declared, and in the said writte or writtes expressed, declared, and specified, and all maner of processe & execution sued or to bee sued thereupon, shalbe voyde & of no force nor effect. And that the said sherife or sherifes, to whome such writ or writtes vpon this ordinance hereafter conceiued shalbe directed, shall execute the said writtes, according to the tenour of ỹ same, vpon paine of CCC.li. whereof the king to haue the one halfe, & the other halfe to the party which shal sue the said writte of proclamation, & that the sayd party so grieued may haue an action of debt in euery such case, against the said sherife, for the halfe of the sayd CCC.li. so forfaite, with processe of outlagarie. And that the partie or parties defendants in any such action from hēceforth against any sherife or sherifes to be pursued, shall alleadge no protection, nor shal wage his law, nor shalbe receiued to make or plead any forreine plea, to be tryed in any other place, then there where the sayde writte grounded vpon this ordinance is shewed. Anno 31. H. 6. cap. 9.

Default
Voyde
Sherife
Moitie

4 ¶ Be it enacted &c. that it shall not be lawfull to any person or persons, to take or conuey away, or cause to be taken or conueyed away any mayde or woman childe vnmaryed, being within the age of sixteene yeres, out of, or from the possession, custody, or gouernance, and against the will of the father of such maide, or woman childe, or of such person or persons, to whom the father of such mayde or woman childe by his last wil and testament, or by any other act in his life time, hath or shal appoynt, assigne, bequeathe, giue or grant the order, keeping, education or gouernance of such mayde or woman child, except such taking & conueying away as shall be had, made, or done by or for such person or persons, as without fraude or couine be or then shalbe the master or mistresse of such mayd or woman childe, or ỹ gardein in socage, or gardein in chiualry, of or to such mayde or woman childe.

Conuey
16. yeres old

And be it further enacted by the auctho-ritie aforesayd, that if any person or persons aboue the age of xiiii. yeres, shall frō and after the first day of Aprill next comming, vnlawfully take or cōuey, or cause to be taken or conueyed any mayd or woman childe vnmaryed, being within the age of sixteene yeeres, out of, or from the possession, and against the will of the father or mother of such childe, or out, or from the possession, and against the will of such person or persons, as then shall happen to haue by any lawfull wayes or meanes, the order, keeping, & education or gouernance of any such maiden or woman childe, that then euery such person & persons so offending, being thereof lawfully attaynted or conuicted by the order & due course of the lawes of this realme, other then such, of whom such person taken away shall holde any landes or tenementes by knights seruice, shal haue and suffer imprisonment of his and their bodies by the space of two whole yeeres, without baile or mainprise, or els shal pay such fine for his or their said offēce, as shal be assessed by the counsaile of ỹ Quenes highnesse, her heires or successours, in the Starre Chamber at Westminster.

14. yeres old
16. yeres old
Ward. seruice
Imprison
Mainprise

And be it further enacted by the auctho-ritie aforesayde, that if any such person or persōs after ỹ said day shal so take away, or cause to be taken away, as is aforesaid, and deflower any such mayde or woman childe, as is aforesayd, or shall against the will, or vnknowing of or to the Father of any such mayde or woman childe, if the father be in life, or against the will, or vnknowing of or to the mother of any such mayde or woman childe, hauing the custody and gouernance of such childe, if the father be deade, by secrete letters, messages, or otherwise contract matrimonie with any such mayden or woman childe, except such contractes of matrimony, as shalbe made by the consent of such person or persons, as by the title of wardshippe shall then haue, or be intitled to haue the mariage of such maide or woman childe, that then euery such person or persons

Deflower
Contract matrimony

so

so offending, being thereof lawfully conuicted, as is aforesayd, shall suffer imprisonmẽt of his or their bodies by the space of fine yeres, without bayle or mainprise, or else shall pay such fine for his or their sayde offences, as shall be assessed by the sayd counsaile in the said Starre Chamber. The one moity of all which fine shal be to the king and Queenes maiesty, her heires and successours, the other moity to the parties grieued. And be it further enacted by the said auctoritie, that the king and Queenes highnes honorable Counsaile of the Starre Chamber, by byll of complaint or information, & Justices of assise by inquisition or indictment, shall haue auctoritie by vertue of this act, to heare & determine the said offences, vpon euery which indictments & inquisitions, such processe shall be awarded and lye, as vpon an indictment of trespasse at the cõmon lawe. And further bee it enacted by the auctoritie aforesayd, that if any woman childe or mayden, being aboue the age of twelue yeeres, and vnder the age of sixteene yeres, doe at any time consent or agree to such person that so shall make any contract of matrimony, contrary to the fourme and effect of this estatute, that then the next of the kinne of the same woman childe or mayde, to whome the inheritaunce shoulde discende, retourne, or come after the decease of the same womã childe or mayde, shall from the time of such assent and agreement haue, hold and enioy all such landes, tenements, and hereditamentes, as the same woman childe and mayden had in possession, reuersion, or remainder, at the time of such assent & agreement, during the life of such person that shall so contract matrimony. And after the decease of such person so contracting matrimony, that then the said lands, tenements, and hereditamentes, shall discend, reuert, remayne and come to such person or persons, as they shoulde haue done in case this act had neuer bene had ne made, other then to him onely that so shall contract matrimony.

Imprison. Mainprise. Moitie. Just. of ass. Dier & ter. Proces. 12. yeres old. Consent. Reuert.

Prouided alwayes and bee it enacted, that this act nor any thing therein contained, shall extend to take away or diminish any liberties, customes, or auctoritie touching or concerning any Orphant or Orphantes, which nowe be or hereafter shal bee within the citie of London, or any other citie, borough, or towne, where Orphantes are commonly vsed to bee prouided for, either by graunt, or by custome, but that the lord maior of the sayd citie of Lodon, & the Aldermen of ỳ same for the time being, and all and euery other head officer or officers of any other citie, borough or towne, where such Orphants be prouided for, shall and may haue and take like rule, order, keeping & charge of such Orphant and Orphants, and of all their landes, tenements, goods, and cattels, as heretofore they or any of them lawfully had or vsed, or lawfully might haue had and vsed, if this acte had not bene made. Anno 4. & 5. P. & M. cap. 18.

Orphant. London. Maior.

¶ Worsteds.

THe merchants & workers of clothes called single Worsted, may bring bottes of single worsted to what parties that them pleaseth (except to the kings enemies) paying the customes & subsidies thereof due, without paying the deuoires of Caleys, notwithstanding any statute, ordinance, proclamation, inhibition, commaundements, or charters, liberties, vsages, or priuiledges, granted or to be granted to the burgesses of Caleys, or to the merchãts of ỳ staple of Caleis, or to any other made or to be made to the cõtrary. And that the obligations and suerties taken before this time for the deuoyres of Caleys, shall be restored and deliuered.

Customs. Caleis. Suerties.

Prouided alwayes, that vnder the colour of the sayd bottes of single worsted, they shall bring no double Worsteds, nor halfe double, nor worsteds ray, nor motley, vpon payne of forfaiture of the same. Anno 17. Richardi secundi capitulo 3.

Bottes. Forf.

2 ¶ Anno 20. H. 6. cap. 10. an act was made to endure for three yeere, for the true making of worsteds in Norwich and Norfolke.

3 ¶ Anno 23. H. 6. cap. 4. an act was made to endure for iii. yeeres, for the true making of worsteds in Norwich & Norf.

4 ¶ Then of the said craft (S. worsted makers) within the said city (of Norwich) shall haue power euery yere the munday next after the feast of Pentecost, to chose iiii. wardens within the sayde citie of the same craft. And also that artificers of the same craft likewise out of the citie, that is to say, within the countie of Norf. shall haue power euery yeere at the same day, to chose foure wardens within, and of the said county of the same craft. And thafore-sayd wardens in the said county and citie to come before the Maior of the said citie for the time being, vpon the monday next after the feast of Corpus Christi then next following. And then to be sworne before the Maior of the sayde citie, and the steward of the duchy of Lancaster within the sayd Countie for the time being, if it happen him within the sayde citie then to be present, or else before the sayd Maior onely, the said steward then being absent. And that al the said wardens, aswel within the sayde citie as without, or else the greatest part of them, vnder this fourme before rreited, chosen, and sworne, shall haue full power for the yere then next following, to survey the workemanships of the sayd artificers, and that they make & worke rightfully and well, and of good stuffe, and to ordaine such rules and ordinances within the sayd craft, as often as it shall seeme needefull or necessary, for thamendment of the said worsteds & craft. And that such rules and ordinances so made & ordayned to them, to be obeyed & kept by the said artificers, or else foure of the sayde wardens, calling to them vi. of the most discrete of their sayde artificers within the said city, and vi. of the same artificers within the said county, by the discretion of the said maior and steward, or of one of them, shal punish such of the said artificers, which breaketh or doth contrary to any of their sayd rules and ordinances. And that euery peece of worsted be through þ peece of lawfull making, good and conuenient stuffe. And that they shall hold the length & breadth as thassise was wont to be of olde time rightfully accustomed, that is to say, beddes of the greatest assise xiiii. yardes largely in length, and foure yardes largely in breadth. And beddes of the meane assise, twelue yards in length, and three yardes in breadth. And beddes of the least assise tenne yards in length at the least, and fiue quarters in breadth, & clothes called chanon clothes, of the one assise sixe yardes in length, and two yardes in breadth. And of the other assise fiue yardes in length, & seuen quarters in breadth, and double motleys seuen yardes in length, and fiue quarters in breadth. And single motleys sixe yards in length, and fiue quarters in breadth, and double worsted tenne yardes in length, and fiue quarters in breadth. And the halfe double worsted vi. yardes in length, and fiue quarters in breadth, and the rolle of worsted xxx. yardes in length, and demi yard in breadth. And that no lambs wooll be put in any of the sayd worstedes. And that the wardens of the said craft, & euery of them for the time being, shal haue power and auctoritie to seyse all such clothes & stuffe so being defective. And that the sayd maior and steward, and euery of them, by twelue of the discrete artificers of the sayd city & county, shal haue power at all times to enquire, heare, and determine of all such as do against the sayd ordinances within the sayd citie or county. And moreouer in eschewing of all such deceytes and falsitie, which might happen to be wrought and done in the sayde craft by the eight wardens afore-sayde, or betwixt themselues onely, or in concealing of the false workemanship of other of the said artificers in the sayd citie or county: That the Maior of the sayde citie for the time being, and the sayd steward, or one of them, at such time as he shal thinke conuenient, shall call before him the sayd xii. artificers, or the greatest part of them, and charge them to bee sworne to make rightfull search, as wel in the stuffe as in all the working of the worsted by the said eight wardens hereafter to be wrought and made. And that the sayd wardens so found

Wardens

Maior

Other

Steward of Lanc.

Survey.

Punish

Length Breadth

Lambs wooll

Seise

Oyer & ter.

Maior Steward

Other

found defective, or in execution of their office in search of all other of the same artificers within the sayd citie and countie, or in their owne stuffe or workmanship, shall be corrected by the same Maior or steward, in such forme as other offenders of the same craft ought of right to be corrected. And that the said wardens & euery of them in euery part of the sayde citie of Norwich, & else where, in the counties of Norfolke, Suffolke, & Cambridge at all times conuenient, shal haue power to search all maner of worsteds, & the stuffe of the, as wel within the lomes as out of ỳ lomes, wrought within the said city of Norwich, or County of Norfolke. And if any man before the sayd Maior and stewarde, or any of them, be thereof founde defective, by their discretion he shall be corrected: And the worsted & stuffe founde in maner and fourme aforesayd defective, shall be forfaite. The one halfe of such forfaiture found in the sayd citie of Norwich, to be to the Maior of the same citie, and found in any other place, to the maior or bailifes of the Cities, boroughes, and townes, or to the chiefe lordes of the fee, of and in such place as shall happen any such worsteds and stuffe by the said wardens, or by any of them by any cause aforesayd, to be found defective or forfaitable. And the other halfe to the wardens of the said craft for the time being. And that no man of the sayd craft make any worsted, vnlesse he put his proper marke fired or wouen vpon the same, by thordinaunce of the sayde wardens, or else the same worsted to bee forfaite to our soueraigne Lord the king. Moreouer for the full reformation of the deceytes and falsitie aboue rehearsed, by chaunchoitie aforesaid, it is ordayned and enacted, that the sayd eight wardens, the sayd monday next after Corpus Christi, yerely incontinently after their charge aboue recited, before the sayde Maior and steward, or one of them, shall assigne incontinently a certaine place or two within the said citie, and certaine dayes by the weeke. And an other certaine place, or two, or more, if they thinke it necessary, in the said county of Norfolke, & certaine dayes by the weeke, for the yere then next following, to thentent that euery piece of worsted, which in the same yere shalbe set to sale, shall be brought before the Wardens of the sayde craft for the time being, to one of the sayd places to by them assigned, to thentent that as well thartificers of worsteds, as the sayde Wardens may certainly knowe the place where the said worstedes may duely and rightfully bee searched. And if the sayde wardens finde the sayd worsteds by their search wel and lawfully made, that then such a marke or token shall be set by the sayd wardens, or by one of them, without fine or fee vpon the same, so that all buyers may well knowe, which piece is sufficiently and rightfully searched & wrought. And that the sayd search shall as well extend to the stuffe of the same, as to the sufficient making. And such as they shall finde defective, that the Maior of the sayd citie, and steward of the said Duchy, or one of them for the time being, by thassent of the sayd wardens and twelue artificers, shall haue power by this act, to set therein such correction as to them shal seeme reasonable. And for euery peece of worsted solde, not marked after the forme aforesaid, that the first seller thereof shal forfaite the price of ỳ peece so by him sold, to our soueraigne lord the king. And that all ordinaunces, actes and graunts made, or to be made in preiudice contrary to the premisses, concerning worstedes, be voyde and of none effect. And that all maiors, sherifes, and bailifes, and all other officers shall be attending, ayding, and supporting to the sayd wardens in their search, as often as they or any of them shall be by the sayde wardens, or any of them reasonably required. Anno 7.E.4.cap.1.

Wardens
Search
Marke
Punish
Forf. Moitie
Maior
Lords
Place
Forf.
Voyde
Maior Sherife Bailifs

5 ¶ An.11.H.7.cap.12. an act was made concerning the shering and sherers of worsteds in Norwich. But it is repealed by 19.H.7.cap.17.

6 ¶ No person ne persons within this sayd realme hereafter doe take vpon him or them to dye calender any worsted within this sayde Realme, vpon payne to forfayte for euery worsted that is

Calender
Forf.

dre calendred one C.s. And that, whereas the sayd olde calendring of worsteds, called wette calendring, hath bene vsed well and substantially in times past in the citie of Norwich, and yet is by persons hauing cunning in the same: Be it therefore &c. that no person ne persons hereafter doe take vpon him or them to wet calender any Worsted, but only such persons as haue bene bound apprentices to other persons of the same craft or occupation of wette calendring of worsted, by the space of seuen yeres, or be cunning in the same, and their cunning approued and admitted by the Maior of the sayd citie of Norwich for the time being, & that two masters of the sayde craft and occupation yerely to be chosen within the said citie of Norwich, in the County of Norfolke, of the craft of wet calendring, vpon paine of euery such person or persons, which hereafter shall doe the contrary, to forfaite for euery peece so calendred against the ordinances and purueyances aforesayd C.s. The one moitie of which penalties & forfaitures (aboue specified) & of euery of them, to be to the king our soueraigne Lorde, and the other moitie therof to be to the masters of the sayd occupation of wette calendring for the time being. And that it shall be lawfull to the masters of the sayde occupation (for the time being) and their successours, to sue for the one moitie of all such penalties hereafter to bee forfaited, against euery such person or persons, as hereafter shall do contrary to the forme and effect of this statute, by action of debt, by writte at the common lawe, or by bill or playnt, after the custome of such Citie, port, or towne, where shall happen any such forfaiture to be or fall, or by information in the kings Eschequer. And that no protection or essoine, ne wager of law for the defendant, in any such action, plaint, or information, be allowable before any maner of Justices, where any such suite or information shall be vsed for the sayd forfaicure. And this act to endure to the next parliament. An.5.H.8.cap.4. This act is made perpetuall. An.25.H.8.cap.5.

Norwich

Apprentices

Maior

Masters

Forf.

Moitie

7 No maner person vsing the craft or mistery of dying of worsteds, stammes, or sayes, or any of them, neither by themselues, or any seruant, factour, deputy, or any other by his commandement or assignment, from the feast of Christmas now next ensuing, shal vse to calender any worsteds, stammes, or sayes, or any other commodities made of worsted yarne, during all such time as the same person shall vse the mistery or craft of dying aforesayde, vpon paine to forfaite for euery peece, so dyed and calendred by colour, couyne, fraude, or contrary to the true meaning and intent of this present act xl.s. to be deuided in three egall partes, the one part therof to the king our soueraigne Lord, & one other part to the maior for the time being, and the thirde part to him or them that will sue for the same by bill, action of debt, plaint, information, or otherwise in any of the kings courtes, wherein no essoine, delay, or protection shalbe allowed. An.25.H.8.cap.5.

Dyers

Calender

Forf.

3. Partes

8 The craftesmen (called worsted weauers) inhabited in the sayde towne of great Yarmouth, shal haue power & auctoritie by this present act, from henceforth to elect and chose yerely for euer, in the mundy next after the feast of Pentecost, one honest man of the same mystery & occupation, being an housholder within the said towne of great Yarmouth, and hauing of his proper goods and catels of the value of x. pounde at the least, or lands and tenementes to his owne vse, of estate of freehold at the least, to the clere yerely value of xx.s. to bee warden of the same craft & mistery for the yere next ensuing, which man so elected and chosen, shal personally appeare before the Maior of the said citie of Norwich for the time being, the mundy next after the feast of Corpus Christi then next ensuing, then & there to be swoorne & charged by like othe, concerning the true and substantiall making of the said clothes within the sayd towne of great Yarmouth, as the foure wardens of the sayd citie of Norwich by vertue of the sayde act of Parliament, made in the said vii. yere of king Edward the fourth,

Weauers

Warden

Maior

Corps

(S. cap.

(S. cap. 1. before 4.) beene charged and swoone for the same Citie of Norwich. And if the sayde Maior happen to be absent ꝑ said munday after Corpus Christi, or elles then refuseth to receiue or take the said othe, then the said warden so elected, within fower dayes next after the same munday shall come before the baylifes of the sayd towne of great Yarmouth for ꝑ time being, or before one of the, the other being absent, & the ꝑ there receiue a corporal othe for ꝑ true exercising of ꝑ same office of wardenship, after the tenoure of the othe accustomably vsed to be giuen to the said wardens of the said citie of Norwich. And then the said warden of ꝑ sayde Towne of great Yarmouth for the time being, so elected & swoone, may ordayne and appoynt a seale with this letter Y. to bee grauen in the same seale, & may haue full power & auctority to viewe, search, seale, & seale in leade with the same seale so to bee appoynted and engrauen, and none other, all Worsteds, Sayes, and Stamins, within the sayde Towne of Yarmouth, & suburbes of the same, made or to be made, and not els where, in as large and ample maner, as the sayde wardens of the said citie of Norwich, & wardens of the said county of Norf. or any of them hath or haue within the said City or County, or in any wise may doe in that behalfe by auctority or vertue of the before remembred acte, made in the sayde vii. yere of King Edward the fowerth, any thinge in the same acte contayned: to the contrary notwithstanding. And that no person inhabited within the sayde towne of great Yarmouth, or suburbes thereof, weaue any Worsteds, Sates, or stamines within the same towne, except he be an Englishman borne, & haue bene apprentice to the said occupation, & without he weaue there such proper marke as shalbe limitted & appoynted by the sayde warden of the said towne for the time being, elect, and swoone, as is afore sayde, vpon payne of forfayture thereof to the king our soueraigne Lorde. And that euery warden of the sayde Towne shall haue vnit and distinct seuerall markes to euery of the sayd Worsted weauers of the same towne of great Yarmouth, and the same marks by the sayd warden to be registred in a booke. And also be it &c. that if, and whensoeuer hereafter the sayde towne of Linne shall be inhabited with tenne sufficyt householders, or more number of householders exercising & vsing the sayd craft or mistery of worsted weauers, then and from thenceforth, that is to say, as long as the same towne of Linne shall be inhabited with the number of ten such householders at the least, it shalbe lawful to the same inhabitantes of the same towne of Linne yerely in the mid day next after the feast of Pentecost, to elect and chose of them selfe one warden of the sayd craft & mistery of Worsted weauers, to be of the value in landes and goods, as is before sayd of the warden of Yarmouth, which warden so elect, shall yerely be swoone and charged at the sayd citie of Norwich, in like maner and at like day, as is before limitted to the wardens of Yarmouth: Or in default of the sayd Maior of Norwich, then the sayd warden so to be elect for the sayde towne of Linne, to take a corporal othe before the Maior of the said towne of Linne, within such time, and after such forme, as is before limitted vnto the warden of Yarmouth. And that the sayd warden of the sayd towne of Linne, for the time being, so elect and swoone, by himselfe, may ordayne & appoynt a seale, with the letter L. to be grauē in the same seale, and may haue full power & auctority to viewe, search, seale, and seale in lead with the same seale so to be engrauen, & with none other, all Worsteds, Sayes, and stammins, within the sayd towne of Linne and suburbes of the same, made or to be made, and not els where, in as large and ample maner, as the sayd warden of the sayd Citie of Norwich, and wardens of the sayd Countie of Norfolke, or any of them hath or haue within the sayd citie or Countie, or otherwise may doe by auctority or vertue of the before remembred act, made in the sayd fourtith yere of king Edwarde the fourth: any thing contayned in the same act to the contrary notwithstanding.

Absent
Refuse
Bailifes Yarmouth
Othe
Seale
Weaue
Englishman Apprentice
Fait.
Marches
Regester
Linne
Warden
Othe Maior
Seals

withstanding. And that no person inhabited within the sayde Towne of Lin or suburbes thereof, make any Worsteds, Sayes, or Stamins, within the same Towne, except hee bee an English man borne, and haue beene apprentice to the same occupation, and without he weaue therein such proper marke as shall bee limitted & appointed by the sayde warden of the same towne of Lin, for the time being, vpon payne & forfaiture thereof to the king our soueraigne lord. And that euery warden of the said towne shal limit, & distinct seuerall markes to euery of the said worsted weauers of the sayne towne, and the same markes by the said warden to be registred in a booke.

Englishman Apprentice

Forf.

Markes

Register

And be it &c. that from the feast of S. Michaell the archaungel next comming, vnto such time as the sayd towne of Lin, shalbe inhabited with the sayd number of .x. housholders of the sayde craft of worsted weauers, and alwaies after when the number of .x. housholders shall happen to fayle & not be inhabited in the said towne of Linne, the saide wardens of the sayde Citie of Norwich, and their successours shall procure & cause one of themselues, or one of the wardens of the sayd craft, of þ said cõtie of Norff. personally to come and bee euery xxviii. day from and after the sayd feast of Saint Michaell the archangell, in and to the sayde Towne of Linne, or within sixe dayes next after euery such eight and twenty day, & there to continue and abide by so long time, as hee may search and seale all such Worsteds, Sayes, and Stammins made in the same Towne of Linne as then shall be brought to him to be sealed within the space of one whole day. And the sayde inhabitaunces of Worsted weauers of the same Towne of Linne being, shall content and pay to the sayd warden of Norwich or Norff. which shall so come to Lin, in the sayde xxviii. day, or within vi. dayes next after the sayde xxviii. day for his costes and expences for euery time that hee shall so come to Lin, betweene the feastes of sayne Michaell the archangell, and the Annunciation of our Lady Saint Mary, iii. s. & for euery time that he shal so come to the said towne of Lin, betwene the feast of the Annunciation of our Lady, and the feast of S. Michael the archangel ii. s. And if the said inhabitants of worsted weauers of the sayd towne of Lin, do not content & pay to the said warden coming to Linne, in forme aforesaid, for his sayd costes and charges, the sayde iii. s. or ii. s. as is aboue limitted, then the same inhabitants shall forfaite and pay to the said warden, or to his executours for euery such default of payment xl. s. And if none of the said wardens of Norwich and Norfolke come to the said towne of Lin, for the cause aforesayd, in maner & forme aboue remembred, then the said wardens of the sayd citie of Norwich, shall forfaite and pay to the said inhabitantes of Linne of the saide misterp of worsted weauers, for euery such default xl. s. For recompence of which penalty & forfaits, the said Wardens of Norwich, or Norff. being thereunto entituled by this present act, by his proper name, with this addition, that is to say, Vnius Gardianorum, or Nuper vnius Gardianorum artis, siue mysterii textorum panni lanei vocat. Worstedes, in ciuitate Norwich, vel comitatu Norfolke, as the trueth requireth, shall and may haue action of debt, by writte, bill, or playnt, in any competent or lawfull court of this realme, against the saide inhabitantes of Linne, of the sayd misterp for the time being, by their sundry proper names. And the sayd inhabitantes by the said names, with this addition, Textorum panni lanei vocati Worsteds inhabitantes villæ de Lin, shall and may haue like actions of debt against the sayd wardens of Norwich, by the name of Gardiani artis siue mysterii textorum pannorum laneorum voc. worstedes, infra ciuitatem Norwich, vel com. Norfolke, to be vsed in good cõgruitie of Latine, & forme of þ lawes of this realme. In which actiõs or any of thẽ, none essoine, protection, or wager of lawe shall be suffered or allowed. And that þ particuler bodies, or goods of any of þ said wardẽs or inhabitãtes being condemned in any of the sayde actions,

Forf.

Forf.

Addition

Action

Search

Pay

Costes

shall

Execution shall and may bee put in execution, after such maner and fourme as is vsed in actions of debt by course of the cõmon lawe of this Realme. And moreouer be it &c. that all clothes of worsteds, saies, & stammins, made or to be made within any of the sayde townes of Lin, and great Yarmouth, or suburbes of the same, or any of them, and marked with such markes as shalbe limitted to the makers by the saide wardens of the sayd towne in maner and fourme aboue said, and weaued and sealed by any of the wardens of the said townes of Lin and Yarmouth in fourme aboue remembred, by force and vertue of this present acte, may be lawfully put to sale Sell by the owners and makers of the same, without any other marking or selling, vpon the sayde clothes, or vpon any of them, or to bee had or made by any other wardens dwelling or abiding without the sayd towne, and without any arrest, seisure or forfayture to be had or made of or vpon any of the sayde clothes for lacke of any other seales or markes: any thing contayned in the sayd former act made in the sayde seuenth yere of king Edwarde the fowerth, to the contrary notwithstanding. And ouer this bee it &c. that euery craftes man of the said mistery & occupation of Worsted making, dwelling within any the sayd townes of Linne & great Yarmouth, and suburbes of the same, at their owne free wils and liberties from henceforth for euer, may haue & take apprentice or apprentices (being male) of Apprentices ỳ age of xiiii. yeres & vpward, & being the kings naturall subiects, for the terme of vii. yeres and not vnder, so that none of them exceede the number of ii. at once, to learne, vse, & exercise the sayd craft within either of the sayde townes of Lin and great Yarmouth or suburbes of the same, albeit the father of the same apprentices Father or apprentice, may not expend in lands & tenements, to the yerely value of xx.s. any act or ordinance to the contrary made, or to be made notwithstanding.

Prouided alway that this present act, nor any thing therein contayned, bee not in any wise hurtfull or preiudiciall to the Maior of Norwich or to his successours, Maior Wardens or to the wardens of the sayde Citie and county, or to their successours, in any poynt, article, power or authority, other then for weauing, searching, and sealing of Worsteds, Saies, and Stammines, made or to be made onely within the said townes of Lin and Yarmouth, or suburbes of the same, or to any of them. And for limitting of marks to the making of Worsteds, saies, and stamins, onely inhabited in either of the sayde Townes or suburbs thereof, and taking apprentices, in fourme aboue remembred, but that the sayd Maior of the sayd citie of Norwich, and wardens of the said citie and county, and euery of them may haue and vse all other poynts, articles, powers, and authorities, contayned and specified in the aboue remembred acte, made in the sayde seuenth yere of king Edward ỳ fowerth, as well for the search, sealing, correction & reformation of the sayd wardens, newly to be elect by vertue of this present act and euery of them, according and after such fourme as they may doe or vse, any of the sayd Wardens of the sayde Citie or County by force of the sayde act made in the said seuenth yere of king Edward the fowerth, as all and euery other inquiries, corrections, searches, sealings and reformations to bee had for the true making of Worsteds, Saies, and Stammines, in and vpon any person or persõs, as well within the sayde Townes of Lin & Yarmouth, as without, thout trouble, let, or veration of any of the inhabitants of the said townes, in as large and ample wise as they might haue done before the making of this preſẽt act, any thing contayned in this present acte, to the contrary notwithstanding.

And also prouided and bee it &c. that the sayd craftesmen of worsted weauers Craftesmen inhabited, or hereafter to bee inhabited within either of the sayde townes of Lin and Yarmouth, or suburbes of the same, and the merchaunts, or any other person or persons which shall happen to buy of the same craftes men or any of them, or of any other persõ, any of ỳ saide clothes

of

of Worsteds, stammins, or Saies, made or to bee made within either of the sayde townes of Lin and Yarmouth, and sealed by the said Wardens of ỳ same townes, to be elected and swoine as is afore sayde, and any of them, shall not shere, die, or put in colour, or calender, any Worsteds, Stammins, or Saies made or to be made within either of the sayd Townes of Lin and Yarmouth or suburbes of the same, in any other place or places, but onely within the sayde citie of Norwich, or suburbes of the same, upon payne of forfayture of euery peece of Worsted, Saies, or Stammins, to bee made within any of the sayd Townes of Lin and Yarmouth, or suburbs of the same, or the value thereof, shoine, dyed, coloured, or calendred, by any of the sayde craftes men, buyers, or merchants, in any other place or places, then in the said Citie of Norwich or suburbes of the same: The one halfe thereof to be to the king our soueraigne lord, and the other halfe thereof to such person or persons as shall seise the same. So that the sayde Worsteds brought to the sayde citie of Norwich to be shoine, died, coloured and calendred, without couin or craft of any of the sayde inhabitantes and merchauntes, may be shoine, dyed, coloured & calendred, at ỳ by as conuenient price or prices, and in as ready wise as the said inhabitantes of either of the said townes of Lin and Yarmouth, and merchauntes buyers of the sayd Worsteds, or other of the sayd citie or county hath had in times past or hereafter shall haue.

And also that the same inhabitauntes & merchants, and euery of them so bringing their sayd Worsteds to the same citie for to bee shoine, died, coloured, and calendred, bee reasonably and lawfully entreated according to the sayd act made in the sayde seuenth yere of king Edwarde the fowerth and the ordinance made and affirmed, or hereafter to be made & affirmed for the sayde mistery without let or disturbance contrary to the same acte or ordinances in that behalfe.

And be it ꝛc. that no person or persons any time hereafter conuey or transport in any of the partes of beyond the sea, any maner of clothes of Worsted before the same clothes be shoine, died, coloured, & calendred, vpon payne and forfayture of the value thereof, ỳ one halfe to the king our soueraigne Lord, and the other halfe thereof to ỳ party that will sue therefore, by action or playnt of debt in any of the kinges courts. In which action or suit, no protection or essoine shalbe allowed, nor the offender admitted to wage his lawe. This act to endure to the next parliament. Anno 14. H. 8. cap. 3. And after Anno 21. H. 8. cap. 21. It is continued to endure to the end of the next parliament. And after Anno 26. H. 8. cap. 16, this act is made perpetuall.

Shere Dye Calender

Norwich Forf.

Moytie

Prices

Transport

Forf.

Moytie

¶ Wrecke.

COncerning wreckes of the Sea, it is agreed, that where a man, a dog, or a cat escape quicke out of the ship, ỳ such shippe nor barge, nor any thing within them, shall bee adiudged wrecke, but the goods shalbe saued and kept by viewe of the sherife, coroner, or the kings bailife, and deliuered into the handes of such as are of the towne, where the goods were found, so that if any sue for those goods, and after proue that they were his, or perished in his keeping within a yere and a day, they shall be restored to him without delay. And if not, they shall remayne to the king, & be seyled by the sherifes, coroners and Baylifes of the Towne, which shal aunswere before the Justicers of the wreeke belonging to ỳ king. And where wrecke belongeth to an other then to the king, he shall haue it in like maner. And he that otherwise doth, and thereof be attaynted, shall bee awarded to prison, and make fine at the kings will, & shall yelde dammages also. And if a baylife doe it, & it be disallowed by his lord, and the lord wil not discharge him thereof, the bailife shall aunswere (if he haue whereof) and if he haue not whereof, the lord shall deliuer his bailifes body to ỳ king. W. 1. c. 4.

2 ¶ Also the king shall haue wreck of the sea throughout the realme, whales and

Quick thing

Sheriff Coroner

Restore

King

Imprison Fine Dammages

Bailife

Whales

Sturgeons and great sturgeons taken in the sea or else where within the Realme, except in certayne places priuiledged by the king. Prærogatiua regis capitulo 11. An. 17. E. 2.

¶ Writs & abatements of writs.

Chauncery AND as often as from henceforth there shal happen in the Chauncery that in one case there is a writ found, and in like case, happening vnder the same right, and the like remedy is not founde Clerke for him that needeth it: The clerks of the Chauncery shall agree in making the writ, or shall adiourne the playntifes vntill the next parliament, and write the case wherein they can not agree, and Parliament referre them to the next parliament, and of the consent of the expert in lawe let the writte be made, leste that hereafter it happen that the kinges court fayle in giuing Justice to them that complayne. W. cap. 25.

2 ¶ To the entent that writs of debt and accompt, and all other such actions Counties be from henceforth taken in their Counties, and directed to the Sherifes of the counties where the contracts of the same actions did rise: It is ordayned and accorded, that if from henceforth in pleas vpon the same writtes it is declared, that the contracte thereof was made in an other county then is contayned in the originall writte, that then incontinently, Abate the same writte bee vtterly abated. Anno 6. R. 2. cap. 2.

3 ¶ Anno 4. H. 6. cap. 4. it was enacted, that the writtes and suites of them that were made knightes in the parliament should not abate.

¶ Yarne.

NO man shall cary nor bring out of the said realme no maner of thrums nor wollē yarne vnder colour of thrums, Fors. vpon payne to forfait the double value of the same. Anno 8. H. 6. cap. 23.

2 ¶ Anno 23. H. 6. cap. 3. it was enacted that no thrummes nor woollen yarne shoulde bee shipped or packed or caried ouer during three yeeres, vpon payne of forfapture. Shipped

¶ Yorke.

WHereas great inconueniences & dammages haue come nowe of late in the Citie of Yorke, and more in time to come be like to happen if prouision thereof bee not had: for that diuers & certayne persons, Citizens of the sayde Citie, haue purchased and gotten of our soueraigne Lorde the king seuerall letters patents, thereby to bee exempted of Letters patents the offices and occupations of Maioralty, Sherife, Chamberlaine, Collectour of dismes, and quinsimes, and Citizen of the sayd citie, to come to the parliaments of our soueraigne Lord the king and his heires within the sayde Citie: Our sayd soueraigne lord the king considering the premisses, by aduise and assent aforesaid, hath ordained and stablished, that al such letters patents graunted or to be graunted to any person or persons, now Citizens of the sayde City, or which in time comming shalbe made, shalbe voyde and of none effect. And moreouer that if any Citizen of the sayde Citie now being, or which in time comming shall be, do purchase, admit, take or get any such letters patents, thereby to bee exempt of any of the offices or occupations aforesaid within the same Citie, shall forfayte forty Fors. pound, the one halfe to our Soueraigne Pointe Lorde the king, and the other halfe to the Maior and Citizens of the sayde Citie and their successours. And that the Maior for the time being and his successours may and might haue and mayntayne an action of debt to demaund the sayd forty pound agaynst euery of the sayde person or persons purchasing, admitting, taking or getting such letters patents of exemption, the one halfe of the sayd forty pound so recouered, to be to the vse of our sayde soueraigne Lord the king and his heires, and the other halfe of the said forty pound to be to the vse of the Maior of the sayde Citie for the time being, & of the citizens

of

of the same Citie and their successours. And that in such actions of debt hereafter to be pursued, the parties defendants in no wise shalbe admitted to their lawe. Anno 29. H. 6. cap. 3.

2 ¶ Anno 21. H. 8. cap. 17. an act is made whereby certayne letters patentes made to the ayde of Yorke concerning

Shipping

shipping and conueying of woolles and felles be repealed.

3 ¶ Anno 34. H. 8. cap. 10. an acte is made concerning the making of couerlets within the Towne of Yorke, and none to bee made to be put to sale in Yorkeshire, but in the Towne of Yorke onely.

Coverlets

FINIS.

(* *)

Imprinted at London by
Christopher Barker printer to the
Queenes Maiestie.
1583.

Imprinted at London by
Christopher Barker printer to the
Queenes Maiestie.
1583.

¶A generall Table, conteyning (in order of the kinges reignes) the seueral times of the Parliamentes holden since the eyght yeare of the reigne of king H. the 3. till this present yeare. 1582. togeather with the seuerall Chapters and intitulings of the particular Statutes made in euery of the same: whereby the reader may finde vnder what Title, and in what leafe of this booke, any of those Statutes be placed: and whereby also (through the helpe of the Hands prefixed to denote such Statuts as do concerne the office of the Iustices of peace) he may easely correct al such escapes of the Hands or Starres, as haue happened in this booke at large eyther against the beginning or end of any of those Statutes.

(***)

¶*The Statutes made in the time of king Henry the third, the beginning of his Raigne. Anno. 1216. Octob. 19.*

¶Magna Charta 9. H. 3.

Cap 1. Fol. 182. b.
Cap. 2. 363. b
Cap. 3. 514. a
Cap. 4. 523. b
Cap. 5. 523. b
Cap. 6. 514. a ☞
Cap. 7. 553. b
Cap. 8. 107. c
Cap. 9. 182. a
Cap. 10. 440. b
Cap. 11. 64. a
Cap. 12. 24. c
Cap. 13. 106. c
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Cap. 16. 33. b
Cap. 17. 331. a
Cap. 18. 197. c
Cap. 19. 51. c
Cap. 20. 51. c
Cap. 21. 348. a ☞
Cap. 22. 178. a ☞
Cap. 23. 532. b
Cap. 24. 373. a
Cap. 25. 287. b
Cap. 26. 166. c
Cap. 27. 514. a
Cap. 28. 491. b
Cap. 29. 5. a
Cap. 30. 257. b
Cap. 31. 440. b
Cap. 32. 440. b
Cap. 33. 478. c
Cap. 34. 16. c
Cap. 35. 79. a
Cap. 36. 284. c
Cap. 37. 183. a. 145. b

¶Charta de Foresta. 9. H. 3.

Cap. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. Fol. 174. b 175. a b c

Hibernia de Cohęredibus. 14. H. 3. 302. c

¶Merton. 20. H. 3.

Cap. 1. 114. c
Cap. 2. 534. b
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Cap. 4. 18. b
Cap. 5. 488. b
Cap. 6. 514. b
Cap. 7. 514. b
Cap. 8. 248. a
Cap. 9. 36. c
Cap. 10. 30. b
Cap. 11. 175. b

De Anno Bissextili. 21. H. 3. 104. d

Sententia lata super chartas. 38. H. 3. 172. b

☞ Assisa panis et seruisię. 51. H. 3. 526. d ☞

Dies communes in banco. 51. H. 3. 104. b ☞

Dies communes in dote. 51. H. 3 104. c

Districtiones scaccarij. 51. H. 3. 113. c

Lestatute de scaccario. 51. H. 3. 104. b

Iudicium Collistrigij. 51. H. 3. 526. d

De compositione mensurarum. 51. H. 3 527. a

De ponderibus et mensuris. 51. H. 3. 527. b. c

De tallagio non cōcedendo. 51. H. 3. 348. a

¶Marlebridge. 52. H. 3.

Cap. 1. 2. 3. 112. b
Cap. 4 113. a
Cap. 5 65. a
Cap. 6 514. c
Cap. 7 514. b
Cap. 8 363. a
Cap. 9 437. c
Cap. 10 79. a
Cap. 11 37. a
Cap. 12 104. b. 353. b
Cap. 13 145. b
Cap. 14 223. c
Cap. 15 113. a
Cap. 16 284. b
Cap. 17 514. b
Cap. 18 13. b
Cap. 19 146. a
Cap. 20 157. b
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Cap. 23 4. c. 523. b
Cap. 24. 228. a
Cap. 25 287. b
Cap. 26 484. c
Cap. 27 253. c
Cap. 28 265. b
Cap. 29 137. a

¶*The Statutes made in the tyme of king Edwarde the first, the beginning of his Raigne. An. 1272. Novemb. 16.*

¶Westminster the first 3. E. 1.

Cap. 1 320. b
Cap. 2 59. b
Cap. 3 138. b ☞
Cap. 4 558. b
Cap. 5 136. c
Cap. 6 13. c
Cap. 7 348. a
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Cap. 16 113. a
Cap. 17 113. b
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Cap. 19 107. b
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1 AN Acte that none be greeued for the pursuit of king Ed. the 2. Fol.319.c

2 A Confirmation of the exile of Syr Hugh Spencer, & hys sonne 364.b

3 An adnullation of fines leuied to the said Spencers 134.b

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5 Auerrement against returnes of Bailifes of fraunchises 372.c

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1 ¶A Confirmation of the great Charter, & the Charter of the forest 65.c

2 For selling of the temporalties of Bishops,

and for housebote &c. 37.c
3 A confirmation of king Ed.2. his pardon, and a pardon of Jewes debts 319.c
4 For ordering the kings debtes 108.a
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☞ 14 For maintenance of quarrels 254.b
15 None to be bound by writing to come to the king with men of armes 134.b
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☞ 3 For comming before the kings Justices, or other where, with force & armes 19.b
4 A Confirmation of the Statute of Lincolne for Sheriffes 423.b
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☞ 6 A Confirmation of the Statute of Winchester &c. 317.b
7 For punyshment of felons and murderers 297.b
8 That right be not delayed 227.c
9 That al Staples shal cease 430.b
10 A Pardon for all fines for writs 319.b
11 The common Bench not to be remoued without warning by adiournement 6.a
12 Hundreds and wapentakes let to ferme to be reioyned to counties 423.b
13 For proces in trespas done in the time of king Ed.2. 336.a
14 For the measuring & assise of cloth 115.c
15 For faires to be holden in their time accustomed 158.b
16 For Nisi prius to be graunted aswell at the tenants suit, as at the demandant 294.a
17 A writ of disceipt gāuen in a Scire facias in a plee of land 110.c

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1 ¶A Confirmation of al Statutes not repealed 65.a
☞ 2 For taking of assil. iuries &c. of gaoles 230.a
☞ 3 For purueiance of the K. & Q. houses 348.b
☞ 4 That Purueiors pay in hand, and haue a warrant vnder the great or smal seale 348.b
5 The kings Pardon 319.b
6 A confirmation of the Sta. of Carlile 265.b
7 An action of trespas geuen to executors for goods taken away in the testators life 153.b
8 For passage at Douer 303.b
9 That Sheriffes & Bailifes shal haue sufficient in the counties 423.a
☞ 10 Against Sheriffes and gaolors, that wil not receiue theeues and such other into their gaoles 423.b
11 Justices of assises shall inquire of maintenors &c. 294.b
12 An act for the sale of wynes 538.c
13 A confirmation of the statut of Northāpton, for graūting of charters of pardon 319.b
14 For a Parliament to be holden once euerypeare 299.c
15 For wapentakes and hundreds to be letten at the olde ferme 423.b

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1 ¶A Confirmation of the great Charter, & the Charter of the forest 65.c
☞ 2 Against the kings Purueiors &c. 349.a
3 A confirmāc of the Sta. of Carlile &c. 265.b
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5 For closing stalles and bothes in Faires after the daies expired 159.a
6 Essoines and Protections put out in Attaints 27.c
7 Attaints to lie in trespas, if the damages passe xl.s. 27.c
8 For letting theeues and felons to baile by the Marshals of the kings bench 331.b
9 That none be attached, for inuaded, nor out of his landes, contrarie to the great Charter 5.b
☞ 10 Jurors that take money, shall no more passe vpon Juries 223.b
☞ 11 That Justices assigned to determine felonyes, haue power to writ to forreine Counties 336.a
12 For allowances of Charters of pardon in Outlagaries at the suit of the partie 154.b

13 For auoyding of Outlagaries by impri-
sonment 154.b
14 For Nightwalkers 380.a

¶The 9. yere of E. 3.

1 ¶That Marchant straungers may freely
sell all maner of marchandises to whom
they will, with other thinges 258.a
2 Nompleuin of land put out 295.c
3 That executors shal not fourche 153.c
4 For trial of deedes dated within fraun-
chises 464.c
5 That Justices of Assises &c. shal send their
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1 ¶An acte that no sterling money nor plate
be carryed out of the Realme 279.c
2 That no false money be brought into the
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3 That no sterling halfe pence, or farthinges
be molten by Goldsmithes 279.c
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6 An othe of Shipmasters that they shall
not offend this statute 279.d
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1 ¶A Confirmation of all Statutes not re-
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4 For purueiance for the kings horses 349.b
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¶The 11. yere of E. the 3.

1 ¶For carryage of woolles out of the
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5 For Clothworkers of straunge lands, to
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¶The 14. yere of E. the 3.

1 ¶A Confirmation of the great Charter
&c. 65.c
2 & 3 The kinges Pardon 320.a
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5 A redresse for delaies of iudgements in the
kinges great Courtes 223.b
6 For amendement of Recordes 12.c
7 How longe Sheriffes shall tarry in their
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8 Diuers Eschetors to be in the Realme,
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9 That Hundreds and wapentakes bee
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10 Gaoles of the counties to be annexed to
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11 That the Clerke of the sta. Marchant be
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12 For true waights & measures 527.d
13 For wast done by Eschetors in the lands
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15 For graunting of Charters to murderers
and theeues 320.a
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maner Justices 294.c.
17 A Iuris vtrum for Persons, Vycars,
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18 For vouching to warrantie a dead per-
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19 An act against Purueyors 349.b
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21 A Subsidie 106.a

¶An other Statut the same 14. yere

1 ¶An acte touching the Subsidie 438.b
2 That all Marchant straungers may haue
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1 ¶That spirituall persons goodes bee not
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3 For selling the Byshoppes temporalties

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3 That al Marchants may buy welles, leather, felles and lead, in England, so that they be caried to the Staple 259.a
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3 Discharge of estrets at the eschequer 178.b
4 For fines for probates of testamets 334.c
5 The measure of a tunne of wyne, & true gauging of the same 528.a
6 For fines & amercemets of labourers 233.c
7 The Statut of Labourers to holde places in London, and the suburbes 233.c
8 For carrying of woolles ouer the sea 547.b
9 The Chauncelor and Treasorer to deferre the passage of woolles 547.b
10 Against victuallers of London
11 The Ordinarie to commit administration, where a man dieth intestate, and the administrators to haue actions as Executors should 6.c
12 For errors in the Eschequer 137.b
13 The kinges Pardon 320.a
14 The keping of Eschapes 138.b
15 What tymes the Sherife shall holde his Turne. 79.a

¶Another Statut made the same 31.

1 & 2 ¶For Herring, and the manner of selling thereof 169.a.c
3 For Stockfishe 169.c

¶A third Statut the same 31. yere

For fish comming within the hauen of Blackney, and of the Wankes holden 169.b

¶The 34. yere of E. 3.

1 For Justices of peace 230.b
2 & 3 For Purueyors 350.b
4 For making of Pancis 224.a
5 & 6 Justices of peace to enquier of Measures 528.b
7 Attaint aswell in plée reals as plée personals 27.c
8 Against Jurors taking money for saying their verdict 224.b
9 10 & 11 For Labourers 233.c.d
12 For Eschetors dissetting men by colour of their Offices 178.c
13 How Eschetors shall take their Enquestes 142.a
14 For trauers of offices 142.a
15 For alienations made by tenaunts of king Henry 3. 441.a
16 Nonclayme of fines to be no barre hereafter 164.b
17 Marchants aliens or denizens may come into Ireland without fine or raunsome 222.c
18 An act for them that haue possessions in Irelande 222.c
19 No custome for vitualles 549.c
20 For passage of Corne 74.c
21 For passage of woolles 435.b
22 For haukes founde 198.c

¶The 35. yere of E. 3.

1 ¶For herring comming to Yermouth, and the Hostilers there. 170.a

¶The 36. yere of E. 3.

1 ¶A confirmation of al Statuts not repealed 65.c
2. 3. 4. 5. 6. Against Purueiors 350.c.d 351.a
7 Of what things the Maior & Constables of the Staple shal haue conusance 435.b
8 For the wages of Priestes 56.b
9 Punishment for the offendors of any of the said Statutes 56.c
10 A Parliament to be holden once every yeare 299.c
11 A Pardon of the Subsidie 547.b
12 For the Sessions of the peace 230.c

13 For

13 For wast done by Eschetours 142.b
14 The fines & amerciaments of labozers to be leuied to the cõmons 438.c
15 Pleading to bée in the Englishe tongue 106.c. 332.a
16 The kings general pardon 320.a

¶The 37. yeare of king Ed. the 3.
1 ¶All statutes before made confirmed 65.c
2 For writtes of Idemptitate nominis 217.d
3 The price of poultry
4 An order for clerkes of ỳ Eschequer 141.b
5 Against grocers engrolling marchandizes 311.a
6 Handycraftsmen to hold them to one occupation 23.c
7 For siluer vessels 193.c
8 For Apparel Cap. 9.10.11.12.13.14.15. 13.0.116.b
16 An act for wines 539.a
17 No writ to be abated by exception of villenage vpon auerment that hée was frée the day of the writ purchased 479.b
18 Suggestions to be pursued before ỳ counsell 5.b
19 For finding of Hawkes 198.c

¶The 38. yeare of king Ed. the. 3.
1 ¶All that not repealed confirmed 65.c
2 For all marchants to buy any marchandizes, to carry them whether they wil and of money 280.a.364.b
3 Fines to bée taken in the presence of the pleages 164.b
4 That penall bondes in the thirde person bée voide 296.c
5 Waging of lawe in London against papers 491.b
6 The penaltie of death put out for carrying of woolles ouer the sea 547.b
7 The Staple to be in England 435.b
8 The whole shippe not to be lost for a little thing therein not customed 411.c
9 For them that make grieuous complaints to the king, & can not proue them true 5.b
10 For séeking wines in Gascoine 539.a
11 For furrors & imbracerours of suries 106.c
12 An other statute made against prouisors, that same 38. yere 343.c

¶The 42. yere of king Ed. the 3.
1 ¶The great charter, & the charter of ỳ forest confirmed 65.c
2 A confirmation of a pardon 320.a
3 That none be put to aũswere without presentment, or other thing of record 5.c
4 That commissions be made to some of the Justices for all inquiries 64.a
5 Euery Eschetour muste haue twenty pouñd lande 142.c
6 A confirmation of the sta. of labozers 233.d
7 They of London to sell vitaile at retaile, & none other 253.b
8 That no Englishe marchaunt goe to séeke wines in Gascoine 539.b
9 For leuying of the Gréene ware 147.c
10 Children borne beyõd the Sea within the Kynges dominions, shall enherite landes in England 1.b
11 For arraying of panels 299.a

¶The 43. yere of king Ed. the 3.
1 ¶The Staple had from Calais & brought into England 547.d
2 A repeale of ỳ act ỳ no Englishman should séeke wines in Gascoine 539.c
3 For arresting of Wines by the Kynges Butler 47.d
4 The kings pardon 320.a

¶The 45. yere of king Ed. the 3.
1 ¶The great charter & the charter of the forest confirmed 65.c
2 For pulling downe of weares, milles and kyddles 533.a
3 A prohibition to spiritnall Judges, that holde plée of tithes of wood, of 11. yeres groth and aboue 340.b
4 No impositiõ to be laid vpon woolles and leather other then the custome 547.d

¶The 47. yere of king Ed. the 3.
1 ¶For measuring of clothes 116.b
2 How Scottish money shalbe currãt 280.a

¶The 50. yere of king Ed. the 3.
1 ¶The liberties of the Churche confyrmed 65.c
2 The great charter, & the charter of the forest confirmed 65.c
3 The kings pardon 320.a
4 That after a consultation once graunted, no prohibition be awarded 340.c
5 That no minister of holy Church be arrested at seruice time 23.b
6 For gifts of goods by collusion 150.b
7 That woollen clothes be not brought out of the realme till they be fulled 116.c
8 No subsidie nor aulnage to be leuyed of Irish frise 116.c

¶The

¶ *The statutes made in the time of king Richarde the second. The beginning of his raigne.*
An.1377. Iunij.21.

¶ The first yeare of his raigne.

1 ¶ A confirmation of the liberties of the Church, & of al stat not repealed 65.c
2 For keping of the peace 317.c
3 Al stat of purueyours confirmed 351.b
4 For maintenance of quarels 255.b
5 After tailes of debttes allowed in Theschequer the debtes neuer after to rune in demaund 141.b
6 Against villeins that withdraw their seruices 556.b
7 For geuing of liueries 250.c
8 For protectiõs cũ clausula volumus 341.b
9 Assise against the pernour of ỹ profits 158.d
10 A cõfirmation of a pardon graunted in the 50. yere of king Ed. 3. 320.a
11 None that hath ben sherife, shalbe sherife within three peres after 423.d
12 For prisoners of the Fleete suffered to goe at large 107.a
13 That obligations made by spiritual mẽ to do contrary to the lawes of the Church, bee voide 134.d
14 An act concerning tithes 444.c
15 That no spirituall ministers bee arrested during diuine seruice 23.c

¶ The second yere of Rich. the 2.

1 ¶ That marchãt strãgers may safely bring any marchãdizes into this realme 260.b
2 For forstalling of wines 181.a
3 An act for marchants of Iean &c. & others towards the west parties 260.b
4 For mariners fleeing out of the kings seruice vpon the sea without licence 317.c
5 For counterfaiters of newes 289.d
6 For welshmen taking away women and maidens out of England 373.a
7 An act that Pope Vrban should be taks for inuabitat Pope 344.d
8 The statute of labourers confirmed 233.d

¶ Another sta. made the same 2. yere.

1 ¶ A confirmation of ỹ liberties of ỹ church and of al stat 65.c
2 The article of assembles &c. contayned in the last statute made at Gloucester put out 373.a
3 Processe against them, which after giftes made of their goodes by collusion flee to sanctuary 107.b

¶ The 3. yere of Rich. the 2.

1 ¶ All liberties & good statuts cõfirmed 184.b
2 For measure of woollen clothes 116.c
3 For receiuing procuracy, letter of attorney, nor ferme of any benefice but of Englishmen 344.d

¶ The. 4. yere of Rich. the 2.

1 ¶ For gauging of wines 192.d
2 The kings pardon 320.b

¶ The v. yere of Rich. the. 2.

1 ¶ All liberties and stat confirmed 65.c
2 For carriage of money out of the realme 280.b. 303.c
3 For maintenance of the Englishe nauye 411.d
4 The price of wines to bee solde within the Realme 539.c
5 The kings pardon 320.b
6 For manumissiõs &c. made by manalle at the insurrection 135.a
7 For entering into landes where it is not lawful 174.a
8 For charts eloigned at ỹ insurrectiõ 106.c
9 For impechments of debts & accompts in the Eschequer 141.b
10 The couenants of them that shal serue the king to be put in writing 49.d
11 That accompts in theschequer bee shortly heard 141.b
12 Two clerks to be assigned to make parcell of ỹ accompts in theschequer 141.b
13 Accompts of Nichil be put out 141.c
14 The clerke of the Pype, and the two Remembrancers to bee sworne for the entre of writtes of the great and priue Seale euery terme 141.c
15 When the iudgement of liuerye commeth into the scheque by Mittimus, the Remembrancer shal discharge the party, of anie accompt for the same land 141.d
16 The fee of the clerkes of Thescheque for making a cõmission or Nisi prius 141.d

¶ An other statute of the same. 5. yere.

1 ¶ For wel intreating of marchants strãgers in this realme 260.b
2 For passage of wools, leather & fells 547.d
3 A subsidie graunted to the king 438.c
4 For comming to the parliament 299.c
5 For preachers of heresies 299.c

¶ The. 6. yere of Rich. the 2.

1 ¶ The liberties of the church with all stat not repealed, confirmed 184.a

2 For

2 For actions to be pursued in their proper Counties 559.a
3 For writs of noysances 296.c
4 For dedes inrolled that were distroyed in the laste Insurrection 221.a
5 For Sessions to be holden in the principal Townes 229.a
6 An acte for ravishing of women 354.c
7 For swete wines to be sold at retaile 539.c
8 A mollefying of the acte touchinge the Mayre 411.b
9 Victailers to beare no office in Townes where they dwell 557.b
10 Victailers to be vnder the kinges protection 480.b
11 That hostes vse no more forstalligs 557.b
12 Maiors to be swoorne to keepe the ordinances of fishmongers and victailers 557.b
13 The kinges Pardon 320.b

1 ¶An other Statut the same 6. yere, enlarging the same Pardon 320.b
☞ 2 For them that feele them selues greeued by the last Insurrection. 351.b

¶The 7. yere of Rich. the 2.

1 The liberties of the church cõfirmed 184.b
2 All Statutes confirmed 61.b
3 For ransayling of Iurors 177.b
4 For imprysonment by ministers of the forrest 177.b
5 For Vagabondes 469.b
6 For proclamation to be made of the statute of Winchester 338.b
7 A Nisi prius to be graunted at the suite of any of the Iurors 294.b
☞ 8 For Purueyors 351.b
9 For discript in Clothes 116.c
10 Assise for a rent going out of lands lyinge in two Counties 26.b
11 The Statut of victailers made the 5. and 6. yeares of R. repealed 480.c
12 Against Prouisors 345.a
☞ 13 For ryding in barneis 20.a
14 For atturneis of defendants, in writs of Præmunire facias 31.a
☞ 15 For Champartie and Maintenance 255.b
16 For sending armour or victaile into Scotland 395.b
17 The Mainpernors to satisfie the plentife for his delay, where the defendant kepeth not his day, by the Superiedias vpon mainprise 253.b

¶The 8. yere of Rich. the 2.

1 ¶The Liberties of the Church & al Statutes confirmed 65.c.b
2 None to be Justices of assises, nor of gaole delinerie in his owne Countrey 229.a
3 Justices nor Barons of the Eschequer shal take fee nor reward 229.c 393.a
4 For false entring of plees, raising of rolles, and chaunging of verdictes 359.c

¶The 9. yere of Rich. the 2.

1 ¶A confirmatiõ of al sta. not repealed 65.b
2 For villeines flying to Cities and Boroughes 479.b
3 For writs of Attaint, & of Error for them in the reuersion 27.c
4 The trial whether a Prior be perpetual, or datiue and remouable 464.c
5 For fees of prestes taken in the Mathalsie of the kings house 257.a

¶The 10. yere of Rich. the 2.

1 For the good gouernãce of the realme 64.b

¶The 11. yeare of Rich. the. 2.

1.2.3.4. ¶For the good gouernance of the Realme 64.b
5. & 6. The fork. of diuers persons attainted gainen to the king 27.a
7 That all Marchants may sell their marchandises in England, where, & to whom they will 308.b
8 Certeine annuities graunted by the king made voide 308.c
9 No impositions to be put vpon wolls, leather, nor felles, other then the custome 438.c
10 No letters to be sent in dammage of the Realme 398.b
11 For kepinge Sessions in the chyefe Townes 229.a

¶The 12. yere of Rich. 2.

1 ¶A confirmation of the liberties of the Church, and of all Statuts 95.c. 184.b
2 For making of Officers 296.b
☞ 3 A confirmation of al Statutes for Laborers and victailers, & Stockes to be in euery towne, & for demeaning of labourers 234.b
4. & 5 For wages for Labourers, & how they shall demeane them selues 18.c 234.b
☞ 6 For vnlawfull games 19.c 20.a 328.c
7. & 8 For beggers 234.c
9 For trauailers out of the Realme, hauing no Testimonials 469.b
☞ 10 Justices of peace to punish vagabonds, and for holding their Sessions 230.c
11 For tellers of new tydinges 290.a
12 For leuying knights expences comming to the Parliament 299.c
13 For

13 For auoiding of dongue & carren in infection of the aire 220.a
14 For the measure of clothes 116.d
15 That none passe out of the realme to obtaine any benefit of holy Church 345.b
16 For remouing ỹ staple from Middleburgh to Calleys 435.c

¶The 13. yeare of king R. the 2.

1 ¶That the kings presentée be not receiued to a Church ful of incumbent till he hath recouered it by lawe 219.a
2 The iurisdiction of the court of the Constable & Marshalles 66.b
3 The iurisdiction of the court of the Steward & Marshal, not to exceds xij. mile frō the kings lodging 257.a
☞ 4 For the Clerke of the market of ỹ kinges house 63.b
5 The iurisdiction of the Admirall 6.c
☞ 6 For seriéants at armes 399.a
☞ 7 Iustices of peace to be made a newe 230.b
☞ 8 For pryce of vitailes, and for labourers 65.c
☞ 9 For weights 528.b.547.b
10 For measure of clothes 116.b
11 For making of clothes 117.a
12 For Tanners & Cordwainers
☞ 13 For hunters 208.b
14 For double bonds in thexchequer & recognisance of debtes 141.b
15 For ioyning Gayles to ỹ Countries 332.a
16 For protections 341.b
17 For receipt vpon saint pleding 366.b
18 For attaint in Lincolne 27.b
☞ 19 For sauegard of fithe 197.b
20 For Pilgrimes 303.b

¶An other statut made the same 13. yere.

1 ¶For charters of pardon 320.b
2 & 3 Against prouisours 345.b

¶The 14. yere of king R. the 2.

1 ¶The staple remoued from Caleys 435.c
2 For exchaunge at the court of Rome 139.a
3 The Maior of the staple and other fyrst swore to the king 435.c
4 For regrating of wolles 548.a
5 For carrying of wolle and leade out of the realme 548.a
6 For frayghting of English shippes 411.b
7 For shipping of Tinne 444.b
8 Gawging of rennish wines 539.c
9 Marchaunt straungers to bée well entreated 260.c
10 No Customer or comptroller to haue ship of his owne, nor to freight ship 296.b.100.b
☞ 11 For assigning of Iustices of peace 230.b
12 For howe much Scottishe money shall renne 280.b

¶The. 15. yere of king R. the 2.

1 ¶All good statutes confirmed 65.c
☞ 2 For forcible entries 174.a
3 For the Admirals iurisdiction 6.c
☞ 4 For measuring corne in London 528.c
5 For making of churchyardes 285.c
6 For appropriation of churches 18.c
7 For carrying of vitailes or merchandizes into Scotland 395.b
8 For passage of Tinne 444.c
9 For recognizances of the staple 435.c
10 For clothes made in Surrey, Suffex, and Southhampton 117.a
11 For Girdlers 193.a
12 For aunswering béfore the counsell of Lordes and Ladyes 189.b

¶The 16. yere of king R. the 2.

1 ¶For Marchants aliens retailing marchandizes in the realme 160.c
2 For appearing before the counsel of Lords & Ladies to aunswere 189.b
☞ 3 The clerke of the market to haue ready his waights according to the standerd 528.c
☞ 4 For liueries of companies 250.b
5 For prouisions to ỹ court of Rome 346.a
6 For charters of pardon 320.b

¶The 17. yeare of king R. the 2.

1 ¶For melting money to make plate 280.c
2 For clothes called karleys 117.a
3 For worsteds 555.b
4 For clensing & purifying of malt 74.c
5 For certeine officers to haue no estats in their offices for life nor yeres 296.b
6 For dāmages for thē that bée vexed before the counsell by vntrue suggestions 5.c
7 For carrying of corne out of the realme 74.b
8 For ryots & vnlawful assemblies 373.a
☞ 9 That Iustices of peace bée conseruators of the statute made for weares &c. 197.c
10 Two men of lawe to be assigned in ỹ cōmission to deliuer Gayoles 230.a

¶The 20. yere of king R. the 2.

☞ 1 ¶For ryding armed in the Realme, and bearing of Launcegaies 20.a
☞ 2 For wearing of liueries 250.b
3 Lordes nor other shal sit with the Iustices of assise

of Assise 229.a
4 That no shippe fraighted towardes England, be compelled to come to any other port 260.c
5 For taking of Horses 202.b
6 Lycence graunted to Belknap & others, to returne into England 229.d

¶The.21.yere of Rich. the 2.

1 ¶All liberties confirmed 184.b
2 An act touchinge the commission made to the Earle of Arundel, and others 64.b
3 Against such as compassed the kinges destruction 454.b
4 Touching the king & the conservation of ỹ realme, Chapters.4.5.6.7.8.9.10.11.12. 13.14. 331.c.364.b
15 The kings pardon 326.b
16 For determination of certein matters &c.
17 For lycences to shippe marchandizes of ỹ Staple 435.c
18 For bringing lastage of good stones to Calice 48.a
19 For leuying weares &c. in disturbaunce of the passage of vessels 533.a
20 Against them that procure to reuerse anie thing made in the parliament 454.b

¶ *The Statutes made in the time of king H. the fourth, The beginning of his raigne. An.1399. Sep.29.*

¶The first yeare.

1 ¶All liberties of the Church, and stat heretofore made confirmed 65.c.317.c
2 For the safegard of them which came in with Henry the fourth 320.b
3 A repeale of the parliament made in the 21. yeare of kinge Richarde the seconde 64.b.298.b.331.c.364.b
4 The statute made in ỹ 11. yere of king Richard confirmed 65.b.299.b.
5 For restitutiõ of those which were attainted the said 21. yere of Rich. the second 370.b
6 For letters patents to be made by ỹ kinge 308.b
7 For geuing of lyueries 251.a
8 For them that be put out of their lands by suggestion made to the king 26.b
9 For the sales of forfaitures made by great officers of king Richard the second 308.b
10 For paines of treason made the 21. yere of king Richard the second 454.b
11 For sheriffes to bee charged after the olde fermes of the counties 424.a
12 For weares &c. leuyed in disturbaunce of passage 533.b
13 For what season searchedours, & such other officers shal abide in their offices 296.b
14 For determination of appeales 17.a
15 For errours in London 253.c
16 For Londoners to be free of packinge of clothes 117.a
17 That Aliens vitaylers be in the kings protection 480.b
18 For murders and other offences done by people of Chester 5[illegible].c
19 For making of clothes 117.b
20 The kings pardon 320.c

¶The 2. yere of H. the. 4.

1 ¶A cõfirmation of al sta. & liberties 184.b
2 For gifts & graunts to bee made by ỹ king 308.b
3 For prouisions made to ỹ court of Rome 346.b
4 For religious men of the order of Cisteaux &c. 347.a
5 For carriage of money &c. out of ỹ realme 280.c
6 For deceipt in Flemish and Scottish money 280.c
7 For nonsuits in assise after verdict 295.c
8 The fee of the Chyrographer 58.c
9 For Commissions awarded in the time of king Rich. 64.b
10 For the Clerke of the Crowne of ỹ kings benche 63.c
11 The iurisdiction of the Admirall 6.b
12 For welshmen purchasing lands, & beinge in offices 491.b
13 The pardon made the 21. yere of king Ric. confirmed 320.c
14 For Purueiours 351.c
15 For Heresies 198.c
16 For welshmen cõming by night &c. 492.a
17 For Welshmen burning houses &c. within England 492.a
18 For stuffing of ỹ Castels in Wales 492.b
19 For Englishmen conuict by Welshmẽ in Wales 492.b
20 For Welshmen purchasing lande within borough townes in Wales 492.b
21 For geuing of liueries 251.a
22 For suites contrary to the statute made the 11. yere of king Ric. 207.b
23 The fees of the Marshal of the Marshalsye of the kings house 257.b
24 For proces made against thẽ that were in ỹ kings wages with ỹ Duke of Yorke. 4.b.

¶The 4. yere of H. the 4.

1 ¶All liberties & statutes confirmed 65.c

2 For enditements of Insidiatores viarū & depopulatores agrorum 59.b
3 For Clerkes conuict 60.a
4 For reuennes of ỳ Crowne without deliberation 309.a
5 Shirifes to be resident within their Bayliwikes 424.a
6 For sealing clothes 117.b
7 Actiōs against ỳ iutors of ỳ profits 486.b
8 For disseisins with robery 26.b
9 For commissions of enquirie 64.b
10 For halfe pence and farthings 280.c
11 For pulling downe of weares &c. 533.c
12 For appropriation of benefices 18.b
13 For doung seruice in warre 522.b
14 For retaining of labourers, & other craftesmen 234.c
15 That merchāts aliens bestowe their money which they receiue wiñ ỳ realms 260.c
16 For carrying of money or plate out of the realme 280.b
17 For the lower orders of Fryers 189.b
18 & 19 For atturneis of the law 31.a.31.b
20 Customers and Comptrollers to bē resident vpon their offices 297.a.100.b
21 Serchers to occupy in proper person 398.b
22 For incumbents put out by the kings presentées 219.b
23 For examination of iudgements &c. 223.b
24 For aulnage of clothes 117.a
25 For hostelers & vitaillers 480.b
26 That Englishmē be not cōuict by welshmen 492.b
27 For Cōmorthes in Wales 492.b
28 For congregations of welshmen 492.c
29 For bearing armour in Wales 492.c
30 For sēding armour or vitailes into wales 492.c
31 Welshmen to haue no Fortresses nor castels in Wales 492.c
32 Welshmen not to be in certaine offices in Wales 492.b
33 Castles and walled Townes in Wales to be enstored with Englishmen 492.b
34 For Englishmen maried to any of ỳ aliēs of Owen Gleyndour 492.b
35 For Tanners & Shomakers 73.b

¶The 5. yere of king H. the 4.

1 ¶The sorf. of Sir Henry & Sir Thomas Percie 27.a
2 For charters to bē graūted to Appruours 320.c
3 For watch vpon the Sea coastes 524.c
4 Multiplication made Felony 160.b
5 For cutting tongues and puttinge oute of eyes 160.c
6 For batteries done to such mens seruants as come to the parliament 24.b
7 For entreating of marchāt strāgers 260.b
8 For examination of Atturneis in actiōs of debt vpon arrerages of accompt 491.c
9 For keping of Golde and Siluer within the realme 260.b
10 Justices of peace to imprison men in the common Gayole 332.a
11 For paying of tythes by fermours where the lands be seised into ỳ kings hāds 444.b
12 For not shewing againe the statut Marchant, after it is once shewed 359.b
13 For gylting of owers wares 193.c
14 For imbesilling of fines 164.c
14 The kings pardon 320.c

¶The 6. yeare of king H. the 4.

1 ¶For promotions of Bishoprickes 347.a
2 For letters patēts to be made to ỳ Quēne and the kings sonne 309.a
3 Against Shirifes and other Officers that defraude the king 4.b
4 For selling merchandizes by merchantes aliens 260.b

¶The 7. yere of king H. the 4.

1 ¶All liberties & statutes not repealed confirmed 65.c.317.c
2 For the inheritance of ỳ Crowne of England 90.b
3 For the charge of the clerkes of ỳ estretes 147.b
4 For suffering prisoners condempned to go at large 341.c
5 For the forfaiture of Therle of Northūb. and the Lord Bardolfe 27.a
6 For purchasing bulles to bē discharged of dimes 347.b
7 For arrowheades 23.b
8 For pardons to benefices full of Incūbēts by promotion 347.b
9 For sales of clothes in London 261.a
10 For the measure of clothes 117.b
11 For certifying of commissions 64.c
12 For the forf. of John Earle of Salisbury & Sir Thomas Blont 27.a
13 For atturneis of impotent persons 31.b
14 For geuing of Liueries 251.b
15 For election of knights and Burgesses of the parliament 299.b
16 For annuities graunted to the kings seruants out of counties 309.a

17 For making apprentices 18.c
18 The kings pardon 320.c

¶The 9. yere of king H. the 4.

1 ¶A confirmation of all statutes and liberties not repealed 184.b
2 For Kendall cloth 117.b
3 For felonies in Southwales 492.d
4 For disclaimer of felonors in wales 492.d
5 For naming Lords & Baylyes of auncyent demesne in assises 67.a
6 For the measure of ray clothes 117.b
7 For forreins to be cõtributory to the tare of the disme & quynzisme 438.c
8 For free elections 347.c

¶The 11. yere of king H. the 4.

1 ¶Justices of assises to enquire of sheriffes returnes of writs of the parliament 300.a
2 That no common hosteler be comptroller &c. 100.b
3 For recordes of assises &c. 229.a
4 For labourers vsing vnlawful games 328.c
5 For voiding of gally halfe pence 280.d
6 For aulnage of clothes 117.b
7 For conueying grayned clothes out of the realme in small peces 100.b
8 For exchaunges 139.a
9 For taking enquests not returned by the sheriffe 219.d

¶The 13. yere of king H. the 4.

1 ¶A confirmation of al liberties, & statutes not repealed 184.b
2 For Justices of assise 229.a
3 For geuing of liueries 251.b
4 For measure of clothes 117.c
5 For customers &c. to be resident vpõ their office 297.a
6 For voyding of gally halfe pence 281.a
7 For determination of ryots & routs 373.b

¶Here beginneth the statutes made in time of king H. the 5. The beginning of his raigne. An. 1412. March. 21.

1 ¶For election of Knights & Burgesses of the Parliament 300.a
2 For leuying of weares & kiddles 533.c
3 For forging of false dedes 579.b
4 For extortions of sheriffes 424.a
5 For additions to bee geuen in case where proces of outlawry lyeth 6.a
6 For Englishmen misdemeaned in Wales 493.a
7 For Frechmẽ beneficed in Englãd 182.d
8 For the enstoring of Ireland 222.c
9 A reuocation of certaine graunts of landes and offices in Callice 48.b
10 For weights & measures of Corne 528.d

¶The 2. yere of king H. the 5.

1 ¶Commissions to enquire of Hospitalles 207.d
2 For writs of Cerciorari, & corpus cũ causa graũted for persons in execution 78.b
3 For graunting of a coppie of a libell to the intent to obtaine a prohibition 248.a
4 For labourers 234.d
5 For Tindale and exam shire 443.c
6 For truce and safeconduits 42.a
7 For reformation of heresy & lollardy 43.a
8 For reformation of riots & routs 373.c
9 Proces against riotors that flee into woods 374.b

¶An other parliament the same 2. yere.

1 ¶For Justices of peace 231.a
2 For wages of preests 56.b
3 For sufficiency of Jurors 224.a
4 For Goldsmithes 193.d
5 For the rebellion of welshmen 493.b
6 For shipping of Staple ware 548.c

¶The 3. yere of king H. the 5.

1 ¶For banishing of gally halfpẽce, sussins, & Dotkins 281.a

¶An other parliament the same 3. yere.

1 ¶All liberties & fraũchises cõfirmed 184.b
2 For Abbots & Priors being tutors to court barons in Yorke 31.c
3 For voiding of Writtõs out of ỹ land 47.b
4 Against prouisors 347.c
5 An act for the Citie of Lincolne 27.d
6 & 7 For clipping, washing, & fyling of money 281.b
8 For probate of testaments 334.c

¶The 4. yeare of king H. the. 5.

1 ¶A confirmation of al statutes 65.d
2 For Sheriffes to haue allowance of certein estretes 424.a
3 For patentmakers 308.c
4 For ỹ wages of seruãts of husbãdry 235.a
5 For hostes to bee assigned to marchaunts straungers 261.a
6 For benefices in Ireland 222.d
7 For breaking of truce, and safeconduites 43.a
8 The kings pardon 320.c

¶An

¶An ordinance made the v. yeare of king H. the 5.

1 ¶For Abbots and Priors to make attornes in certein court barons & wapentakes in Yorkeshire 31.c

¶The 7. yeare of king H. the 5.

1 ¶For appealing & endicting men of Lancastershire, and proces in forgery 66.c.336.b

¶The 8. yere of king H. the 5.

1 ¶That in the kings absece the teste of the writs be in the name of the lieutenant 300.a
2 For Bullion to bee brought to the mint by marchants of the west parties 548.c
☞ 3 For guylting and fliuering 193.b

¶The. 9. yere of king H. the 5.

1 ¶For appeales and inditementes in Lancastershire
2 For exigents agaynst anye of Lancastershire 242.c
3 For protections in affiles 26.c 341.c
4 For amending of recordes 361.b
5 For making of sheriffs & Escheators 424.a
6 For the mint & coinage at Calleis 281.c
7 For men of Ridesdale offending in Northumb. and other places 443.b
8 For scholliers of Oxford hunting by nyght &c. 299.a
9 For Abbots &c. to bee discharged of collection of dismes out of the countie where they dwell 63.b
10 For Seacoles 289.b
11 For washers & clippers of money 281.c
12 For Rochester bridge 380.c

¶An other parliament the same yere.

1 ¶All statutes touchig gold & siluer cõfirmed 281.c
2 For the exchange in London 281.c
3 For payment of exchaunge 281.b
4 For bringing of the money received for exchange, to the Tower of London 281.b
5 For the Mint at Calleys 282.a
6 For good allay in the money 282.a
7 For nobles, halfe nobles, and farthings of golde 528.b
☞ 8 For counterfayters and makers of false weights 528.b
9 For exchaunge in the court of Rome 139.b
10 For the accompt of the Collectours of dismes & quinzismes 63.b

¶ *The Statutes made in the time of king H. the sixt, The beginning of his raigne.*

An. 1422. Aug. 23.

¶The first yere.

1 For the Mint at Yorke & Billow 281.a
☞ 2 The Sheriffes to make Proclamation of the Statutes 351.c
3 For Riots made by Irishmen 222.b
4 That the Maister of the Mint should not holde the Exchanges 139.b
5 For the gaines in the Warres to be deducted for the wages of such as haue endented with the king 49.b

¶The 2. yere of H. the 6.

1 ¶All Liberties confirmed 184.c
2 For the Hospital of Saint Leonards in Yorke 207.b
3 For John Duke of Bedforde, to be receyued by his Attorney, to defende hys right in any action 31.c
4 The repaire of woolles &c. to bee at Calice 548.c
5 For shipping in Fodcay Pill 548.c
6 For carrying of gold and siluer out of the Realme 282.a
7 For Cordwayners vsing the Mysterie of Tanners 73.b
8 For voydinge of Irishmen out of the lande 223.a
9 For voyding of the mony of blanks 282.b
10 For making of Mynisters and Clerkes in Courtes 297.a
☞ 11 For the measure of wines 529.a
12 For the allay of white money according to the indenture 282.b
13 For the increase of white money 193.b
☞ 14 For goldsmiths selling worke of siluer 294.a
15 For netts & engins in Thamise 197.b

¶The 3. yere of H. 6.

1 ¶For Chapiters and congregations of Masons 257.b
2 For carrying sheepe into Flaunders 410.a
3 For concealing of the kinges Customes and Subsidies 100.c
4 For Butter and Cheese 47.b
5 For the ryuer of Lee 197.b

¶The 4. yere of H. the 6.

1 ¶For imbesilling of writtes 372.c
2 For Protections in Actiles 341.c
3 For amendement of Recordes 12.c
4 For certein knights newly made 559.a
5 For restraint of passage 74.b

¶The 6. yere of H. the 6.

1 ¶For proces of Indictments 336.b

2 For

2 For pannels of assises 26.d
3 For wages of husbandry, & punishment of labourers 235.b
4 For election of Knights and Burgesses of of the parliament 300.b
5 For commission of Sewers 404.d
6 For shipping in Pelcombe 548.d

¶The 8. yere of H. the 6.

1 ¶For arresting Clerkes comming to the Convocation 300.b
2 An acte for the Staple of Dēmarke 107.a
3 For Sewers 404.d
☞ 4 For geving of Liueries 251.d
☞ 5 For waights 529.c
6 For calling billes into mēs houses 454.d
7 For elections of Knightes of the Parliament 300.b
8 For labourers 235.b
☞ 9 For forcible entries 174.d
☞ 10 For proces in inditemēts & appeales 336.c
11 For taking of apprentices
12 & 15 For amendemēt of records 12.d. 13.b
13 For Protections for such as shall goe ouer sea with the king 26.c. 341.c
☞ 14 For felons and murderers, that bold thē-selues into woods &c. 374.d
16 For inquisitions taken by eschetors 142.d
17 For shipping to the Staple 548.b
18 For the price of staple ware, & for ỳ mynt at Calleys 435.d
19 For priuy cōueiance of merchandizes out of the realme 549.a
20 For inhabitants of Calleys bying to buy staple wares 48.b
21 For men of Newcastel & Berwike, shipping to Calleys 549.a
22 For clacking & forcing of woolles 549.a
23 For cutting woollen thredes, & sending thē beyond sea for thrummes 559.a
24 For paiments in golde made to marchāts aliens 261.b
25 For continuance of the Maior of the staple in his office for a season 435.b
☞ 26 For assises sued in the benches, of landes lying within a franchise 67.b
27 For passage of Trowes through the ruer of Seuerne 303.b
28 For the waye betwixt Abingdon & Dorchester
29 For equests betwixt alies & denizes

¶The 9. yere of H. the 6.

1 ¶For deferring of assises & Nisi prius 6.b
2 For wares to be solde to aliens for readye payment 261.b
3 For the Treason of Owen Glendor 354.d
4 For writtes of Idemptitate nominis 218.a
5 For passage of Trowes in the Ryuer of Seuerne 305.a
☞ 6 For the measure of Dorcester 529.d
7 For Indictmēts in Shires turnes 424.a
☞ 8 For weying of Cheese 529.d
9 For weares, milles, & kyddels
10 For Atturneis of Staincliffe & Frendles 31.c.
11 For proclamation to be made vpon alleaging of Bastardie 36.c

¶The 10. yere of H. the 6.

1 For recognisaunce of debtes before the Maior of the Staple 436.a
2 For elections of knyghts for the Parliament 300.c
3 For restitution of goodes taken by them of Denmarke 107.a
4 For entring of rolles by Philizers and Exigenters 13.c
5 For reparation of the bankes and Bekins at Calice 48.b
6 Proces vpon indictments and appeales in forreine counties 337.a
7 For shippinge of Staple ware to other places then to Calice 549.c

¶The 11. yere of H. 6.

1 ¶For impanelling men dwelling about the Stewes 224.c
2 For naming the Shiriues in writs of assise by collusion 26.d
3 For writtes vpon disseisin against the pernors of the profits 486.b
4 For damages for the pleintifes in writts of Attaint 28.a
5 For actions of waste against the pernors of the profits 524.b
☞ 6 For Commissions of peace 111.a
7 For Indictmēts in Sheriffes turnes 424.a
☞ 8 For weightes and measures 530.b
9 For aulnage of Clothes 117.c
10 For pursuite of Scire facias sued by recognisours of the statute of the staple, arrested vpon the same 359.d
11 For affraies made vpon Lordes cōming to the Parliament 24.c
☞ 12 For Marchaundlers 530.b
13 A Confirmation of an Acte for selling wares at Calice for ready money 435.d
14 For shipping in creekes 160.c
15 For imbesilling the kinges customes by

Customers 100.b
16 For Customers making blanke scrowles to marchants &c. 100.b

¶The 14. yere of king H. the 6.

1 ¶That Justices of Nisi prius maye geue iudgemēt as wel where felons be acquited as where they be conuicted or attainted 295.a
2 Against licēces for shipping of wools 550.a
3 The Sessions for the cōtye of Cūberland to be at Carlile 229.b
☞ 5 For Sessions in Middlesex 231.a
5 For shipping to the staple 550.b
6 For alies victaillers to sel fish at retail 481.a
7 For prises vpon the Sea 523.a
8 For breaking of safeconduites 43.a

¶The 15. yeare of king H. the 6.

1 ¶An act for suites before the stewardes & Marshals of the kings house 257.b
2 For carrying of Corne ouer the Sea 74.b
3 For the clause of vidimus to be put in safeconduites 392.c
4 For suerties to be found b ythem that sue writs of Sub pena 5.c
5 For writtes of attaint 28.b
6 For ordinaunces made by Guyldes & fraternities 77.b
7 Touching the wapentakes of Stancliffe & Frendles in Pothe 31.c
8 For carriage of Staple ware not customed 412.a

¶The. 18. yere of H. the 6.

1 ¶ For warrāties of letters patentes sēt to ý Chaūcellor to be entred of recorde 309.a
2 For errors in attaints 28.c
3 For licences to carrye staple ware to other places then to Calleys 47.b ☞
4 For merchandizes forein bought and forreine solde 261.b
5 For collectors of dismes 64.a
6 Landes to be let to ferme to him that trauerseth thoffice, & to none other 142.b
7 For returninge of officers by Escheatours 143.a
8 For Spanish ships taken vpon the seas by Denizens 392.b
9 For entries of the Philizers and Exigenters 13.b
10 For commissioners of Sewers 405.a
☞ 11 A Justice of peace to haue rr. li. land 231.b
12 For enditemēts supposed in a place where there is no such in that county 66.b
13 For outlagaries in the countye of Lancaster 242.a
14 For making al carrayes & Panels 299.a
15 For carriage of woolles to other places beyond the Sea then to Calice 550.b
16 For decept in cloth making 117.b
17 For gauging of vessels of wine & oile 530.c
18 Against Captaines abating Souldiers wages 49.b
19 For Souldiers departynge wythout lycence 50.a

¶The 20. yere of H. 6.

1 ¶For inrolment of safeconduites 392.b
2 For forfaiture of goods by reason of Outlagaries in Lancaster 242.c
3 For robberies done by Welshmen, in the Counties ioyning to Wales 454.b
4 For Customes and Subsidies to be paied by Denizens 100.b
5 That no Customers, Searchers, &c. haue shippe of their owne 100.b
6 For shipping of Corne ouer the Sea 74.b
7 For not customing goods brought first from beyonde Sea into Wales, and from thence into England 101.a
8 For resistance of Purueyors 351.c
9 For women of high estate to be iudged by their peres 464.b
10 For true making of Worsteades 555.b
11 The paine of Treason put out in case of breaking of safeconduites 43.a
12 For reformation of partition of woolles by the Maior of the Staple 436.a

¶The 23. yere of H. 6.

1 & 2 ¶Against Purueyors 352.a
3 For shippinge Thrummes and woollen threedes out of the Realme 559.a
4 For true making of Worsteades 555.c
5 For taking Outlawes of Wales reforting into Hereford shire 378.b 493.c
6 The Statut for conueying Corne ouer the sea confirmed 74.b
7 For gathering head pence by the Sheriffe of Northumberland 295.c
8 For the occupying of Sheriffes 424.c
9 For Commissions of Sewers 405.a
10 For extorcion of Sheriffes 425.a
11 For lewying Knights wages for the Parliament 300.c
12 For the triall of new forreine plees pleaded after an issue once ioyned 646.b
13 For wages for seruāts of husbandry 236.a
14 Against Purueyors 352.b
15 For election of knightes for the Parliament 301.a
16 For payment of gouge pence to the Gaugeours

geours 192.b
17 For Enquestes to be taken by Escheators, and their fees 143.a
18 For buying of wynes of the highe Countrey 539.c

¶The 25. yere of H.6.

1 ¶An acte against Welshmen 493.c

¶The 27. yere of H. the 6.

1 ¶For restraint of Clothes in Brabant &c. 261.b
2 The liberties of the staple confirmed 436.a
3 For vittaile and corne carried out of the Realme by Marchants alyens 261.b
4 An act against welshmen cõfirmed 454.b
5 For holdinge faires vpon festiual dayes and Sondayes 159.b
6 The kinges Pardon made to the Clergie 320.c

¶The 28. yere of H. the 6.

1 ¶For the restraint of woollen Clothes in Brabant &c. 261.b
2 For letters patents of prices made to Hostelers and Brewers 352.c
3 The kinges Pardon to Sheriffes for occupying above a yere 425.b
4 For Welshmen and Lancastershire men takinge goodes and cattells vnder colour of distresse 160.c
5 For extorcions done by Serchers &c. of Fowey &c. to straungers 157.b

¶The 29. yere of H. the 6.

1 ¶For attainder of Jacke Cade 354.b
2 For proces against breakers of truice 43.c
3 For letters Patents made to Citizens of Yorke 559.a

¶The 31. yere of H. the 6.

1 ¶Touching the said attaynder of Jacke Cade 354.b
2 Against ryotours disobeying privy seales 339.a
3 For attachments made by the Wardens of the Marches 256.a
4 For breaking of truice & pyracie 8.b
5 For letters patents made to Galwgeirs &c. 297.b
6 For Outlagaries in Lancastershire 242.c
7 An acte of the generall resumption 371.a
8 For shipping of woolles 438.c
For taking away Ladies and Gentlewomen inheritours 554.c

¶The 33. yere of H. the 6.

1 ¶For seruants spoyling their Maisters goodes after his death 153.b
2 A Repeale of an acte made at Readinge for Outlaries in Lancaster 242.b
3 For extorcions of the Officers of Thexchequer 141.b
4 For Brewers in Kent 255.b
5 For silke women 429.b
6 For veration of the Abbot of Fountayne in diuers wapentakes 31.c
7 For Atturneyes in Norffolke and Suffolke 31.c

¶The 39. yere of H.6.

1 ¶A reuocation of a Parliament holden at Couentrie 364.b
2 That women of xiiij. yeres age, may haue liuerie of their landes. 516.b

¶*The Statutes made in the time of king E. the 4. The beginning of his Raigne. An. 1460. March. 4.*

1 FOr letters patents made by king H.4. H.5. & H.6. 65.b
2 For Indictments and presentments in Shirifes turnes and Leetes 425.b

¶The 3. yere of E.4.

1 ¶For shipping of woolles 550.b
2 For Corne not to be brought into thys lande 74.b
3 For silke women 426.b
5 For Apparell 13.b
6 No Marchant shall bring into Englande certaine wares their specified 262.a

¶The 4. yere of E. the 4.

1 ¶For Cloth making 117.b
2 For shyppinge of marchandises of the Staple 551.a
3 For shipping woolles at Newcastel 551.a
4 For buying of woolles 551.b
5 For marchandises of the Duchie of Burgoygne 261.b
6 For liuerties founde to Customers and Comptrollers 261.c
7 For Cordwayners and Coblers 73.b
8 For Horners 202.a
9 For Patenmakers 308.c
10 For passage from Doner to Calice 305.a

¶The 7. yere of E. the 4.

1 ¶For making of Worsteades 556.b
2 For Clothes made in the Hundreds of Liston, Tauestocke, and Rowbughe in

Deuonshire 119.b
3 For woollen parne clothes vnfulled, not to bee carried out of the Realme 119.b
4 For graunts made by the king 309.b
5 For reuyuing the Seigniories of attainted landes 151.a

¶The 8. yere of E.4.

1 ¶An acte for set Clothes 119.b
☞ 2 For Liueries of Companies 252.b
3 For Iuries in Piooleler 224.c
4 For Shirifes 425.b

¶The 12. yere of E. the 4.

1 ¶For returnes of Sheriffes 425.b
☞ 2 An acte for Bolwstanes 39.b
3 An acte for the Subsidies 101.a
4 For liueries to be giuen by the prince 252.b
5 For shipping of woolles 551.b
6 For Sewers 405.a
7 For weares and fishgarthes 533.b
8 For annulling letters patents made to Serchers & surueiors of victailers 481.b
☞ 9 For Eschetors 143.b

¶The 14. yere of E. the 4.

1 ¶For the kinges tenaunts going in hys warres 341.c
2 Protections for such as go in the kynges warres 26.c 341.b
3 For shipping of woolles & felles 552.a
4 A Confirmation of Statt made, for breaking of truice 43.c

¶The 17. yere of E. the 4.

1 ¶An acte for money 282.c
2 For Courts of Pipowders 159.c
3 For vnlawfull games 328.c
☞ 4 For making of Tyle 443.c
5 For sealing of Clothes 119.b
6 For Sheriffes returnes 488.a
7 A Repeale of the Parliament holden the 9. yere of the kinges Raigne 364.b

¶The 22. yere of E. the 4.

1 ¶An acte of Apparell 13.b
2 For packing of barrelled fish 171.c
3 For silke workers 429.b
4 For the price of Bowes 40.a
5 For falling of Hattes & Cappes 195.c
6 For Swannes 437.c
7 For enclosinge woodes in the forestes 542.b
8 For the Towne of Barwicke. 37.a

¶*The Statutes made in the tyme of king Richarde the 3. the beginning of his Raigne, An. 1483. Iuny 22.*

¶The first yere.

1 FOr estates to be made by the feoffours in vse 486.b
2 Discharge of the benevolence 438.b
☞ 3 For lettinge of suspectes of felonye to baile 139.a 178.b 254.a
4 For Iurrours 224.b
5 For annulling of feoffementes made to king Richard to any vse 486.b
6 For suits in Courts of Pipowders 159.c
7 For fines 165.a
8 For Cloth making 119.b 121.b
9 Against Italiens that sell their wares in grosse 8.c
☞ 10 For Bolwstones 40.a
11 For setting handye craftesmen in thys Realme a worke
☞ 12 For the measure of wine & oyle 531.b
13 Priuiledge for Collectours of offme 5.a
14 An acte agaynst the Ladye Elizabeth Gray. 371.a

¶*The Statutes made in the time of kinge Henry the 7. The beginning of his Raigne, Anno 1485. Aug. 12.*

¶The fist yere.

1 FOrmedone 486.b
2 Against straungers made Denizens to pay customes 101.b
3 No Protection allowed in any Court at Calyce 341.c
4 Correction of priests for incontinēcy 218.c
5 Against Tanners and Corduayners 73.b
6 Fælde 320.b
7 Against Hunters 160.b
8 For reparation of the Haues 412.a
9 Silke worke 315.b
10 A reuocation of king Richard his act against Italiens 263.a

¶The 3. yere of H. the 7.

☞ 1 ¶Geuing of Liuerie 287.b 331.c
☞ 2 Taking Maydens, wydowes, or wyues against their wills, made Treason 161.a
3 For letting to baile of persons arrested for light suspection 254.b
4 Deedes of giftes of goods to the vse of the maker of such giftes be voide 486.c
5 Vse erchange 488.b
6 Exchange and rechange 139.b 489.a

7 Con-

7 Concerning Customers 101.d
8 Enployment 263.b
9 Against the ordinance of London, for going to faires 159.c
10 Damage geuen in a writ of Error 105.d
11 Clothes to be carryed ouer the Sea, barbarked, rowed, and shorne except 121.b
12 Retayndour 297.b
13 Felony 161.a

¶ The 4. yere of H. the 7.

1 ¶ For Commissions of Sewers 405.a
2 Fynours 194.b
3 Against Vouchers 39.a
4 Protectiõs for pasters into Brittain 341.b
5 Annulling letters Patents made to any spirituall person for paynge or gatheringe dismes
6 Annulling letters patents of any office in the forrest of Englewood 297.c
7 That letters patents made to certein Officers about the king be void 297.d
8 For sale of Cloth by Drapers and Taylers 121.b
9 Price of Hattes and Bonets 195.c
10 Of wine and Tolosyle woade 412.b
11 An act vpon buying of wolles 552.b
12 Actus super Proclamac' 338.c
13 De proclamatione facienda 338.c
14 Against Thæues 60.a
15 Annulling of the seale of the Erledome of March 398.d
16 For the Maior of London 198.a
17 The Isle of Wight 218.b
18 Wardes 516.b
19 Forging and counterfaitting of golde and siluer made Treason 454.d
20 For kæping vp of houses of husbãdry 209.b
21 Actions popular 3.d
22 Carying of gold & siluer ouer the sea 282.d
23 Nota de finibus 165.c 283.a

¶ The 7. yere of H. 7.

1 ¶ For Souldiers in the warre 70.b 50.b
2 For Souldiers to be in the kinges protection 31.d 341.b
3 For Weightes and measures 531.b
4 For trials in London 55.c
5 For letters patents of discharge of dismes and quinzimes 154.a
6 For Scots to voide the lande 396.a
7 For Malmsies of Candie. 539.d

¶ The 11. yere of H. the 7.

1 ¶ That men going to battaile wyth the Prince &c. shal not be attainted 178.d
2 For punishment of vagabonds and beggers 328.c
3 Actes against vnlawfull Retenors, riots &c. to be put in execution 229.b
4 One weight and measure to bee vsed thorough the Realme 532.a
4 The name of the Townes limitted for the kæping of weights & measures 532.a
5 For puttinge away wares in Southampton 429.d
6 For packing and paying customes of wollen Clothes 102.b
7 For punishment of Riots 378.c
8 For punishment of Vsurers 489.c
9 For the inhabitants of North & South Tyndale 486.a
10 For leuying of the arrerages of benevolence last graunted 438.d
12 For writs geuen and counsell assigned to poor people 331.b
13 No horses nor mares above vi.s. viij.d. to be conveyed out of the Realme, wythout the kings licence 229.c
14 That Straungers made Denizens shal pay customes as straungers 102.b
15 Against vntrue demeaning of Sheriffes, & their officers in holding their counties 426.c
16 For kæping of the watch in Calice 48.b
17 Against distroying of fesants & partridges with vnlawfull engines 162.d
18 Not hæing with the king in time of warre &c. shall lose the fees and annuitie to them graunted 523.a
19 Against vnlawfull making of fetherbeds, pillowes, and matresses 486.a
20 Against women couert, making alienation of landes moued by the baron 110.c
21 For Enquestes hereafter to be charged within London 28.c
22 For wages of hynes in husbandry, & of artificers and labourers 236.a
23 For gawging and packing of Salmon, Eeles and Herring 170.d
24 For punishment of periurie, & letting the penaltie in attaint 29.d
25 For punishmẽt of periury by examination of þ Chauncelo., Treasorer &c. 299.b 321.a
26 For holding the sheriffes turnes, wiin the counties of South. Surrey, & Sussex 224.d
27 For fustians to be shorne with the brode shere 192.d

¶ The 12. yere of H. 7.

1 ¶ For Apprentices in the Countie of Norffolke 18.c
2 For continuance of certeine actes made

in the last Parliament 29.b 299.b 321.a
3 A Repeale of a Statut made the last parliament for Labourers wages 236.a
4 For repealing of forf. growing by clothmaking, according to the stat of R.3. 121.b
☞ 5 For Weightes and Measures 532.c
6 For a fine payde by the Marchants aduenturers at the Martes 263.c
7 For seruants murdering their maisters or soueraignes, not to enioy their Clergie 60.b

¶The 19. yere of H. the 7.

1 ¶For attendance vpon the kinge in hys warres 523.a
2 For not paying of custome for Bowestaues 40.b
3 For the continuance of Attaint 29.b
4 For vsing of long bowes, and leauyng of Crossebowes 87.a
5 For coine currant within the realme 283.a
☞ 6 For Pewterers and Brasiers 322.b
7 For making ordinances by bodies incorporate 77.b
8 For taking of Scauage in cities and boroughes 439.a
9 For delaies in actions vpon the case 337.a
10 For keeping of gaoles, and eschapes of prisoners 332.b
☞ 11 For keeping of Deere hales, and Buckstalles 209.a
12 For punishment of Vagabonds 348.c
☞ 13 For punishment of Ryots 375.a
14 For punishmēt of vnlawful retentors 252.b
15 For execution of settements of trust 486.c
16 For Shyrikes turnes in Suffex and Surrey 224.b
17 For Repeale of an Acte for woollēde sheres 556.b
18 For Seuerne 305.b
19 For Curriers and Cordwayners 74.a
20 For writts of Errour 105.b
21 For Silke women 429.c
22 For Repeale of the acte for Attorneys in Calyce 328.c
23 For marchants of the Stilyarde 436.b
24 For holdynge the shire Court at Chichester 79.b

¶*Statutes made in the tyme of king Henry the eyght, whose Raigne began Anno 1509. April 22.*

¶The first yere. 22. Ianua.

1 AN act for going into Denmarke, and Ireland 107.a
2 An acte for Cloth making 121.c

3 Concerning paiments to be made to John Pieren, generall receiuor to the king 372.b
4 For penalties vpon actions popular 4.a
5 A reuocation of an act, concerning entring of marchādises in the Customers books 102.b
6 A reuocation of a Statut for informatiōs before Justices of assise, & Just. of peace 229.b
☞ 7 Concerning the office of Coroners 77.c
8 Concerning Eschetors and Commissioners 144.b
9 Concerning the bridge of Stanes 430.b
10 Concerning the trauers of lands seyzed into the kings hands by enquest &c. 144.b
11 Concerning the confirmation of the act of Attaint 29.b
12 Concerning the vntrue inquisition procured by Empson and Dudley 144.b
13 That no coine be carried out of this land 283.c
14 For reformation of Apparell 13.b
15 An act annulling all feoffements made to Empson and Dudley 486.c

¶The 3. yere of H. the 8.

1 ¶An acte that no Coine be carried out of the Realme 283.c
2 Concerning Eschetors and Commissioners for true finding of Offices 144.b
3 Concerning maintenance of Archery 19.c
4 Protections & licence of alienation, for being in the kings warre 341.b
5 For payment of Souldiers wages in the kings warres 50.b
6 Concerning true making of woollen cloths 122.b
7 Woollen clothes to be full wrought &c. erre they be transported 121.c
8 An act repealed, for selling of victailes by head Officers 481.b
9 An acte against Mummers 287.b
10 For Curriers to search leather 89.a
11 An approbation of Phisitions and Chirurgions 324.b
☞ 12 For reformation of impanells for the kinge 299.b
13 An acte annulling shotinge in Crossebowes 87.a
14 Dyes to be searched, and seene good and lawfull 298.a
15 For making of Hatts and capps 195.b

¶The 4. yere of H. the 8.

1 An act for making bulwarkes on ꝑ sea 51.c
2 For punishment of Murther 60.b
3 For Juries in London 224.b

4 For

4 For proclamations to bée made before Erigents awarded 155.b
5 Penalties for wages gèuen to labourers &c. repealed 236.a
6 Customers &c. for sealing of cloth of golde, siluer, and al other silkes 102.c
☞ 7 For Pewterers, and true weightes and beames 323.a
8 An act concerning Richard Strode 436.c

¶The 5. yere of H. the 8.

1 ¶An acte for ministration of Justice to the subiects of Turney 469.b
2 For true making of Clothes called white straites in Deuonshire 121.c
3 That white woollen clothes of fiue markes & vnder may be transported vnshorne 121.c
4 For auoyding deceipts in worsteds 556.c
5 For Iuries in London 225.a
6 Surgeons discharged of Enquestes and other thinges 324.c
7 For straungers, for buying of leather in open Market 74.a ☞
8 The maner of vnite for the kinges pardon. 320.b

¶The 6. yere of H. the 8.

1 ¶An acte concerning Apparel 13.b
2 For the maintenance of Archers 19.c ☞
3 For Artificers & Labourers 236.b
4 For proclamations to be made before erigents awarded into forreine shires 155.b
5 For auoyding destructions, and pulling downe of Townes
☞ 6 For remittinge prisoners to the place where the crime was committed 332.b
7 The wages for Botemen 305.b
8 For making of woollen Clothes in Deuonshire 121.b
9 For auoyding disceipts in making of woollen clothes 121.b
10 For Commissions of Sewers 405.c
11 For Bowstaues to bee brought in by straungers 40.c ☞
12 That Norffolke woolles be not caried out of the lande 552.a ☞
13 For shooting & kéeping of Crossebowes and handgunnes 87.a
14 For a subsidie of tonnage & pondage 439.a
15 For annulling seconde letters patents, making no mention of the first 309.b
16 That no Knightes nor Burgesses depart before the end of the Parliament 301.b
17 For clensing the riuer of Cãterbury 198.a
18 For continuaunce of the Undershirife of Bullowe. 426.c

¶The 7. yere of H. the 8.

1 ¶An act against pulling downe of houses and Townes 209.b
2 For maintenance of the kings nauy 412.b
3 For actions popular, & statuts penal 4.a
4 For auowries for rents & seruices 361.b
5 For Artificers & labourers 236.b
6 For Artificers and labourers wythin London 237.a
7 For apparell 13.b
8 The kings Pardon 320.b

¶The 14. & xv. yeres of H. the 8.

1 ¶An acte for brode white woollen clothes 122.b
2 For straunge Artificers for taking apprentices &c. 9.a
3 For worsteade weauers of Yarmouth and Linne 558.b
4 For Englishe men sworne to forreine Princes 136.c
5 For Phisicions 324.c
6 For high waies in the weld of Kent 199.b
7 For shooting in Crossebowes and handgunnes 87.a
8 For the maryage of the vj. Clerks &c. 63.c
9 For the libertie of Corowayners &c. 74.a
10 For hunting the Hare 209.a
11 For vessels made in Suffolke 122.b
12 For Coyners that make money at any Mint within England 283.b
13 For the Hauen of Southampton 429.b
14 For any being in the warres ouer, or vpon the Sea. 516.b

¶The 21. yere of H. the 8.

1 ¶An acte concerning the kings general Pardon 320.b
2 That abiured persons shalbe marked with an A. 2.b
3 For abridgements of plaints in assise 27.a
4 For sale of lands by executors 154.a
5 For probate of Testaments 334.c ☞
6 For taking of Mortuaries 286.c ☞
7 Against seruants imbesilling their Maisters goodes 161.b
8 For killing of Calues 48.b
9 For the price of hatts & cappes brought from beyond sea 196.a
10 Against carrying ouer of brasse &c. 41.a
11 For restitution of goodes feloniously stolen 371.a
12 For making of Cables &c. 48.a
13 Against pluralities of benefices, and takinge of fermes by spirituall men, and

¶¶.iiij. for

for Residence 367.a
14 For Dowlas and Lokeram 249.c
15 That al fermors may enioy their leases against recoueries by feyned titles &c. 361.b
16 For Artificers straungers 10.a
17 For annulling letters Patents made to Yorke, for shipping of woles 559.c
18 For New castel vpon Tine, and the port thereof 289.c
19 For anowries 31.b
20 That the President shalbe associat with the Chauncelor &c. 331.c
21 For worsteedes made in Yarmouth 558.b

¶The 22. yere of H. the 8.

1 ¶An acte for maintenance of Drapery, & against regrating of welles 552.b
2 For triall of forreyne plees pleaded by felons 464.b
3 For Plumsteede marshe 331.a
4 For exactions leuied on apprentices 77.b
5 For repairig of bridges in high waies 43.c
7 For conueying horses out of the Realme 203.c
8 That denizens pay straungers customes &c. 11.c
9 Against poysoning 454.b
10 Concerning Egipcians 135.b
11 For Powdike in Marthland 161.c
12 How aged people shalbe ordered, and vagabonds punished 469.b
13 That certeine straungers shal not be expounded handy craftesmen 23.b
14 How persons committing petie Treason shal abiure 2.c
15 A generall pardon for spiritual subiectes 320.b
16 A generall pardon for temporal subiectes 320.b

¶The 23. yere of H. the 8.

1 ¶An act that no person committing petie Treason &c. shall haue hys Clergie vnder subdeacon 60.b
2 Where and after what maner the Gaoles within England shalbe made 332.c
3 For punishment of periurie, and vntrue verdictes 29.b
4 That no Brewers make vessels, and the content of barrels &c. 79.b
5 For Commission of Sewers 408.b
6 Before whom recognisances of debt shal be made, & the forme &c. 360.a
7 For maintenance of the Nauy, & bringing in of wynes 539.b
8 For the amending of certeine Hauens in Deuonshire and Cornewal 198.a
9 That no person be cited out of the Dioces but in certeine cases 58.b
10 For feoffements of lands to the vse of a Church 285.b
11 For breaking of prison by clerkes conuict 61.a
12 For exactions taken for the pathes by Seuerne syde 306.b
13 What men shal passe in trial of Murders 225.a
14 Proces of Vtlarie to lie in couenant and annuitie 337.a
15 That the defendant shall recouer costes, if the plaintife be nonsuit &c. 106.a
16 That no horses be conueyed into Scotland without licence 161.b
17 For true winding of welles 552.a
18 For the pulling downe of fishgarthes in the ryuer of Ouse and Humber 198.a

¶The 24. yere of H. the 8.

2 ¶For dying of woollen cloth 129.c
3 For flesh solde by weight 39.b
4 For sowing of flaxe and hempe 173.b
5 No fork. for killing a theefe 179.a
6 For sale of wynes 540.b
7 Against killing of Caines 48.c
8 Where def. shal not recouer costes 106.b
9 Against killing of weynlinges 48.b
10 For the distroying of Choughes &c. 89.c
11 For pauing betweene Stronde crosse, & Charing crosse 317.b
12 That appeales shal not be vsed, but within this Realme 17.a
13 For excesse in Apparell 13.b

¶The 25. yere of H. the 8.

1 ¶An act for Grasiers & Butchers 39.b
2 A proclamation for victuals 481.b
3 For standinge muet, and peremptorie challenge 61.a
4 Against forstalling of fishe 170.b
5 For calendring of worsteedes 556.c b
6 For punishment of Buggerie 162.a
7 For killing spawne of Salmon 170.b
8 For pauing of Holborne, and other places in London 317.b
9 Concerning Pewterers 323.b
10 The Othe of Commissioners of Sewers 489.c
11 To auoide distruction of wildfoule 534.b
12 For the attainder of Elizab. Barton 27.c
13 What shepe a man may kepe 411.a

14 For

14 For punishment of Heresie 198.c
15 For Printers and Booke binders 39.b
16 Who may haue a Chapleine beneficed with cure 370.a
17 For shoking in crossebowes and handgunnes 87.a
18 For Clothiers in Westchester 122.c
19 The submission of the Clergie to the kinge 380.c
20 For the payment of first fruites to the Bishop of Rome, & for election of Archbishops & Bishops in England 381.b
21 For exoneration of exactions to the sea of Rome &c. 388.b
22 For the succession of the kings Maiestie in the imperiall Crowne 90.b

¶The 26. yere of H. the 8.

1 ¶The kinge to be supreame head of the Church of England &c. 388.b
2 For the suertye of the succession of the Crowne of England 90.b
3 For the payment of first fruits of all dignities spirituall, and of one annuel pencion &c. graunted to the king &c. 317.b
4 For punishment of periurie of Iurors in Wales 494.a
☞ 5 For not conueying any persons goods or cattels on the water of Seuerne, after sunne set, vntill sunne rysing 306.b
☞ 6 That Murders and felonyes done in Wales shalbee enquired of in the shires next adioyning &c. 496.b
☞ 7 For amending high wales in Suffex 199.a
8 For redifying of voide grounds in Norwyche 295.b
9 For redifying of voide grounds in Linne 249.c
10 A Repeale for comming in of wines afore Candelmas 263.c
11 For punishment of Welshmen assaulting thinhabitants of other shires 496.c
12 For purgation of conuicts in Wales 61.b
13 Diuers offences made high Treason, & taking away all Sanctuaries for al high Treasons 393.b 455.b
14 For nomination of Suffragans wythin the Realme 37.b
15 For taking away exaction in Richmond by spiritual men 372.b
16 For making worsted edes in Norwych, Linne, and Yarmouth 558.b
17 That no fermers of spiritual persons shal pay first fruites of the Tenth graunted to the kinge 166.b
18 A generall Pardon 320.b

¶The 27. yere of H. the 8.

1 ¶For repairing of Gloucester, Notingham, Northampton, and others 451.b
2 That the counterfaiting of the signe, Signet, & Priuie seale, be highe Treason 455.b
3 For exactions taken by the Maior of Hull 208.b
4 For punishment of pirats on the sea 465.c
☞ 5 For making Justices of peace in Chester and Wales 56.b
6 For encreale of good Horses 204.a
☞ 7 Against exactions taken in the forestes of Wales 497.b
8 That spirituall subiects shal pay no Tenth the same yeare they pay first fruits 166.b
9 That all Butchers may sell flesh by retaile for a certeine tyme 39.b
10 An order for vses and willes 488.b
11 For Clerkes of the Signet and priuy seale 63.b
12 For true making of woollen clothes 122.b
13 That certeine Clothes may be caried ouer the Sea 123.a
14 For the Custome of Leather 67.c
15 That the king may nominate xxxij. persons for to make Ecclesiastical lawes 429.b
☞ 16 For Inrolment of dedes 221.b
17 For the which robbe their maisters 188.b
18 For the preseruation of Thamise 198.b
19 An order for Sanctuaries, and sanctuarie persons 393.c
☞ 20 An order for Tythes 445.b
21 For Tythes within London 445.b
22 For decay of houses 210.b
23 For preseruation of Hauens in Deuon and Cornewall 198.a
☞ 24 For recontinuing of certeine liberties taken from the Crowne 186.a
25 For punishment of vagabonds 469.b
26 For Iustice to be ministred in Wales &c. 502.b
27 For establishing the Court of Augmentations 267.b

¶The 28. yere of H. the 8.

1 ¶An act that felons abiuring for Petye treason, Murder, or felony, shall not haue their Clergie 3.b 61.b 62.c
2 For such as go away with their Maisters goodes 188.b
3 Geuing the king authority to allot the townships of Wales, wtin iij. peres 503.a
4 For bringig in of doulas & lockeram 249.c

5 For fractions taken vpon Apprentices in Cities &c. 78.a
6 For continuance of certeine Statuts, and conueying of horses out of the realm, against Welshmen for making of affrayes in Herf. &c. & against Buggery 496.c 203.c
7 For the succession of the Crowne 90.d 299.a 364.c
8 For continuance of the statut against the carryage of Wralle &c. out of the Realme, for making of cables &c. for wynding of wools, & against killing of weynlings 41.a 48.a 552.a
9 For continuance of the statut of Periury, making of gaoles, Picturers, and sowing of flare 324.a
10 For extinguishing the auctheritie of the Bishoppe of Rome 388.b
11 For restitution of first fruits to the next Incumbent 243.d 446.b
12 For the limits of ỳ pallace at West. 299.a
13 For spiritual persons to keepe residence vpon their benefices 370.a
14 For the prices of wines 540.c
15 For ỳ punishment of pirats on the sea 61.c
16 For release of such as haue obtayned licences from the Sea of Rome 111.d
17 For geeuing auctheritie to the successors of the Crowne, after the age of 24. yeres, to make voide such actes as were made before in their tyme 364.d
18 For Treason in certein cases 455.b

¶ The 31. yere of H. the 8.

1 ¶ An acte for ioyntenants and tenants in common 303.a
2 That fishing in a ponde to the intent to steale fish is felony 170.b
3 For chaunging of the customs of Gauelkynde 103.a
4 For amendinge the Ryuer and port of Exeter 198.b
5 Hampton Court made an Honor 202.a
6 That religious persons may purchase, sue and be sued 1.b
7 For punishment of Vagabonds, and continuance of other Statuts
8 That Proclamations be obeyed & kept, as though they were made by parliamẽt 339.a
9 That the king may make Bishops by his letters patents 38.c
10 For placing of Lords in the Parliament chamber &c. 253.c
11 For auctherizing the king to allot certeine Townes in Wales 503.a
12 For taking of Hawkes egges & birdes out of the nest, taking vp the kinges Hawkes, hunting in forests, & killing of Conies 162.a
13 All manors &c. belonging to any Monasteries dissolued, assured to the king, & how leases made of them shal take effect 267.c
14 For abolishinge diuersitie of opinions, concerning Christian religion 64.c

¶ The 32. yere of H. the 8.

1 ¶ An act how by the kings graunt, lands &c. may be by will &c. disposed, & of Wards and primer seysons 536.a
2 For limitation of prescription 249.b
3 For continuance of certeine statut 3.b 60.b
4 For trial of treasons &c. in Wales 465.b
5 For contentation of debts vppon executions 150.b
6 For triall of felonies vpon conueying of horses into Scotland
7 For true paimẽt of tithes & offrings 447.b
8 For sellers & buyers of seasants and partridges
9 Against maintenance &c. & vnlawful buying of Titles 328.c
10 For moderation of punishment of incontinency of priests & women offending with them 219.a
11 For stealing of Hawkes egges, Conyes, and Deere 162.a
12 For sanctuaries, priuiledges of Churches, and Churchyardes 395.b
13 For breede of horses of higher stature 205.a
14 For maintenance of the Nauie, & for certeine rates of freightes 414.b
15 For Archbishops & others to be in cõmission, for abolishing of erronious opinions 64.b
16 For Straungers 12.a
17 For payeng of certeine Greates 317.b
18 For rẽdifying of decayed houses in certeyne places 452.a
19 For reedifying of decayed houses in the West parties 452.a
20 For priuiledges and liberties 187.b
21 For ỳ abbreuiation of Trin. terme 140.b
22 For thaccompts of Bishops, for the r. graunted to the king 166.b
23 The Subsidie of the clergie of Canterburie 439.a
24 For the lands and goods of S. Johns of Jerusalem, to be in the kings disposicion 1.b
25 For the dissolution of the kings marryage with Lady Anne Cleue 257.b
26 For true opinions of christs religion 363.b
27 A resumption of extraordinarie graunts &c. of ablence & reuersions in Calice, and the

the marches therof, & in Berwike, of theriſ-
wikes for life in Wales 296.b
28 That leſſees ſhall enoy their fermes a-
gainſt their tenants in taile or in the right of
their wiues or churches &c. 244.b
29 For cuſtomable lands in Diſwelſoke 103.c
30 For miſpleding, feofailes, atturneis 365.c
31 For thauoiding of recoueries by colluſion
by tenants for terme of life 362.a
32 For iointenants for terme of life or yeres
303.a
33 That wrongfull diſſeiſin is no diſcent in
lawe 137.b
34 Concerning graūts or reuerſions, to take
aduantage of the conditions to be perfourmed
by the leſſees 64.b
35 That Juſt. of forelles may make deputies
177.b
36 For the expoſition of ỹ ſtat of fines 166.a
37 For recouery of arrerages of rents by ex-
ecution of tenants in fee ſimple 363.c
38 For precontracts of mariages, & degrees of
conſanguinitie 257.c
39 The iuriſdiction of the great maiſter of the
kings houſholde 436.b
40 For the priuiledges of Phiſitions 326.a
41 For baking of houſehead 202.b
42 For Barbours & Chirurgions to be of one
company 376.c
43 For ſhire daies in Cheſter 57.c
44 Royſton reduced to one pariſh 380.c
45 For the erection of the court of firſt fruits
and tenthes 81.a
46 The eſtabliſhment of the court of ỹ kings
wardes 520.a
47 The Biſhop of Norwich charged wt the
collection of the tenth in his dioceſſe 166.b
48 Concerning the caſtle of Douer 114.a
49 For a generall pardon 320.b

¶ The 33. yeres of king H. the 8.

1 ¶ An act concerning counterfait letters or
tokens to receiue money in other mēs hāds
78.c
2 For buying of fiſh vpon the ſea 171.a
3 For ſoloig of cloths in Northwales 123.b
4 For Pewterers 374.a
5 For keeping of great horſes 306.b
6 For croſſebowes & handgunnes 87.a
7 For conueying of Bzalle &c. ouer the Sea
41.a
8 Againſt conſuration, witcherafts &c. 162.a
9 For maintenance of Artillery & debarring
of vnlawfull games 330.b
10 For the execution of certeine ſtat 153.a
11 For Butchers to ſell by weight or other-
wiſe 39.b
12 For murder and bloudſhed within the court
162.a. 468.b
13 For Lordſhips tranſlated from Denbygh
to Flint 57.b
14 For falſe prophecies vppon declaration of
names or badges 162.a
15 The ſanctuary tranſlated from Panchel-
ter to Weſtcheſter 395.c
16 For worſted parne in Norfolke 295.b
17 For confirmation & continuatiō of certein
actes 78.a
18 For true making of karſeis 123.b
19 For expounding a ſtatute for ſhippyng of
clothes 123.b
20 For one proces in high treaſon, in caſes of
lunacy & madnes 456.b
21 For the attaindor of Q. Katherine and her
complices 5.c. 27.a. 302.a. 320.b
22 For ỹ order of wards & liueries 144.c. 522.a
23 For to proceede by a cōmiſſion of Oyer &
deter. againſt ſuch as ſhal cōfeſſe treaſon, wt-
out remaūding them to the ſhire where the
offence was committed 55.b
24 That no man ſhalbe Juſtice of aſſiſe in his
owne countrey 229.c
25 For making free children borne beyōd the
ſea 2.a
26 To make valde certein conueiances deui-
ſed by Sir John Shelton 409.b
27 For leaſes of hoſpitalles &c. to be gwo with
the conſent of the more part
28 For the Chauncellor of Lancaſter & other
noble men to reteine chappleins 370.c
29 For religious perſons to ſue and to be ſued
1.b
30 For the Deane & chapter of Lichfielde to
make leaſes &c.
31 For the diſſeuering of the Biſhoprieke of
Cheſter and the Jſle of Man from Caunter-
bury to Yorke 38.c. 58.b
32 For Whitegate to bee a pariſh of it ſelfe &
no part of Dicr 534.a
33 For priuiledges of Kinſton vpon Hul 208.c
34 For reuocation of 2. faires of Linne 249.b
35 For ỹ Conduits of Gloucester 193.a
36 For ỹ repairing of Caunterbury &c. 453.b
37 For the honor of Ampthil 201.b
38 For the honour of Graſton 202.a
39 For the erection of the court of Surueiors
31.b. 81.b.

¶ The 34. & 35. yeres of king H. the 8.

1 ¶ An act for the aduancement of true reli-
gion 39.b

2 For collectors & receiuors 354.b
3 For assise of coale & wood 189.b
4 Against bankrupts 33.b
5 For explanation of ỳ sta. of willes 537.b
6 For true making of pinnes 328.c
7 That certein of the counsell shall set prices vpon wines to be solde by retaile 540.b
8 That persons being no cõmon Surgions may minister outward medicines 328.a
9 For ỳ preseruac. of Seuern 198.b & 404.b
10 For making of coueriets in Yorke 559.b
11 For making of frizes & cottons in Wales 123.b
12 For paving of certeine stretes in London 317.b
13 For knights & burgesses to have places in the parliament for Chester 57.b
☞ 14 For certificat of conuicts to bee made into the kings bench 54.c
15 Touching the deane & chapter of Welles, to be one sole chapter 36.b
16 For sheriffes to be discharged vpon their accõpts & to have reasonable allowãce in the exchequer 427.c
17 For new Bishops to pay their tenths vnto the court of first fruites 166.b
18 For ỳ priuiledges of Caunterbury 49.b
19 For the paiment of pencions graunted out of Abbeys 318.a
20 For barring fained recoueries, where the king is in reuersion 362.a
21 For confirmac. of letters patẽts notwithstanding any misnaming 309.c
22 For fines (in townes corporat) to be made as they before have bene 221.c
23 For true execution of proclamations 339.a
24 For assurance of landes to John Hinde &c. paying x.li.a yere &c. 49.c
25 That the inhabitants of Pole may erect a windemill &c. 131.b
☞ 26 For laines in Wales 503.c

¶The 35. yere of king H. the 8.

1 ¶An act for ỳ kings succession in ỳ crowne 91.a
2 For trial of treasons committed out of the kings dominions 468.b
3 For ratificatiõ of ỳ kings stile 456.c.436.b
4 For repairinge of decayed houses in England & Wales 453.b
5 For qualification of the sta. of the 6. artycles 198.c
6 For appearance of Iurors in the Nisi prius 226.b
7 A statut repealed for bringing in of sea fish, and stockfish 170.b
8 For Coupers
9 For the partition of Wapping marsh 513.b
10 For amending Contuits in Lõdon 253.c
☞ 11 For paymẽt of knights & burgesses wages of the parliament in Wales 302.a
12 For the remission of the lone 253.c
13 That the lands of the late priory of Walsingham, may be let by copy of court rolle
14 For reseruation of tenures vpon houses, lõ lands thereunto belonging vnder xl.s. by the yere 441.c
15 For paving of Cambridge 49.b
16 For examination of Cãnon lawes by certein persons &c. 430.a
☞ 17 For preseruation of woods 545.c
18 A general pardon 320.b

¶The.37. yere of H. the 8.

☞ 1 ¶An act for officers of Custos rotulorum and Clerkes of the peace 330.c
2 For partition of Homslowheath 208.b
3 For amending of Hũtington lane, besides Chester 199.a
4 That all chappels &c. shalbe in the kinges disposition 272.b
5 What inhabitantes in London may passe in attaints 30.b
6 Cõcerning burning of frames 47.b.162.b
☞ 7 For abrogation of vi. wrkes sessiõs 153.b
☞ 8 That any indictmẽt lachig vi & armis shalbe good in lawe, & agaynst stealing of a horse 61.c
☞ 9 An act against vsury 490.a
10 Against slaunderous billes 162.b
11 For the marshes beside Grẽnewich 195.c
12 For tithes in London 447.b
13 For repealing ỳ act made for pinnes 328.c
14 For maintenãce of ỳ piere at Scarborough 395.c
15 For regrating of woolles 552.b
16 For annexing lãds to ỳ duchy of Lãcaster, & for exchange of lands betweene the kinge & others, & the Bishop of London 38.c.243.b
17 That doctors of the ciuil lawe being maryed, maye exercise ecclesiasticall iurisdiction 135.a.430.a
18 For the erection of honours 201.b
19 For fines taken in Lancaster to be of lyke force, as fines knowleaged before ỳ Justices of the common place 166.b
20 For tenures of lãds of xl.s. or vnder 442.b
21 For ỳ vnion of churches not exceeding v.li. by yere 483.a
22 To fil Juries de Circumstantibus 226.b
23 For the continuation of certein stat. 365.b
24 For confirmatiõ of a subsidie by the clergy 502.b

¶Statutes

¶ *Statutes made in the time of king Edward the sixt, The beginning of his raigne. An.1545. Ian.28.*

¶The first yeare.

☞ 1 ¶An act against such as speake against the sacrament of the aulter, and for the receipt thereof in both kindes 400.a
2 For election of Bishops, & what seales, & stile spirituall persons shall vse exercising ecclesiastical iurisdiction 38.c
3 For punishment of vacabonds, & releefe of the poore 469.b
4 For tenures in Capite 442.d
☞ 5 That no Horses be conueyed out of England without licence 207.a
6 For making Worsted yarne in Norffolk 295.d
☞ 7 For continuance of actiõs after any kings death 111.b
8 For confirmation of letters patents 311.b
9 For vniting certein Churches wiñ Yorke 483.a
10 For Exigents & proclamations in wales and Chester 156.b
11 For repeale of a stat. reuoking acts of parliament 364.d
☞ 12 For repeale of statutes concerning treasons &c. 55.d.61.d.115.b
13 For a subsidie of tonnage and pondage of merchandize, with confirmation of the priuiledges of merchants of the Stilliard to endure for a certein time. 439.a
14 That all Chauntries &c. bee geuen to the king 272.d
15 For a generall pardon 320.d

¶The 2.& 3. yere of king E. the 6.

1 ¶An act for vniformitie of seruice, & administration of the Sacrament 400.a
☞ 2 For true seruice in Captaines & souldiers 50.b.60.b.
3 For Purueiors 352.d
4 For allowances of sheriffes vpon their accompt 428.c
5 For remitting of fee farmes for 3. yeares 158.a
6 Against exactiõ of money by any officer for licence to trafique into Ireland 171.b
7 Against crafty buying of pensions 318.c
8 For finding offices before Escheators 145.d
9 For true currying of leather 74.a
10 For true making of malte 255.d
11 For true tanning of leather 68.c
12 For assurance of leases made of the Duke of Somersets demesne lands 429.c
13 For true payment of tithes 450.d
☞ 14 Against shooting of halle shote 89.a
☞ 15 For vitailers, & handycraftes men 23.d
16 For remouing such as haue the custody of Castels & fortresses vpon the borders & beyond the Seas 51.c
17 For the attainder of Sir William Sharington knight 27.a
18 For the attainder of Sir Thomas Seymour knight 27.b
19 For abstinency from flesh 201.d
20 For qualifying the sta. of Recusans 194.a
21 For taking away positiue lawes against mariage of priests 166.a
22 For colouring customes in other mens names 102.
23 For repeale of a sta. for precontracts 257.c
☞ 24 For triall of murders in seuerall counties 469.b
25 For keeping of the county dales 79.b
26 Against carrying of white ashes oute of ỹ realme 534.a
27 Against forging of false gaddes of steele 436.a
28 For fines with proclamation in ỹ countie Palantine of Chester 166.b
29 Against Sodomye 162.
30 For the townes of Rye & Winchelsey, & for casting of Balast into the chanel 372.d
31 For Chester, touching the taking of recognisances 58.b
32 For continuance of certein sta. 365.d
33 That no man shal enioy his clergy which stealeth horses 62.a
34 For the sheriffe of Northumberland to bee accomptable for his office as other be 428.c
35 For confirmation of the subsidie of ỹ clergie 502.b
36 For a releefe graũted to the king 440.c
47 For carryig bel metal out of ỹ realm 41.c
38 For paning of Calice 317.b
39 A generall pardon 321.a

¶The 3.& 4. yeares of king. Ed. the 6.

☞ 1 ¶That ỹ Lord Chaũcellour, or Lord keeper for ỹ time being, shal nãe ỹ Custos Rotulorũ through all shires in England 104.a
☞ 2 For true making of woollen clothes 124.a
3 For empruement of commons and waste grounds 19.b
4 For graũtes made by patentees out of patents 195.b
5 For punishment of vnlawfull assemblies 375.b
6 For repealing a braunch of an act for buying of tanned leather

7 For repealing of a stat for taking wildfoule at certaine times of the yere 534.b
8 For continuance of the statute of Sewers 408.b
9 For buying of raw hides, & calues shinnes 74.a
10 For putting away diuers bookes and Images 39.b
11 That the king may appoint certain persons to perule & make ecclesiastical lawes 430.a
12 For ordering ecclesiasticall mynisters 38.c
13 For restitution in bloud of Sir William Sharington 27.b
14 For restitutiō of Mary Seymor, daughter to Sir Thomas Seymor knight 27.b
15 Against phantastical prophecies 340.c
16 For punishment of vagabonds 469.c
17 For vnlawful hūting in any park &c. 162.a
18 Concerning see fermes mēcioned in ỳ last Session 158.a
19 For buying of rother beastes & cattel 49.a
20 For repeale of a braunch for vitaillers and handycraftes men 24.b
☞ 21 For buying & selling of butter & chéese 47.b
22 For retayninge of iourneymen by diuers persons 237.b
23 The release of braunches in the last acte of release for payments of shæpe & clothes, and a subsidie paid in one yere 439.b
24 A generall pardon 321.a

¶The. 5. & 6. yere of E. the 6.

1 ¶An act for vniformitie of praier, & administration of Sacraments 401.a
2 For pronision & relefe for the poze 469.c
3 For kæpinge of holye dayes, and fasting dayes 201.b
☞ 4 Against fighting and quarelling in Churches 163.b
5 For maintenaunce of tillage, and encrease of corne 211.b
☞ 6 For true making of woollen cloth 125.a
7 For limitting times to buy and sell woolle 553.c
8 What persons shall weane or make broad woollen cloth 128.c
9 That no person robbing any house &c. shall enioy his Clergie 62.b
10 That such as robbe in one shire, & flye into an other, shal not haue their clergie 62.b
11 For punishment of diuers treasons 459.b
12 A declaration of a statute for mariage of priests 257.c
13 A declaration of a statut touching religious persons 1.b
☞ 14 Against regrators, forstallers, and engrossers 182.c
☞ 15 Against regratours of tanned leather 68.c
16 Against buying & selling of offices 297.a
17 For continuance of certaine statutes 541.a
18 A stat repealed for bringing in wynes &c. in straunge bottomes 415.a
19 For exchaunge of Golde & siluer 139.b
20 Against vsury 490.a
21 For Tynkers & Pedlers 317.c
22 For putting downe Gigge milles 193.a
23 For true stuffing of Fetherbeds &c. 486.a
☞ 24 For making of hattes &c. at Norwich and in Norffolke 296.a
☞ 25 That Alehouse kæpers be bound by recognisance 7.b
26 For writtes vpon proclamations & Exigents to be currant in Lancaster 156.b

¶The 7. yere of king Ed. the 6.

1 ¶An act for true aunswering of the kings reuenues 355.c
2 For the dissolutinge or vnittinge of certeine courtes erected by the late king 81.a
3 For confirmation of the kings letters patents of bargaine & sale &c. 312.b
4 That al patētées of collectorships of tēths shalbe bound for their collectors 166.b
☞ 5 To auoide great prices of wines 542.b
6 A stat reuiued for carrying golde and siluer out of the realme 284.a
☞ 7 For the assise of fuell 190.a
8 For fulling & thicking of cappes 196.c
9 For makig of white plain streits, & pinned white streits in Deuon & Cornwall 128.c
10 For annering of Gateshed to Newcastell vpon Tyne 135.a
11 For continuāce of certein stat 375.b. 340.c
12 For a subsidie & 2. fiftēnes & tenths by the temporalitie 439.b
13 For a subsidie graūted by the clergy 439.b
14 A generall pardon 321.a

¶ *Statutes made in the time of Queene Mary The beginning of her Raigne. An. 1553. Iuly. 6.*

¶The first yere.

1 ¶An act repealing certaine treasons, felonies, & Præmunire 459.c. 162.b
1 The Quēene borne in lawful matrimony, & repealing all sentences of diuorce to the cōtrary 257.b
2 For repeale of certeine statutes made in Ed. the 6. time 354.a

☞ 3 Against offendors of preachers, & other ministers in the church 402.b
4 For writtings made from the 6. of July, & before the first of August 106.c
5 For limitation of prescription in certayne cases 249.b
6 Against counterfaiting of straunge coines 459.c
7 For proclamations vpon fines 166.c
☞ 8 That sheriffes shal not be Justices of peace during their office 428.c
☞ 9 For thincorporation of Phisitions of Lõdon 328.a
10 For knitting, dissolving, and new erecting of courtes 86.a
11 For sale of hattes & cappes made beyonde the sea 196.c
☞ 12 Against vnlawfull assemblies 375.b
13 For continuance of certein stat
14 For reparation of Gaoles
15 For reedifying of S. Elins in York 483.a
16 For thattaindour of ỳ Duke of Northũberland & others 27.b
17 For release of a subsidie of the tẽporalte 502.b
18 For a subsidy of tonnage & pondage 439.b

¶ An other statute the same. 1. yere.

1 ¶ An acte that the regall power is in the Quẽnes maiestie as fully as it hath bene in any her progenitors 354.a
2 For articles of ỳ Quẽnes mariage 354.a
3 For repeale of 2. acts, touching the dissolution of the Bishoprick of Durham 135.a
4 For establishing the Lord Stewardes office, of her maiesties houshold 436.b
5 For repairing of Shirborne causey 421.b
6 For repairing a causey betwixt Bristowe & Glocester 199.a
7 For cloth makig in corporat townes 128.b
8 For buying & carrying of leather
9 For ordinaunces in Churches and scholes 298.c
10 For repeale of a stat for knitting 2. parish Churches in Esser 483.a
11 For the sea landes in Glamorgan 408.b
12 For continuation of certaine stat 378.c

¶ The 1. & 2. yeres of king P. & Q. Mary.

1 ¶ An act touching letters patentes, & other writtings to be signed by the Quæne 354.a
☞ 2 For reformation of excesse in apparel 16.a
3 Against seditious wordes & rumors 290.a
☞ 4 For punishment of Egiptians 135.c
☞ 5 For restraint of coyne &c. ouer ỳ sea 482.c
6 For punishment of Heretikes 198.b
7 That countrey persons shal not sell diuers wares in Cities &c. by retaile 453.b
8 For repealing all stat agaynst the See of Rome 38.b. 365.b
9 For punishment of traitrous wordes against the Quẽne 459.c
10 Certein offences made treason, & for the gouernment of the K. & Q. issue 459.c
11 For punishment for bringing in counterfait coyne 460.a
12 For impounding distresses 113.b
☞ 13 An order for Justices, for baylement of prisoners 254.b
14 For makinge of Kussels, Sattens &c. in Norwiche 296.b
15 For the liberties of the Lord Marchers in Wales 513.b
16 For continuance of certein stat 378.c
17 For leases to be made by spirituall persõs 244.b

¶ The 2. & 3. yeres of king P. & Q. Mary.

1 ¶ An acte for reedifying of Castels &c. for enclosing greunds vpon ỳ borders towards Scotland 51.b
2 For reedyfying of decayed houses, and for encrease of tillage 214.c
☞ 3 For kæping of milch kine, and rearinge of Calues 49.b
4 For extinguishment of first fruits, & order of spiritual promotions &c. 166.b
5 For relefe for the powre 469.c
☞ 6 Against excessiue takinge of Purueyours 352.b
☞ 7 For buying of stollen horses 160.b
☞ 8 For amending high wates 199.b
9 For auoyding licences of houses, wherein vnlawful games be vsed 331.a
☞ 10 For examination of prisoners suspected of manslaughter or felony 333.c
11 For weauers 129.a
12 For buyinge and sellinge of clothes called Bridgewaters 129.c
☞ 13 For the inhabitants of Halifax, for buying of wolles 553.b
14 For redifying of 4. milles neare Herford 198.c
☞ 15 That purueyors shall not take vitailes within 5. miles of Cambridge & Oxford 483.c
☞ 16 For watermen vpon Thames 307.b
17 For taking away the Clergy from Benet Smith, for murdering Kufford 62.c
☞ 18 For cõmissions of peace & gaole delyuery in townes corporat not being counties 231.c

19 For

19 For Wolvdike in marshland 361.a
20 For thenlarging the Duchy of Lancaster 243.b
21 For continuation of certeine stat 552.b
22 For a subsidie graunted by ỹ clergie 439.b
23 For a Subsidie graunted by the Temporaltie 439.b

¶ The 4.& 5. yeare of king P. & Q. Mary.

1 ¶ An acte for confirmation of letters patents 314.a
2 For having horse, armour, & weapon 20.b
3 For taking of musters 287.b
4 That accessaries in murder, & diuers felonyes shall not haue their clergie 62.c
5 For making of woollen clothes 129.c
6 For the behauiour of French men beinge denizens 107.a
7 For making a full iurie de Circumstantibus, where ỹ king or Quéene is a party 226.b
8 For punishmẽt of such as take away maidens &c. wthin 16. yeres of age &c. 555.b
9 For continuance of certaine stat 552.b
10 For a subsidie of ỹ clergie 439.b
11 For a subsidie & a fiftéene graunted by the temporaltie 439.b

¶ *Statutes made in the time of Queene Elizabeth, The beginning of her raigne.*
An. 1558. *Nou.* 17.

¶ The first yeare.

1 ¶ An act restoring to the Crowne ỹ auncient iurisdiction &c. 91.b
2 For vniformitie of praier, and administration of the Sacraments 404.b
3 For recognising the Quéene to ỹ Crowne 94.b
4 For restitution of first fruites & tenths &c. to the Crowne 166.b
5 Certaine offences made treason 461.a
6 For explanation of the statut for seditious wordes &c. 291.b
7 For conueying horses into Scotlãd 207.b
8 For Shomakers & Curriers 74.a
9 For Tanners & tanned leather 89.a
10 That carrying of leather &c. out of ỹ Realme shalbe felony 69.a
11 Times for landing of marchãdize, and for customes of sweete wines 83.a
12 Against deceiptful dying of linnẽ cloth 264.b
13 For shipping in English bottomes
14 For making wollẽ cloth in diuers towns in Esser 131.b
15 That no timber shalbe felled to make coals for burning of Iron
16 Against rebellious assemblies 378.c
17 For preseruation of spawne, & fry of fishe 200.b
18 For continuance of certaine statutes
19 For a subsidie of tonnage & Põndage 440.c
20 For a subsidie & two fiftéenes and tenthes graunted by the Temporaltie 440.c

¶ The 5. yeare of Queene Elizab.

1 ¶ An act for thassurance of the Quénes power ouer all states &c 94.b
2 For maintenãce & encreasle of tillage 217.b
3 For releefe of the poore 469.c
4 Orders for Artificers, & labourers &c. 242.c
5 Constitutions for maintenãce of the navy 419.b
6 Againste such as shal sel ware for apparell 16.c
7 For auoyding of forreine wares
8 For Shomakers &c. vsinge cutting of leather 69.a
9 For punishment of periurie 321.a
10 For seruants imbesilling their maisters goods 189.b
11 For clipping &c. of coynes 461.c
12 For badgers of Corne & drouers of cattaile to be licenced 75.a
13 For amending of high waies 200.b
14 Against forging of euidences &c. 182.c
15 Against fõd & phãtastical prophecies 340.c
16 Against conurations &c. 65.b
17 For punishment of Buggerie 162.a
18 That the authoritie of the Lorde képer, & Lord Chauncellour shalbe one 231.c
19 For repeale of a stat, for conueying horses out of the realme 207.b
20 For punishment of vagabõds sayning thẽselues Egiptians 136.a
21 For punishment of vnlawfull takinge of fish &c. 173.a
22 Against carrying of shéepe skinnes & pelts ouer the sea 265.a
23 For due execution of the writte of Excõmunicato capiendo 149.b
24 For repairing of Gaoles 334.a
25 For filling of iuries (de Circumstantibus) in Wales 227.b
26 For inrollinge Indentures of recorde at Lancaster &c.
27 For leuying fines in the Countie palantine of Durham
28 For translating the Bible and diuine seruice to the Welsh tongue
29 For a Subsidie graunted by the Clergie 440.c

30 For a Subsidie, two fifteenes and tenthes graunted by the temporaltie 440.c
31 For a generall pardon 321.a

¶The 8. yere of Queene Elizabeth.

1 ¶An acte for making of Archbishops, and Bishops to be lawfull 38.b
2 That ỳ defend shal recouer his costs 337.b
☞ 3 Against carrying of shepe ouer the Sea alive 420.a
4 For taking away the clergie from certein felonious offendors 62.b
5 For abridgement of appeales in suites of Civil & marine causes 7.a
6 For cloth workers, and cloth to be shipped ouer sea 131.b
7 For Drapers in Shrewesbury 132.a
☞ 8 For repeale of a branch of a statut, for ỳ stature of horses in the Ile of Ely &c. 207.c
☞ 9 For repeale of a branch of a stat for ỳ prices of barels & kilderkins 80.b
10 For Bowyers, & the price of bowes 40.c
11 For true making of Hattes & caps 166.b
12 For thaulnegers fees in Lancashire, & for the measure of Cottons &c. 132.c
13 For sea markes & mariners 256.c
14 For transporting of tawed leather 265.a
15 For preseruation of grayne 89.b
16 That in diuers Cowties there shal be but one sherife 429.b
17 For a subsidie graũted by ỳ clergie 440.c
18 For a fifteene & tenth graunted by ỳ temporaltie 440.c
19 For a general pardon 321.a

¶The 13. yere of Queene Elizab.

1 ¶An act wherby certein offences be made treason 463.a
☞ 2 For bringing in, and puttinge in execution Bulles from Rome 96.b
3 For fugitiues ouer the sea 192.a
4 To make the lands &c. of receiuors, liable for their debtes 108.a
5 Against fraudulent dedes, giftes, alienations &c. 188.c
6 That exemplifications of letters patents, shalbe as good as letters patents 193.c
7 For orders for bankrupts 34.c
☞ 8 Against vsurie 491.a
☞ 9 For Commission for Sewers 409.b
10 Against frauds, defeating remedies for dilapidations 110.a. 245.a
☞ 11 For maintenance of nauigation 420.b
12 To reforme disorders, touching ministers of the Church 430.c
☞ 13 For encrease of tillage 75.b
☞ 14 For bringing bowstaues into the Realme 40.b
15 That no boy shall crosse the sea 420.b
16 For thattainder of ỳ Earle of Westmerland, and the Earle of Northũberlãd 27.b
17 For the Earle of Leycester to founde an Hospitall 208.b
18 For bringing of ỳ riuer of Lee, to ỳ North side of London 247.b
☞ 19 For making of Cappes 197.a
20 For leases of benefices, & other ecclesiasticall lyuings 245.b
☞ 21 That Purueiors may take corne & vitails within fiue miles of Cambridge & Oxford, in certeine cases 484.a
22 For continuance of the statute for diuision of Shirises 426.b
☞ 23 For pauing a strete without Algate 317.b
24 For paning of Ipswich 222.b
☞ 25 For continuance of certein stat 334.b
26 For a Subsidie graunted by the Clergie 440.c
27 For a Subsidie, two fifteenes and tenths graunted by the Temporaltie 440.c
28 For a generall pardon 321.a

¶The 14. yere of Queene Elizab.

☞ 1 ¶An acte for punishment of such as rebellously detaine anye of the Quenes Castels &c. 463.c
☞ 2 Against such as practise thenlargement of anye prysoner committed for hygh treason 162.c. 463.b
3 Against counterfayting anye forein coyne not current within this realme 284.b
4 For inhibiting the carrying of leather, tallow, &c. out of the realme 74.c
☞ 5 For punishment of vagabonds, and relefe the poore 476.b
6 For explanation of a statut against Fugitiues ouer the seas 192.c
7 Against deceipt of vndercollectors of tẽths and subsidies 109.b
8 For auoyding receueries suffered by collusion by tenants for terme of life &c 362.c
9 That the tenant or defendant may haue a Tales de circumstantibus as well as the demaundant or plaintif 227.b
10 To reforme the excessiue length of Barbes 113.b
☞ 11 For continuation, explanation &c. of diuers statutes 110.b. 322.b
12 For repeale of a stat for Shrewesbury

13 For

13 For annexing Hexam, & Hexamshire to Northumberland 198.b

¶The 18. yere of Queene Elizab.

1 ¶An act against diminishing of ỳ Quenes coyne, and other coines current within the realme 464.a
2 A confirmation aswell of graunts made to the Queene, as of letters patentes made by her to others 315.c
☞ 3 For setting paye people on worke 478.c
4 For avoiding fraudes in certain conueiances made by the rebels in the North 189.b
☞ 5 To redresse disorders in common Informers vpon penal lawes 220.b
6 For maintenance of the Colledges in both Universities, and in Winchester and Eaton 246.a
7 For taking awaye Clergie from thoffendors in Rape and Burglarie, and an order for deliuering Clerkes conuict without purgation 62.b
8 For appointing and authorising Iustices of assise in Wales 513.b
9 Against transporting of Leather &c. 74.a
☞ 10 For mending of high waies 219.c
11 Against defeating dilapidations, and leases of spiritual promotions in some respects 246.b
12 For trial of Nisi prius in Middlesex 295.a
13 For offices found within the Counties palantines
14 For reformation of Ieofayles 218.b
15 For abuses in Goldsmithes 194.b
16 For tolleratiõ of certain clothiers to dwell out of townes corporate 133.c
17 For perpetual maintenaunce of Rochester bridge 44.b
☞ 18 For repairing of Chepstow bridge 45.c
19 For paving of Chichester 317.b
☞ 20 For repairing bridges & high wayes neare Oxford 46.a
21 For releife of & reedifying of newe woodstocke 414.a
22 For a Subsidie graunted by the Clergye 440.c
23 For two fifteenes & tenthes, & one subsidie graunted by the temporaltie 440.c
24 For a generall pardon 321.a

¶The 23. yere of Queene Elizab.

☞ 1 ¶For reteyning the Queenes subiectes in their due obedience 98.c
☞ 2 For seditious wordes vttered against the Queene 291.c
3 Touching errours in fynes and recoueries 137.b
4 For fortifying the borders neare Scotland 396.a
5 Concerninge Iron milles neare London 546.a
6 For repairing of Dover hauen 114.a
7 For the increase of Mariners and maintenance of the Navy 420.b
8 For the true making of ware 524.c
☞ 9 For thabolishing of blackwoade and other deceiptfull stuffe, in the dying of cloth. 134.b
☞ 10 For preseruation of Pheasants and Partridges 162.b
☞ 11 For the reedifyinge of Cardiffe bridge 46.c
☞ 12 For paueinge the stretes without Algate 317.b
13 For inning of earth at Plumsted marshe 331.a
☞ 14 & 15 Actes for subsidies graunted 440.c
16 An act for generall pardon 321.a

¶The ende of the second Table